



Deer Creek at Northgate Modification Guidelines

A succession document to the Deer Creek at Northgate Design Review Guidelines (Declarant Guidelines) that were written primarily for new construction, these Modification Guidelines have been written specifically to assist Deer Creek at Northgate (Deer Creek) homeowners with modifications to their existing properties, with the goal of enhancing the long range image and value of Deer Creek. Accordingly, these Modification Guidelines hereby replace the Declarant Guidelines for all matters related to proposed modifications and their review.

Any modifications to the exterior of existing properties, or visible from other properties or common areas within Deer Creek, must be reviewed and approved by the Deer Creek Design Review Committee (DRC) prior to commencement, in accordance with these Modification Guidelines. Requests for modifications should be submitted preferably through the association website (www.deercreekcos.org) or to:

Deer Creek at Northgate Homeowners Association
Design Review Committee
c/o Colorado Association Services
5225 N. Academy Blvd. Suite 200
Colorado Springs, CO 80918
Email: ajohnson@associacolorado.com
Phone: 719-473-5000
Fax: 719-473-1838

Distinct from the Declarant Guidelines, these Modification Guidelines do not include community regulations regarding matters such as parking, trash containers and noise levels. Please consult the Declaration of Covenants, Conditions and Restrictions for Deer Creek at Northgate (Declaration) or the association management company or website (above) for more information on this or any other subject related to these Modification Guidelines.

Effective: January 1, 2014

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Deer Creek at Northgate Modification Guidelines

1. Introduction

A succession document to the Deer Creek at Northgate Design Review Guidelines (Declarant Guidelines) that were written primarily for new construction, these Modification Guidelines have been written specifically to assist Deer Creek at Northgate (Deer Creek) homeowners with modifications to their existing properties, with the goal of enhancing the long range image and value of Deer Creek. Accordingly, these Modification Guidelines hereby replace the Declarant Guidelines for all matters related to proposed modifications and their review.

Both documents derive their authority from Article 11 of the Declaration of Covenants, Conditions and Restrictions (Declaration) for Deer Creek and are subject to all direction given in the Declaration. Should there be any conflict between these Modification Guidelines and the Declaration, the direction contained within the Declaration shall prevail.

As stated in the Declarant Guidelines and Declaration, the Design Review Committee (DRC) has been given the authority and responsibility to manage the design review process in accordance with the governing documents referenced above, primarily these Modification Guidelines. The DRC may establish and charge reasonable review fees, not to exceed \$150, and may require such fees to be paid in full prior to any modification review.

The DRC reserves the right to revise these Modification Guidelines from time to time as changing conditions and priorities dictate and as outlined in the Declaration. Final approval of all revisions must be given by the Deer Creek Homeowners Association (Deer Creek HOA) Board of Directors (Board).

It is important to the Deer Creek Homeowners Association (Deer Creek HOA) to not only establish standards, but also to provide the tools to assist its owners in fulfilling them. Accordingly, this document and the modification review process will incorporate such resources and support. In keeping with this goal, the appendix includes several helpful resources and information.

Considering our semi-arid environment, recurring drought conditions and increasing utility rates, these Modification Guidelines include Sustainable Landscape Practices. Various studies have shown the implementation of such practices result in significant savings in maintenance and utility costs, decreased warranty claims, increased property valuation, a heightened standard of performance and pride of ownership and other side benefits; all of which offset the short term costs associated with their implementation. Given their value, these *recommended* practices have been incorporated into the Landscape and Lot Chapter along with the *required* elements of these Modification Guidelines, which are identified by a leaf icon (🍃) adjacent to the associated sections of text. This distinction between *recommended* and *required* elements of text is only made in the Landscape and Lot Chapter; all other chapters and sections of these Modification Guidelines should be considered required.

Any proposed modifications to the exterior of existing homes, or visible from other properties or common areas within Deer Creek, must be submitted to the DRC for review and approval prior to commencing such modifications. Any modifications approved before the effective date of these Modification Guidelines are exempt from the requirements herein and instead must comply with the Declarant Guidelines, unless noted otherwise. Homeowner cooperation with these Modification Guidelines enables the Deer Creek HOA and its owners to uphold the long range image and value of Deer Creek and its individual properties.

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2. Review Procedures

2.1 Purpose, Governance and Homeowner Responsibility

2.1.1 Purpose

The purpose of these Modification Guidelines is to facilitate an orderly, equitable and consistent process that promotes continuity of the community's architectural and landscape theme, as well as desirable aesthetics of individual properties, with the goal of continuing to improve the image and value of properties and the community.

2.1.2 Governance

The Design Review Committee (DRC) consists of three (3) or more persons appointed by the Board of Directors and has the authority, on behalf of the Deer Creek Homeowners Association (Deer Creek HOA), to review and approve or disapprove all proposed modifications to existing homes and lots within Deer Creek and will fulfill its associated functions in a manner consistent with Article 11 of the Declaration. The DRC shall review and make determinations regarding modification submissions in accordance with these Modification Guidelines, with the goal that modifications harmonize with the existing surroundings, residences and landscapes. The DRC possesses the right to vary provisions in these Modification Guidelines, subject to Board approval, if in its opinion such a variance is merited and consistent with the spirit and purpose of these Modification Guidelines.

2.1.3 Homeowner Responsibility

It is the Homeowner's responsibility, not its tenants, contractors, consultants or any other agent of the Homeowner, to submit any and all modification requests for its property to the DRC. Furthermore, the Homeowner is responsible for ensuring those modifications are completed in compliance with these Modification Guidelines and any other direction received from the DRC and to bear the liability for any violations of the same, whether the result of Homeowners' actions or those of its tenants, contractors, consultants or any other agent of the Homeowner.

2.2 Modifications Requiring Review

Any proposed modifications to the exterior of existing properties in Deer Creek, or visible from other properties or common areas within Deer Creek, shall be submitted to the DRC for review and approval prior to commencing such modification. Modification types are grouped into the following five broad classifications and further into Major and Minor levels of complexity.

2.2.1 Landscape and Lot

Such as grade, soil, trees, shrubs, grass, mulch or other ground cover and irrigation system.

Major	Expansion or alteration of design/layout of landscape, irrigation system or drainage patterns.
Minor	Replacement or amendment of soil, trees, shrubs, grass, mulch or other ground cover or exposed irrigation system parts with different ones, but without modifying overall design/layout of the landscape, irrigation system or drainage patterns.

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2.2.2 Hardscape and Accessory Structures

Such as paved surfaces, pavers, fences and walls, fire pits, gazebos, sheds, greenhouses, hot tubs, spas and water features

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| Major | Physical alteration to or addition of hardscape or accessory structures. |
| Minor | Cosmetic change to materials or colors of hardscape or accessory structures. |

2.2.3 Yard Ornaments, Lighting and Communications Equipment

Such as signs, flagpoles, birdbaths, birdhouses, fountains, sculptures and statues, all types of exterior lighting, satellite dishes and antennas.

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|-------|---|
| Major | Additions of or changes to Yard Ornaments, Lighting and Communications Equipment that have significant visibility to or impact on surrounding homeowners. |
| Minor | Additions of or changes to Yard Ornaments, Lighting and Communications Equipment that have negligible visibility to or impact on surrounding homeowners. |

2.2.4 Architecture and Attached Features

Such as home additions or remodels, decks, balconies and enclosed patios, chimneys and fireplaces, skylights, solar equipment, window and door treatments, awnings and security systems, gutters, downspouts and vents, mechanical and electrical equipment.

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| Major | Physical alteration or addition to Architecture or Attached Features of exterior of home. |
| Minor | Cosmetic changes (i.e. materials or colors) to existing Architecture or Attached Features of exterior of home. |

2.2.5 Restoration

As used in these Modification Guidelines, the term “Restoration” means restoring any exterior element of the existing home or property (i.e. landscape, lot, hardscape, accessory structures, yard ornaments, lighting, communications equipment, architecture or attached features, etc.) to its pre-existing condition, type, species, size, color, materials, location, construction, installation and any other specification used to describe it.

Minor Restorations, as described below, will not generally incur a submission fee, whereas Major Restorations may incur a modest one. Homeowners will notify the DRC of their proposed Restoration, so the DRC will have the opportunity to review, offer comments on and determine if a more formal review and fee is justified and if so, notify the Homeowner in writing. This enables the DRC to keep current files on each property.

Should all or the majority of a home’s exterior or its yard be destroyed by fire, flood or some other natural disaster, the Homeowner will have the option of restoring the home/yard to its original condition and having it reviewed as a Restoration by the DRC, or changing the home/yard to a new design, in which case it will be reviewed as a Modification under the applicable chapter in these Modification Guidelines.

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Major	Requiring an on-site visit or professional consulting services to determine if the proposed modification meets the definition of a Restoration, or if it has the potential of disrupting/impacting other structures or areas on the lot or adjacent homes or common areas.
Minor	Does not require an on-site visit or professional consulting services to determine if the proposed modification meets the definition of a Restoration, nor does it have the potential of disrupting/impacting other structures or areas on the lot or adjacent homes or common areas.

2.3 Submission Requirements

2.3.1 General Requirements for ALL Submissions

2.3.1.1 Use Modification Submittal Form (Appendix C). This form is provided for reference purposes only, as it is subject to change. Homeowners can acquire the current form through the association website (www.deercreekcos.org) or by contacting the association management company, shown on the cover page of these Modification Guidelines.

2.3.1.2 A non-refundable submission fee may be required with submissions to help offset costs associated with the review. If required, such fees may vary based on the complexity of each type of review, not to exceed \$150. Homeowners should inquire regarding any applicable fees through the association website (www.deercreekcos.org) or by contacting the association management company, shown on the cover page of these Modification Guidelines. Unless directed otherwise, payment should be made in the form of a check to: Deer Creek HOA.

2.3.1.3 Legible scaled plans/drawings, with measurements and labels on all relevant elements, as well as property address, applicant contact information and a legend/key.

2.3.1.4 Site Plan of the property showing the footprint of the home, property boundaries, directional point of reference, nearby right-of-ways and easements, setbacks, corner visibility triangles, relevant site features and adjacent homes.

2.3.1.5 If needed, location for construction trailer, storage/staging, fencing, erosion control and dumpster.

2.3.1.6 Overhead, Elevation and Section Views of the proposed modification.

2.3.1.7 Project timeline, with at least a commencement and completion date.

2.3.1.8 One full-size set of original documents and/or a digital version of all documents that can reasonably be digitized; larger plans should be reduced to a smaller size for ease of email transmission and review by the DRC.

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2.3.2 Classification-Specific Requirements

The following are typical components required for the different modification classifications. Some submissions, however, may require additional information.

2.3.2.1 Landscape and Lot

- For ALL Landscape and Lot submissions
 - Any removed or replaced landscape, hardscape and irrigation elements.
 - Identify any hardscape, accessory structure, yard ornament, lighting or communications equipment affected by or affecting the proposed landscape and lot modification.
 - If applicable, erosion and sediment control measures.
 - If applicable, plan for protecting existing trees and shrubs.
 - See Section 2.3.1 - General Requirements for All Submissions above.
 - Refer to the Landscape and Lot and Construction and Installation chapters for more information.
- Grading and Drainage
 - Use 2-foot contour intervals, spot elevations or other means of identifying existing and modified grade and tying in with grades at property lines.
 - If applicable, any drainage facilities, appurtenances and easements.
 - If applicable, identify proper means of routing roof drainage from downspouts into lot's designated drainage pattern.
 - See Section 2.3.1 - General Requirements for All Submissions above.
- Turf
 - Type (sod, Native or Synthetic) and size of area covered.
 - Water requirements (low, medium or high).
 - Type and mixture ratio of soil amendment.
 - Any special installation procedures.
 - See Section 2.3.1 - General Requirements for All Submissions above.
- Trees, Shrubs and Mulch
 - Species, sizes, quantities, locations and water requirements (low, medium or high) of trees and shrubs.
 - Type, size and depth of rock or wood mulch.
 - Type and mixture ratio of soil amendment.
 - Landscape fabric used, if applicable.
 - Type of edging.
 - Installation procedures.
 - Location and screening of mechanical equipment.
 - See Section 2.3.1 - General Requirements for All Submissions above.
- Irrigation
 - Product descriptions, specifications and location of heads and lines.
 - Graphic delineation of location of irrigation zones.
 - System pressure.
 - Any special installation procedures.
 - See Section 2.3.1 - General Requirements for All Submissions above.

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- Vegetable Gardens
 - Distance in relation to home foundation, property lines and drainage patterns.
 - Overall dimensions of garden structure and height of mature plants.
 - Means of minimizing visual impact to neighbors and common areas.
 - Description and/or samples of materials and colors to be used for garden structure.
 - Type and location of irrigation heads and lines.
 - Consult with DRC in advance of submission.
 - See Section 2.3.1 - General Requirements for All Submissions above.

2.3.2.2 Hardscape and Accessory Structures

- Any removed or replaced hardscape or accessory structures.
- Type, materials and colors to be used (samples preferred and at times required).
- Product and installation specifications.
- Height in relation to the adjacent grade.
- Identify any landscape and lot, yard ornament, lighting or communications equipment affected by or affecting the proposed hardscape and accessory structures modification.
- See General Requirements for All Submissions above.
- Refer to the Hardscape and Accessory Structures and Construction and Installation chapters for more information.

2.3.2.3 Yard Ornaments, Lighting and Communications Equipment

- Any removed or replaced yard ornaments, lighting or communications equipment.
- Identify any landscape and lot, hardscape and accessory structure affected by or affecting the yard ornaments, lighting or communications equipment modification.
- Size and description of materials, colors and other details (samples preferred and at times required).
- Yard Ornaments
 - Photographs or renderings of the yard ornaments.
 - Location on the property.
 - If applicable, installation specifications.
- Lighting
 - Height in relation to the adjacent grade.
 - Product and installation specifications.
 - Location on property, home or accessory structure.
 - Documentation of light intensity and dispersion.
- See General Requirements for All Submissions above.
- Refer to the Yard Ornaments, Lighting and Communications Equipment and Construction and Installation chapters for more information.

2.3.2.4 Architecture and Attached Features

- Any removed or replaced architecture or attached features associated with the proposed modification.
- Identify any landscape and lot, hardscape and accessory structure, yard ornaments, lighting or communications equipment affected by or affecting the architecture and attached features modification.
- Color illustration/rendering of modification.
- Materials and colors to be used (samples preferred and at times required).

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- Product and installation specifications.
- Height in relation to the adjacent grade and/or other reference points.
- See General Requirements for All Submissions above.
- Refer to the Architecture and Attached Features and Construction and Installation chapters for more information.

2.3.2.5 Restoration

Refer to the applicable modification classification above for instructions regarding the necessary components of the submission, which should also include a detailed description, samples, product/color names or numbers, etc. of the existing landscape, lot, hardscape, accessory structure, yard ornaments, lighting, communications equipment, architecture or attached feature, etc.

2.4 Where to Submit

Requests for modifications should be submitted preferably through the association website (www.deercreekcos.org) or by contacting the association management company, shown on the cover page of these Modification Guidelines.

2.5 When to Submit

Requests for modification reviews may be submitted at any time, as the DRC conducts reviews year round and typically via email, with its decisions being ratified and documented at its next scheduled meeting.

2.6 DRC Meeting Attendance

Occasionally, a submission is complex enough to merit discussion with the applicant at a scheduled DRC meeting, in which case the applicant will be notified in advance to coordinate their attendance. Applicants may also request to be on DRC's meeting agenda, subject to such requests being made preferably at least a week prior.

The DRC meets quarterly, unless there is a submission or other business that merits meeting sooner. The date for these meetings is subject to change, so interested applicants should contact the Deer Creek HOA to confirm the date and time and identify any necessary preparations.

2.7 Review Timeline

The DRC shall complete its formal review and notify the applicant of their decision in writing within 30 days after receipt of an Accepted submission.

The determination of an Accepted submission will be made by a DRC member or designated representative. If elements appear to be missing or are inconsistent with these Modification Guidelines, the applicant will be contacted for more information. The submission is not considered Accepted until this initial review has been completed, the submission is generally complete, and elements comply with these Modification Guidelines' core elements. An Accepted submission is not to be confused with the formal review response classifications described later in these Modification Guidelines.

Once determined Accepted, the submission will be forwarded to the DRC for formal review, thereby starting the 30-day review period, and a Notice of Receipt will be sent to the applicant, informing them of the deadline for the DRC's formal response.

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When the DRC has completed its review, the applicant will be sent a formal response letter that will include one of the review response classifications described later in these Modification Guidelines, as well as any associated comments, suggestions and direction.

If the DRC's response is anything other than approved (without any conditions), the applicant will have the opportunity to address any such conditions and modify and resubmit the necessary documents for a subsequent review. All conditions must be addressed and corrected to the satisfaction of the DRC prior to commencing installation. The timeline for any and all subsequent reviews will be the same as for the original review.

If the DRC fails to notify the applicant of its decision on a submission or resubmission within the time period described above the applicant has the option to consider the submission approved, with the understanding that the absence of notice of approval from the DRC shall not relieve the applicant from obligation to comply with any express requirements of these Modification Guidelines. Given the potential time and cost associated with correcting a violation of these Modification Guidelines, however, Homeowners are encouraged to attempt to communicate with and receive approval from the DRC, even after the 30 day period, prior to commencing their modification.

2.8 Review Response Classifications

Every modification review conducted by the DRC will result in the submission being assigned one of the following four classifications:

- 2.8.1 **Approved**
In compliance with these Modification Guidelines and supplemental DRC direction.
- 2.8.2 **Approved With Conditions**
Satisfies critical elements of these Modification Guidelines and supplemental DRC direction, but is missing some information, or contains some minor items needing clarification or correction. Conditions must be fulfilled before final approval by the DRC can be granted and the subject modifications commenced, unless stated otherwise by the DRC.
- 2.8.3 **Disapproved**
Contains significant inconsistencies, or lacks sufficient information to confirm compliance, with these Modification Guidelines and/or supplemental DRC direction. The modification request must be resubmitted for review, with all DRC comments addressed.
- 2.8.4 **Unreviewable**
Illegible and/or lacks the minimum components required to conduct a formal review, in which case the modification request must be resubmitted in a legible and complete manner. This classification is rarely assigned, since the DRC typically communicates its questions and requests informally to assist applicants in submitting an accepted request ready for formal review by the DRC.

For any of the classifications above, other than Approved, if the applicant does not resubmit the modification request addressing all comments by the DRC within the time period designated by the DRC (or 90 days if not so designated), the submission may at the DRC's discretion be closed. An additional submittal fee may be required if the request is resubmitted to the DRC.

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No approval shall be granted or upheld that is inconsistent with these Modification Guidelines, unless a variance has been granted in writing by the DRC. Refer to the Variances section of this chapter for more information.

Because these Modification Guidelines cannot anticipate all possible situations, the DRC reserves the right to assign a review response classification based on its evaluation of the modification's adherence to the overall spirit and specific direction contained within these Modification Guidelines.

2.9 Notice

To expedite the review process, the DRC typically will email or fax informal communication and routine notices required by these Modification Guidelines to the recipient. Originals of official communication are sent by U.S. Postal Service either as follow-up or standalone communication. Applicants are encouraged to follow this same protocol in its communication with the DRC.

Subject to written confirmation, such notice shall be deemed delivered with these circumstances: (1) three business days after deposit with the U.S. Postal Service, (2) upon personal delivery, (3) upon transmission of fax or email, or (4) on the next succeeding business day after deposit with an express delivery service.

2.10 Variances

The DRC may grant variances to these Modification Guidelines, subject to Board approval, only when unique circumstances exist that were not anticipated nor addressed by these Modification Guidelines, or prohibit the applicant from meeting the requirements of these Modification Guidelines. Variances must be granted in writing and be consistent with the spirit of these Modification Guidelines and other governing documents.

2.11 Change Requests

A property owner may request a change to its previously approved modification submission, but only if the request is submitted prior to commencement of the actual modification. The request must be submitted in writing to the DRC, along with the associated fee and a "red-lined" set of plans, clearly delineating the proposed change.

The DRC will then conduct a Change Review, which is a cursory assessment of the request to determine the scope of the proposed change. If it is a minor modification, the DRC may provide a formal response concurrent with the results of its cursory assessment. If the DRC concludes the change is more complex requiring a resubmission, it will inform the applicant of this, along with notice of the associated additional fees. It also will solicit the applicant's direction before proceeding with a more detailed review.

2.12 Commencement and Completion

Approved plans are valid for a period of 12 months and the associated modifications are expected to be completed within this time period. If the Homeowner discovers it will likely exceed this deadline, they should apply for an extension from the DRC at least 5 working days prior to the deadline.

Within 30 days of the DRC's knowledge of the completion of a modification, the DRC may choose to conduct an inspection to determine if the modifications have been completed in a manner consistent with the approved submission. If so, the DRC will inform the applicant at least 3 days in advance of the inspection.

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After completion of the inspection, the DRC will notify the applicant regarding: 1) Items needing corrective action, if any, along with the time allowed for completing them, or 2) Satisfactory completion of the modification, in accordance with the approved submission and 3) If any significant revisions were made to the original plans, the DRC may require the applicant to submit As-Built Plans to the DRC for its files.

An inspection by the DRC does not satisfy Municipal Approving Authority inspection requirements.

2.13 Governmental Approval

The DRC assumes no responsibility for plan review of or conformance with applicable local, state or federal codes or ordinances, including Americans with Disabilities (ADA); this shall be the homeowner's responsibility. However, the DRC may require evidence of such compliance as part of its review process. By approving plans and specifications, neither the DRC, its members, the Association nor the Declarant assume any liability or responsibility for engineering design or compliance with law and applicable governmental ordinances or regulations or any other matter relating thereto, other than these Modification Guidelines. If and when submission of plans to the Municipal Approving Authority is required, it is recommended those plans be reviewed and approved by the DRC first.

2.14 No Liability

Neither the DRC, its members, its agents, the Association, the directors of the Association, the Declarant, nor any successors, assigns, agents, employees or officers of them shall be liable to any Homeowner or other person for any damage, loss, or prejudice suffered or claimed on account of: (1) approval or disapproval of any plans, (2) performance of any work, whether or not pursuant to approved plans, drawings and specifications, or (3) development of any property within the subdivision.

2.15 Compliance

It is important to emphasize that these Modification Guidelines have been designed to minimize disputes arising out of their interpretation, application and enforcement. If and when such a dispute occurs, it is the intent of the DRC to facilitate an amicable, reasonable and timely resolution to avoid the financial and emotional costs of litigation.

If the DRC becomes aware of a violation of these Modification Guidelines, it may choose to provide the property owner an informal verbal or email courtesy notice of such violation with the intent of allowing the owner opportunity to swiftly correct the matter without incident.

If the DRC believes more formal action is merited because of the nature of the violation or an unfavorable response by the owner to a prior courtesy notice, the DRC may recommend such action to the Deer Creek HOA Board. In that case, the Deer Creek HOA Board will review the matter and, if in agreement, will commence formal communication with the owner in accordance with Deer Creek HOA procedures and the Homeowner being responsible for any fees associated with enforcement of the violation.

2.16 Appeal and Arbitration

Homeowner shall have the right to appeal any decision made by the DRC to the Board. To be valid, the appeal shall be submitted in writing by the Homeowner to the Board within thirty 30 days after receipt of notice of the DRC's decision. Homeowner shall have the option to retain the services of an architect or other consultant, subject to the Homeowner paying for said consultant(s) in advance of arbitration.

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3. Landscape and Lot

3.1. Recommended and Required Practices

3.1.1. Various studies have shown that the implementation of Sustainable Landscape Practices result in significant savings in maintenance and utility costs, decreased warranty claims, increased property valuation and other benefits. The value of reduced water use increases over time in proportion to the rate of escalating utilities costs and ultimately helps extend area water supplies.

3.1.2. Accordingly, much of the content in this chapter is written to reflect Deer Creek HOA's advocacy of Sustainable Landscape Practices as the *recommended* standard for homeowners to use with their landscapes.

3.1.3. Further, this chapter is meant to provide information and resources that will assist homeowners with the assessment, planning and implementation of modifications to their landscapes consistent with the *required* elements of these Modification Guidelines, which are identified by a leaf icon (🍃) adjacent to the associated sections of text.

3.1.4. This distinction between *recommended* and *required* elements of text is only made in this Landscape and Lot Chapter; all other chapters and sections of these Modification Guidelines should be considered required.

3.2. Supporting Documents

3.2.1. Green Industries of Colorado (GreenCo) Best Management Practices (BMP), an excellent and expanded technical resource for sustainable landscape practices, can be found at the following link: <http://www.greenco.org/>

3.2.2. 7 Principles of Xeriscape, as explained at the Associated Landscape Contractors of Colorado website: <http://www.alcc.com/xeriscape> and other industry sources.

3.2.3. Other sustainable landscape resources listed in Appendix L of these Modification Guidelines.

3.3. Design Concepts

3.3.1. Utilize a variety of landscape materials, colors and textures that provide year-round visual color, form and texture appropriate for the property and architectural style of the home.

3.3.2. Incorporate soil amendments, plant materials and irrigation systems that require or consume less water.

3.3.3. Utilize landscape to enhance desirable views and to screen less desirable views. The proper placement of landscape materials is important in how the community looks and feels.

3.3.4. Use landscaping to soften home mass, screen mechanical equipment and provide shade.

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- 3.3.5. Provide sufficient size and quantity of plants and trees to provide a more finished appearance upon installation.
- 3.3.6. Design landscape to create a natural transition of landscape between lots and common areas is desirable.
- 3.3.7. Use primarily or exclusively Native plant materials that consume the lowest amounts of water, but provide the most amount of visual impact, hardiness and longevity.
- 3.3.8. Use a mixture of evergreen and deciduous trees and shrubs.
- 3.3.9. Group plants of similar water requirements and apply proper installation procedures, thus promoting efficient irrigation design and operation. (see Appendices D, E, F and G).

3.4. Landscape Coverage Requirements

- 3.4.1. All areas within the developed portion of a property that are not paved or built upon (Landscapeable Area) must be landscaped. The minimum number of trees is one (1) tree in the Front Yard. These standards may increase in particularly sensitive and prominent landscape areas as/when defined as such by the DRC.
- 3.4.2. Areas disturbed for modifications must be landscaped with at least a minimum of drought tolerant Native Grass to minimize wind and water erosion.

3.5. Grading and Drainage

- 3.5.1. Planting and hardscape areas shall not impede or significantly alter drainage patterns. Landscape grading should produce graceful contours, not sharp angles or abrupt grade changes that deviate from the original grading plan and drainage patterns.
- 3.5.2. Positive drainage (minimum of 2% slope) away from home and structures and to the street or other location identified in the original grading plan and drainage patterns shall be provided at completion of construction and maintained thereafter by the homeowner and its contractors.
- 3.5.3. Homeowners and homeowner's contractors shall not alter the approved, engineered original grading plan and drainage patterns.
- 3.5.4. Downspouts shall be located so as to carry water away from home/structure foundations and into the designated drainage pattern for the lot. Downspout outlets shall be located so as to avoid surface erosion on the property which they are located or adjacent properties and shall end a minimum of two feet from any adjacent property line.
- 3.5.5. Slopes should not exceed 3:1 (1 foot of rise per 3 feet of distance), without integrating terracing with approved retaining walls. See Fences and Walls section in Hardscape and Accessory Structures chapter for more information regarding retaining walls.

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3.6. Soil Amendment

Proper soil amendment is the key to all sustainable landscape practices and related water savings, therefore highly recommended. The following provides further explanation of this important practice:

- 3.6.1. Provide a minimum of 4 cubic yards of Class 1 organic matter per 1000 square feet of turf area and 2 cubic yards in shrub beds. 🌱
- 3.6.2. The amendment should be aged manure and weed-free. 🌱
- 3.6.3. Rototill into the existing soil to a depth of 6 inches. 🌱
- 3.6.4. Consider taking samples of the existing soil and sending them to a lab for analysis, the findings of which can be very helpful in determining the exact blend of amendment and fertilizer to use, as well as the irrigation regimen.

3.7. Turf

3.7.1. Sod

Sod is the largest consumer of water within a landscape and therefore should be limited to only areas where it serves a specific function. This high requirement for water is the result of not only Sod's inherent need for it, but also because of the means by which the water is typically delivered to Sod; using spray or rotor sprinkler heads, which are considerably less efficient than drip irrigation. Replacing Sod with Native Grass or other xeric materials where possible will result in significant water savings.

Because of its heavy water consumption it is best to apply the following principles wherever Sod is used:

- 3.7.1.1 Maintain at least a 3 foot and preferably 5 foot minimum distance from any foundations. 🌱
- 3.7.1.2 Do not use on slopes 4:1 or greater, since the associated drainage increases the volume of water required.
- 3.7.1.3 Do not use in areas narrower than 4 feet and minimize the radius of curved edges, because it is more difficult to efficiently cover these areas with spray or rotor heads.

3.7.2. Native Grass

True Native Grasses are those indigenous or naturalized to a given area in geologic time, including ones that have developed, occur naturally or existed for many years in an area. Suppliers may sometimes brand certain nursery products as Native when in fact they may not truly be Native. Therefore, Owners are encouraged to research impartial sources, such as those provided in Appendix L, to confirm whether the tree, shrub/plant or grass fits this definition.

By nature, these Native Grasses provide a water-wise alternative to Sod. Once established, they require much less water and tolerate drought conditions much better. The establishment and maintenance of Native Grass, however, requires some special instructions:

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3.7.2.1 Establishment

- Amend soil.
- Rake area smooth and apply Native seed at recommended rate into top ¼-inch of soil.
- Apply erosion control hydromulch or fabric if erosion is a concern.
- Water seedbed regularly to promote seed growth.
- Over-seed (with same Native seed mix) as necessary wherever it has not taken root.
- Be patient. The Native seed can take between 6 and 18 months to fully establish.
- Wildflower seed mix may be used for added color, but it is suggested this be done after the primary seed has fully established, thereby minimizing the weed population.

3.7.2.2 Maintenance

It is important that Native Grass areas receive proper maintenance, so they remain an attractive component of the overall landscape design and not look unkempt.

- Spot spray weeds two to three times during the growing season.
- Mow on the highest setting two to three times during the growing season, with no more than a six month separation between mowing.
- Water judiciously a couple times a month, or more if weather conditions merit it. However, keep in mind these grasses are accustomed to limited water and can be harmed at least as easily, if not more, by overwatering.

The resources listed in Appendix L will provide more insight into the proper care of Native Grasses, including when and how much to water them.

3.7.3 Synthetic Turf

While the DRC values the water conserving qualities of synthetic turf, it also views some of the product's other characteristics as limiting its allowable application within Deer Creek. Accordingly, the DRC considered appearance, installation and maintenance, cost, environmental and safety factors in deciding:

Synthetic turf is not allowed in areas exposed to streets and common areas within Deer Creek, but will be considered on a case-by-case basis in less visible locations, subject to sufficient screening and the use of a professional installation company and professional grade materials. 🌿

The factors used by the DRC to establish this policy, listed in the paragraph above, are described in greater detail in Appendix J. Given its evolving nature, however, Homeowners are encouraged to conduct their own research on this product before making their buying decision.

Homeowners are encouraged to request a Pre-Review by the DRC for such this type of modification prior to formally submitting it for review, as each submission will be considered on its own unique merits.

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3.8. Plant and Mulch Beds

3.8.1. General

3.8.1.1 All beds must be covered with either rock or wood mulch to a depth of at least 4 inches. 🌿

3.8.1.2 The mixture of rock and wood or rubber mulch in the same bed is not permitted. However, rock and wood or rubber mulch beds may be adjacent to one another if they are separated by an approved edging. 🌿

3.8.1.3 Given its benefit of promoting health and growth, an approximately 4-foot diameter ring of wood mulch is recommended around the base of trees located in Turf.

3.8.1.4 Unplanted rock mulch areas are allowed only in conjunction with primary drainage swales or in areas that are not or cannot reasonably be tied into the irrigation system. Unplanted wood mulch areas are not allowed. 🌿

3.8.2. Shrub Layout and Spacing

The ideal spacing of shrubs is based on a number of factors, such as their intended function (i.e. screen, ground cover or mass planting), size at maturity, natural shape, growth pattern and appearance, as well as the type of landscape (i.e. formal or informal) within which they will be located. At a minimum, however, shrubs must be spaced so there are no large expanses between them, while allowing for the size they will be at maturity. 🌿

Without taking into account the specific factors listed above, the following spacing guidelines are offered as a general rule-of-thumb when designing the layout of a bed:

3.8.2.1 Small to Medium shrubs (up to 5-gallon): 4 - 6 feet on center.

3.8.2.2 Large shrubs (over 5 up to 15-gallon or Ball & Burlap - B&B): 6 - 8 feet on center.

3.8.2.3 Perennials (1-gallon): Maximum of 18-inches on center.

3.8.2.4 Ground Covers: Minimum of 1 Flat (32 plants) per 10 square feet.

3.8.2.5 The graphic representation of plants on plans should reflect their diameter at maturity (approximately 5 years).

3.8.3. Wood Mulch

3.8.3.1 Organic shredded cedar bark mulch should be used around trees and in shrub beds and other areas vulnerable to high winds or where soil nutrition is essential.

3.8.3.2 Other forms of bark mulch may be used in other areas, especially those easy to maintain, subject to their appearance being complimentary to the overall landscape theme and design.

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3.8.3.3 Pigmented mulches are discouraged in general and prohibited in areas visible from streets and common areas, since their characteristics and appearance are inferior to natural bark mulch. 🌿

3.8.4. Rock Mulch

3.8.4.1 For decorative applications, one of the more common rock mulch sizes is ¾ - 1½ inch diameter. The smaller rock mulch is a more cost-effective alternative for areas that are easily contained and maintained and areas with plants that will require several years to mature and grow together. Even smaller sizes, such as breeze and crushed granite, are often used for pathways.

3.8.4.2 Larger sizes are best for drainage areas and as an accent element. Larger rock mulch can look very stark in large open areas and should be limited to: areas not as contained or harder to maintain (i.e. steeper slopes), narrow areas where planting may be difficult, as a border around wood mulch beds, or where decorative pavements are not practical due to cost/budget.

3.8.4.3 An advantage of rock mulch is that it does not have to be replaced or refreshed as frequently as wood mulch, which requires it every year or two as a general rule.

3.8.4.4 Acceptable rock mulch color includes natural, earth-toned colors. Prohibited rock mulch types include lava rock, white marble, black granite, dyed or painted rock. 🌿

3.8.4.5 Rock or gravel mulch with harsh, unnatural or high contrast colors is prohibited. 🌿

3.8.5. Rubber Mulch

The DRC values the sustainable qualities of rubber mulch, which is recycled product typically made from used tires. However, the DRC also views some of the product's other characteristics as limiting its allowable application within Deer Creek. Accordingly, the DRC considered appearance, installation and maintenance, cost, environmental and safety factors in deciding:

Rubber mulch will be considered on a case-by-case basis, subject to the use of professional grade materials, being installed to a depth of at least 4 inches and having a color that simulates natural wood mulch, specifically any existing natural wood mulch located within line of site of the proposed location for the rubber mulch. 🌿

The factors used by the DRC to establish this policy, listed in the paragraph above, are described in greater detail Appendix K. Given its evolving nature, however, Homeowners are encouraged to conduct their own research on this product before making their buying decision.

3.8.6. Landscape Fabric

3.8.6.1 Plastic underlayment is prohibited under any type of mulch. 🌿

3.8.6.2 Landscape fabric is not required nor recommended under wood mulch.

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3.8.6.3 The following guidelines apply when installing landscape fabric under rock or rubber mulch:

- Best on slopes less than 4:1. On steeper slopes, a greater depth of mulch (5 inches or more), along with application of a quick release pre-emergent herbicide in lieu of fabric is recommended.
- The most common and recommended material to use is black woven polypropylene with a minimum thickness of 28 mls.
- Fabric pins should be used to secure the material and when installing adjacent lengths of fabric they should overlap about 4 – 6 inches, with the uphill layer (if applicable) being on top to promote positive drainage.
- Ensure fabric does not show under mulch. 🌿

3.8.7. Edging 🌿

3.8.7.1 All contrasting ground cover materials shall utilize professional grade steel (with rolled or safety cap top edge), brick, stone, decorative concrete or other edging approved by the DRC to define the areas and provide a clean maintenance edge.

3.8.7.2 All edging materials must be installed so as to not impede drainage.

3.9. Trees and Shrubs

3.9.1. Minimum Tree Size 🌿

Type	Minimum Size
Deciduous Trees	2-inch caliper
Evergreen Trees	6 feet
Ornamental Trees*	1.5-inch caliper

* Not allowed in parkway

3.9.2. Recommended Tree and Shrub List

Refer to Appendix D for a Recommended Tree and Shrub List for Deer Creek. The Native or adaptable characteristics of these trees and shrubs in relation to the environment of the community result in their reduced water requirements and increased survivability in drought conditions. A mixture of tree and shrub types should be used to achieve year-round interest.

3.9.3. Quantities 🌿

3.9.3.1 A minimum of one shade or evergreen tree shall be planted in the Front Yard.

3.9.3.2 See Section 3.8.2 - Shrub Layout and Spacing.

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3.9.4. Location Restrictions

3.9.4.1. Tree Setbacks

The diameter of tree drip lines and root systems at maturity should be taken into account when locating or transplanting Trees in the vicinity of foundations, streets, walkways, curbs and other concrete or permanent structures. A minimum separation of 5 feet is usually sufficient, except in the case of Cottonwoods or Willows, which need a 10 foot separation.

3.9.4.2. Site Triangle

An area required to be free of obstructions to enable visibility between conflicting movements, i.e. vehicles, pedestrians, bicycles, etc. See [City of Colorado Springs Traffic Manual](#) for more specific direction regarding factors affecting the Site Distance, shown on the following page, and other regulations. 🌱

3.9.5. Planting Details

See Appendices E, F and G for proper Planting Details for Deciduous and Evergreen Trees and Shrubs.

3.9.6. Warranty Period

Contractors or suppliers providing and/or installing trees, shrubs or turf typically include a one year warranty, subject to the proper care and maintenance of the plant material described below:

3.9.6.1. Water, prune, cultivate and weed as required for healthy growth.

3.9.6.2. Restore planting saucers as needed.

3.9.6.3. Tighten and repair stake and guy supports and reset tree/shrub to its correct grade or vertical position as required.

3.9.6.4. Restore or replace damaged wrappings.

3.9.6.5. Spray as required to keep trees and shrubs free of insects and disease.

3.9.6.6. Protect temporary fences, barriers, and signs as required.

3.10. Screening of Foundations and Mechanical Equipment 🌱

All mechanical and electrical equipment, including but not limited to air conditioning and evaporative cooling units, soft-water tanks, cable boxes, security apparatus, transformers, telephone boxes, and electric and gas meters will be screened from public view by means of their location, berms, landscaping or other means. Rooftop equipment will be reviewed on a case-by-case basis and must be painted a color similar or complementary to the exterior of the home and roofing material. Refer to Municipal Code regarding requirements for landscaping and screening of utility vaults and meters.

3.11. Irrigation

3.11.1. To ensure the growth and survival of all plant materials, an automated, underground irrigation system is required for all landscapes. All systems shall be designed to minimize over-spray onto any paved surface, wall or fence and any other sources of water-waste. All backflow control devices are to be located or screened so their visibility to public view is minimized. 🌱

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- 3.11.2. Overhead spray or rotor irrigation will be used for only turf areas, with the exception of micro-spray irrigation for perennial/annual beds, which is covered in the following section. Sprinkler heads will be laid out to provide efficient head-to-head coverage. 🌱
- 3.11.3. Drip or micro-spray irrigation is required for perennial, annual or any type of shrub beds. Irrigation tubing must be buried beneath rock or wood mulch cover. 🌱
- 3.11.4. Group turf and plant types by their water requirements, i.e. hydrozones.
- 3.11.5. Use correct heads and valves within each irrigation zone to result in desirable precipitation rates and distribution uniformity.
- 3.11.6. Achieve proper system and head pressure, per manufacturer specifications.
- 3.11.7. Conduct frequent system checks, maintenance and timely repairs and replacements with like components.
- 3.11.8. Use quality, water efficient parts, such as:
- 3.11.8.1. Weather-based irrigation controller.
 - 3.11.8.2. Master valve with flow sensor.
 - 3.11.8.3. Rain and soil sensor.
 - 3.11.8.4. Check valves.
 - 3.11.8.5. Subsurface irrigation, i.e. Netafim.

3.12. Maintenance

- 3.12.1. It is the Homeowner's responsibility to maintain their parkway and street trees. 🌱
- 3.12.2. All landscape areas must be maintained in a clean and healthy manner in conformance with the Declaration and Declarant Guidelines. Weeds shall be removed and dead plant materials replaced promptly. Trash shall not be allowed to accumulate on site. 🌱
- 3.12.3. A pre-emergent weed control agent, or comparable organic treatment, should be applied prior to installation of landscape.
- 3.12.4. Aeration and fertilization of turf areas at least two times a year is essential for maintaining nutrients in the soil, minimizing compaction and promoting uniform percolation of water to a greater depth.
- 3.12.5. Trees and shrubs should be pruned annually to promote health and growth.

For more comprehensive instruction regarding the topics above and other proper maintenance practices, consult the Green Industries of Colorado (GreenCo) Best Management Practices (BMP) at <http://www.greenco.org/>

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3.13. Vegetable Gardens

The DRC is receptive to these types of gardens, but they require special considerations and standards regarding their design, installation and ongoing maintenance. Pikes Peak Urban Garden (<http://www.ppugardens.org/>) is a good local resource for more information. The direction below applies and advanced coordination and/or a Pre-Review session with the DRC is recommended: 🌱

- 3.13.1. Located in Rear Yard a minimum of 5 feet from the house foundation and any property line.
- 3.13.2. Not located where Lot drainage patterns would be impaired.
- 3.13.3. Maximum size allowed is 200 square feet.
- 3.13.4. Raised planters or garden boxes are acceptable but must minimize visual impact. Muted, earth-tone colors are required. Additional screening may be required at the discretion of the DRC.
- 3.13.5. Plants must be no taller than 4 feet or the adjacent wall or fence, whichever is less.
- 3.13.6. Dead plant material must be removed or mulched into the soil at the end of each growing season.
- 3.13.7. A garden should be automatically irrigated on its own drip zone for water efficiency.

This document alone does not constitute Full Resale Disclosure as required under Colorado Law.

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4. Hardscape and Accessory Structures

4.1. Stamped Concrete, Permeable and Decorative Pavers

4.1.1. Color choices shall be complimentary to the home and similar existing material colors, if applicable. Modified colors to be reviewed and approved by the DRC.

4.1.2. Permeable pavers should be installed per manufactures specifications.

4.2. Patios and Paved Surfaces

4.2.1. Color choices shall be complimentary to the home and similar existing material colors, if applicable.

4.2.2. In no case may a patio or paved surface be located over any easement, setback or other restricted area or impede drainage.

4.2.3. The expansion of a driveway for the purpose of parking or storing of any vehicle or trailer is not permitted.

4.3. Fire Pits

4.3.1. Municipal Code.

Most importantly, any proposed fire pit must comply with any and all Municipal Code, including but not limited to its design, materials, BTU output, size, safety features, proximity to structures and combustible materials, installation and any required inspections and certifications.

Homeowners having fire pits will also ensure they understand and comply with Municipal Code pertaining to outdoor burning, including but not limited to permits, diameter and height of fire, burn restrictions.

Homeowners may be required to provide the DRC written evidence of any required approvals by Municipal Approving Authorities.

4.3.2. Will be constructed out of materials and colors that match or are complimentary to the overall architectural theme of the home.

4.3.3. Diameter and height of structure will be in proportion to the designated fire pit area and surrounding yard.

4.3.4. Not located over any easement, setback or other restricted area or impede drainage.

4.4. Fences and Walls

4.4.1. All Fences and Walls are subject to the following conditions:

4.4.1.1. Designed and constructed as a visual extension of the architecture of the home, in both scale and materials.

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4.4.1.2. Stained or natural coloration of the fences shall be consistent with the color of the home. Painted fences are prohibited. All transparent wood finishes will include no more than 10% pigment.

4.4.1.3. Size is minimized to fulfill the purpose of the fence or wall.

4.4.1.4. Landscaping, berms and/or other screening elements included to soften the visual impact of the fence/wall.

4.4.1.5. Not located over any easement, setback or other restricted area or impede drainage.

4.4.1.6. If adjoining a Deer Creek wall or fence, the proposed homeowner wall or fence must be at or below the height of the Deer Creek wall or fence for a distance of at least eight (8) feet from their intersection.

4.4.1.7. Prohibited materials include, but are not limited to chain link, unfinished and unstained wood and plain gray CMU block.

4.4.2. Perimeter Fencing

Shall be treated split-rail (2 or 3 rails) and post wood construction, as shown in greater detail in Appendices H & I and subject to the conditions in Section 4.4.1 above and those listed below:

4.4.2.1. Limited visibility wire mesh fence may be fastened to the inside of the wood rail fence, to improve containment.

4.4.2.2. Cannot be installed within City or County right-of-ways and shall be setback a minimum of 25 feet from the top back of the curb on corner lots.

4.4.2.3. Wing fencing shall be setback a minimum of 4 feet from the corners of the front elevation on the home, not including the front porch, be the same material and color/stain as the fence to which it is attached and align with the pre-existing wing fence of the adjacent property, if applicable.

4.4.3. Animal Control Area Fencing

Location and size of this fencing will be reviewed based on visual impact to adjacent properties and the street and subject to the conditions in Section 4.4.1 above and those listed below:

4.4.3.1. Not exceed 6 feet in height or 500 square feet in area.

4.4.3.2. Located immediately adjacent to the home.

4.4.3.3. Chain link and/or chicken wire are prohibited.

4.4.3.4. Welded wire panel or fabric mesh (painted a neutral color conducive to the color of the home and/or surrounding environment) may be used, but must be fastened on the interior side of the fence.

4.4.3.5. Well screened from neighboring properties and streets with landscaping.

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4.4.4. Privacy Screen

Location and size of this fencing will be reviewed based on visual impact to adjacent properties and the street and subject to the conditions in Section 4.4.1 above and those listed below:

4.4.4.1. Not exceed 6 feet in height or 35 linear feet.

4.4.4.2. Allowed for purpose of screening patios and decks on a case-by-case basis.

4.4.4.3. Prohibited along property lines.

4.4.4.4. On Corner Lots, the fencing should be closer to the home than the street, but no less than 25 feet from the adjacent street curb.

4.4.4.5. When possible, attached to the home and at least 5 feet from side property lines and 15 feet from rear property line.

4.4.4.6. Where used, picket wood fences should be constructed of high quality 6-inch cedar pickets, finished on all sides and placed vertically. The wood pickets should face outward with the framework exposed to the interior of the yard and the fence should slope rather than step to accommodate grade changes.

4.4.5. Retaining Walls

Will be allowed where necessary to address steep grades and drainage issues, subject to the conditions in Section 4.4.1 above and those listed below:

4.4.5.1. A maximum of 4-feet in height to minimize visual impact, unless approved otherwise by the DRC and subject to a permit from the Municipal Approving Authority.

4.4.5.2. Multiple terraced walls will be separated by a planting area a minimum of 3 feet in width from face to face.

4.4.5.3. Properly anchored to withstand overturning forces and incorporate weep holes to permit water to be released from behind them. Manufactured block walls should be installed in accordance with manufacturer specifications.

4.4.5.4. Perimeter Lot line retaining walls are generally not permitted.

4.4.5.5. Should use rock boulders, stone, masonry or timbers to complement the natural surroundings.

4.4.5.6. Concrete-backed retaining walls must be waterproofed.

4.5. Accessory Structures

The term "Accessory Structure" shall include, but not be limited to gazebos, sheds, greenhouses, hot tubs, spas, water features and play and sports equipment.

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4.5.1 All Accessory Structures will be reviewed on a case-by-case basis, taking into account the Lot size and square footage of the home, and subject to the following conditions:

4.5.1.1 Use materials and colors that match or are complimentary to the overall architectural theme of the home. Use of bright, unfinished, colored, reflective or mirrored surfaces or glass is not permitted.

4.5.1.2 Size is minimized to fulfill the structure's purpose, but not exceed 8-feet in height or 120 square feet in area and in compliance with any applicable Municipal Code; the DRC may request evidence of such compliance, i.e. a permit.

4.5.1.3 Located within the Rear Yard and screened to minimize visual impact to adjacent properties and common areas.

4.5.1.4 Not located over any easement, setback or other restricted area or impede drainage.

4.5.2 Hot Tubs and Jacuzzis

Should be designed as an integral part of the deck and patio area and must be located in the side or Rear Yard area and be in compliance with Section 4.5.1 above.

4.5.3 Play and Sports Equipment

Shall be reviewed on a case-by-case basis, subject to the conditions in Section 4.5.1 above and those listed below:

4.5.3.1 Located at least 5 feet from the side property lines and 7 feet from the rear property line, outside all easements and so as not to create an undue disturbance to neighboring properties, as determined by the DRC.

4.5.3.2 Not exceed 8 feet in height unless otherwise approved by the DRC.

4.5.3.3 Play items used for Front Yard play should be stored out of view when not in use.

4.5.3.4 Basketball Backboards

Requests for a permanent, pole-mounted backboard will be considered by the DRC in the Front Yard along the outside of the driveway only, or in Side or Rear Yard areas subject to its proximity to the property lines, neighbor's living areas, landscaping and vehicles.

Portable freestanding basketball boards will be reviewed subject to the following conditions:

- Reasonably placed for play and properly stored when not in use.
- Properly weighted against weather conditions using water or sand in the base.
- Not placed on the sidewalk.
- Not left on the street overnight.
- Maintained in good condition and repair.

4.5.4 Swimming Pools

Requests for swimming pools will be reviewed on a case-by-case basis, giving consideration but not necessarily limited to the size of the yard, setbacks from and impact to adjacent properties and the size of the pool enclosure, if applicable.

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5. Yard Ornaments, Lighting and Communications Equipment

5.1. Yard Ornaments

The term Yard Ornaments is intended to cover, but not be limited to signs and flagpoles (explained below), as well birdbaths, birdhouses, fountains, sculptures and statues, which should be limited in their number and visibility and tasteful in their color, size, design, materials and construction in relation to that of the home. The following is specific direction regarding Yard Signs and Flagpoles.

5.1.1. Yard Signs

5.1.1.1. One temporary sign advertising the property for sale or lease, being no more than 5 square feet in size, may be displayed but only while the home is for sale or lease. Trade signs, which include, but are not limited to landscaping, painting, remodeling, etc., may be displayed but only while work is in progress and must be maintained in like-new condition

5.1.1.2. One sign each, giving notice to home security services or electric fences in the yard, are allowed as long as they are in service/place, subject to such sign being no greater than 1.5 square feet in size, professionally designed and manufactured and maintained in a like-new condition.

5.1.1.3. One sign per political candidate and issue may be displayed for a period not to exceed 45 days prior to the election and 7 days after the election, subject to the sign being no greater than 5 square feet in size and maintained in like-new condition.

5.1.1.4. No other advertisements or signs shall be permitted on the exterior of the home or in its yard.

5.1.2. Flagpoles

Freestanding flagpoles are not allowed on individual home Lots. Smaller flagpoles intended for such use, may be affixed to a mounting bracket attached to either side of the garage door, or on a column near the front door. Flags may be no larger than six 6 square feet.

5.2. Lighting

The location, color, size, design, materials and construction of exterior lighting shall be compatible with one another and the home design and in compliance with the following direction.

5.2.1. Accent Lighting

Accent lighting of landscape elements is permitted, provided that it is directed downward and low level, background in appearance and uses a concealed source. Colored accent lighting and above ground plastic housings and connections are prohibited.

5.2.2. Pedestrian Lighting

Lighted walks and exterior paved areas adjacent to the home must use pedestrian scale low intensity lighting fixtures, directed downward, and the lamp color source must be compatible with surrounding area lighting.

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5.2.3. Holiday Lighting

While holiday lighting does not require review and approval by the DRC, the brightness or direction in which the lighting is installed should not intrude on neighboring homes. Holiday lighting is a temporary improvement and may not be installed on any home before November 1 and must be removed in its entirety (including all holiday lighting accessories) by January 31.

5.2.4. Pole and Wall Mounted Lighting

Generally discouraged, except where there is a safety, security or other relevant necessity for it, these types of exterior lighting should be kept under 10 feet, comply with Dark Sky and related code requirements and be shaded, shielded or directed so as to not adversely affect surrounding homes, or the safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas. If requested by the DRC, certified independent lighting analysis test data will be provided by the homeowner.

5.3. Communication Equipment

In accordance with the Telecommunications Act of 1996, satellite dishes measuring 1-meter in diameter or less must be installed such that acceptable signal reception will not be impaired. Accordingly, one 1-meter or less satellite dish or antennae may be installed per residence, subject to it being located at the lowest possible level, utilizing ground level sighting (unless a signal is unattainable), screened from public view and placed in the rear or side of the residence, if possible. No such equipment shall be attached to any yard wall or fence.

Citizen band and Ham radio antennas and satellite dishes greater than 1-meter in diameter are not permitted. Variances, as well as approval for any other external antennas, shall be determined by the DRC on a case-by-case basis.

Deer Creek at Northgate Modification Guidelines

6. Architecture and Attached Features

6.1. General Design Concepts

Significant thought was put into the architectural styles, colors and materials used for the homes in Deer Creek. In order to maintain this theme throughout our community over time, it is important that all remodels and additions to homes are done in a manner consistent with those parameters and the underlying design concepts listed below:

- 6.1.1 Architectural style, building materials, colors and textures that match or are compatible with those of the home. Use of bright, unfinished, colored, reflective or mirrored surfaces or glass is not permitted.
- 6.1.2 Concrete foundation walls shall not be exposed and shall be faced or finished to blend with the general architectural design of the building.
- 6.1.3 High level of quality and compatibility between product types.
- 6.1.4 Proper proportion in relation to the size and form of home.
- 6.1.5 Articulation and detail, adding depth, shadows and visual interest, consistent with the home's overall design, i.e. covered porches and entryways, balconies, roof overhangs, bay and box windows, and the handling of window and door openings.

6.2. Home Additions and Remodels

Because of the unique nature of home additions and remodels, they will be reviewed on a case-by-case basis to ensure they fulfill the design concepts above and must be approved by the DRC before obtaining approval by the Municipal Approving Authority. No garage space may be converted into living area.

6.3 Decks, Balconies and Enclosed Patios

6.3.1 Integrated Design

These structures should be designed so as to not appear to “tacked on” to the home. All vertical elements (i.e. railings, supports, columns), fascias and overhead structures shall be painted or stained to match the body color of the home and not left to weather naturally. Vertical elements may be allowed to match the trim or accent color of the home on a case-by-case basis, as/when approved by the DRC.

6.3.2 Roof Materials

Roof materials for covered decks, balconies or patios may utilize either the same roof material as the home, large-dimension wood lattice (2-inch x 2-inch minimum) or awnings.

6.3.3 Columns and Supports

Columns and supports should appear substantial and in proportion to the overall mass of the structure and incorporate architectural elements matching the architectural style of the home.

6.3.4 Setbacks and Lot Coverage

Refer to the Municipal Approving Authority Zoning Code for deck, balcony and patio setback and lot coverage requirements. In no case may a deck, patio or paved surface be located within 10 feet of any property line adjacent to a common area within Deer Creek.

Deer Creek at Northgate Modification Guidelines

6.3.5 Exterior Stairs

Exterior stairs should be designed to minimize visual impact, integrated into the deck's design and not project out into the yard.

6.4. Chimneys and Gas Fireplaces

Masonry materials are preferred for chimneys along exterior building walls. The visibility of vents and spark arrestors should be minimized. Where direct vent or other gas fireplaces are used, their forms must complement the wall on which they are located. Box-outs should terminate at the underside of the main roof covering of the wall plane. Exhaust ducts are not allowed on the front elevation or on side elevations within 8 feet of the front corner.

6.5 Skylights

Skylights shall be integral to the roof design and parallel to roof pitches. Skylight glazing should be flat with frosted, clear, solar bronze or gray color. Reflective glazing is not permitted. Framing material color shall be copper, bronze, or colored to match the surrounding roof.

6.6. Solar Panels

Solar panels will be reviewed by the DRC on a case-by-case basis, taking into account the following criteria:

- 6.6.1 Integrated into structure and building mass and architecturally compatible with the residence.
- 6.6.2 Placed on roof in a manner that minimizes visibility from adjacent streets and common areas.
- 6.6.3 Overall size of coverage in proportion to size of the home.
- 6.6.4 Electrical conversion type, not water conversion type.
- 6.6.5 Placed generally parallel to and not greater than 18 inches above roof line at elevated end.
- 6.6.6 Uses anti-reflective technologies.
- 6.6.7 Frames colored to complement the roof to which attached.
- 6.6.8 Related plumbing and mechanical equipment enclosed and screened from view.
- 6.6.9 Free standing solar panels are not allowed.
- 6.6.10 Changes in technology and legislation.
- 6.6.11 Homeowner agrees to restore the roof to its original condition if/when panels are removed.

6.7. Window and Door Treatments, Awnings and Security Systems

- 6.7.1. All exterior window treatments must appear permanent, be maintained in like-new condition, complement the home's architecture and design and not appear "tacked-on." Reflective window tint is prohibited.

Deer Creek at Northgate Modification Guidelines

6.7.2. The color and material of screen and storm doors are to match or be complimentary to existing doors and windows on the home.

6.7.3. Garage doors should be painted a muted color and blend with other colors of the home.

6.7.4. Awnings are permitted, preferably on the side and rear elevations and will be reviewed on a case-by-case basis. Acceptable awning treatments include solid treated canvas fabric and standing seam metal. Unacceptable awning treatments include thin wood lattice, translucent plastic and untreated fabric. Awnings must be maintained in like-new condition.

6.7.5. Security window bars and roll-up coverings are not permitted where visible from a street or common area. Decorative grills complementary to the architectural style of the home will be reviewed by the DRC on a case-by-case basis.

6.8. Gutters, Downspouts and Vents

6.8.1. Integrated into the design of the residence and appear unobtrusive or as a compatible architectural element.

6.8.2. Painted to match the surface to which they are attached or from which they project.

6.8.3. Located so as to carry water away from the home's foundation and into the designated drainage pattern for the lot. Downspout outlets shall be located so as to avoid surface erosion on the lot upon which they are located or adjacent lots, and shall be a minimum of two feet from any adjacent property line.

6.9. Mechanical and Electrical Equipment

All mechanical and electrical equipment, including but not limited to, air conditioning and evaporative cooling units, soft-water tanks, cable television boxes, security apparatus, transformers, telephone boxes, and electric and gas meters should be located to minimize their visual impact and integrate into the home's design. Air conditioning and evaporative cooling units shall not be located on roofs, in windows or mounted on the side of the home; they shall be located on the ground, adjacent to the home they serve and screened from public view through use of landscape or other means.

Deer Creek at Northgate Modification Guidelines

7. Construction and Installation Procedures

While not all inclusive, the following basic procedures should be taken in to account when planning for and managing the implementation of any modifications within Deer Creek.

7.1. General Procedures

- 7.1.1. Avoid traffic, noise, dust, visual nuisances and safety issues on the lot and adjacent properties and common areas.
- 7.1.2. Minimize visibility and duration of project related waste, materials, supplies, fencing, equipment and trailers.
- 7.1.3. Take necessary measures to protect all existing property, structures and improvements on the lot, as well as Deer Creek roads, sidewalks, utilities, landscape or other common areas.
- 7.1.4. Establish procedures, responsible parties and their contact information, should any unforeseen complications or emergencies happen that impact Deer Creek, especially after hours.
- 7.1.5. Maintain a clean project site and remove all related debris at the conclusion of the project.
- 7.1.6. Obtain permit(s)/approval(s) as when required by any applicable laws, ordinances, or regulations and coordinate with all related agencies.
- 7.1.7. Consider letting your neighbors know about your upcoming construction if it may impact them, so they won't be taken by surprise and can plan accordingly.

7.2. Protection of Existing Trees and Shrubs

Every effort should be made to protect and conserve existing trees and shrubs, including their root systems. When landscape improvements are scheduled around trees, the area around them should be cleaned/cleared to the tree's drip line (the outside perimeter of the trees branch structure) and protection fencing placed around the perimeter. Similar protection should be provided around existing shrubs. If irrigation heads previously serving the trees/shrubs are removed, temporary drip/bubbler or deep root watering should be provided according to the tree/shrub's water requirements and current weather conditions.

7.3. Erosion and Sediment Control

Construction activities have the potential to cause water pollution and stream degradation if erosion and sediment controls are not properly installed and maintained. Therefore, all such construction will include measures to effectively control erosion and sedimentation, in accordance with all applicable regulations and regulatory agencies. No modification shall obstruct or redirect the designed surface flow of water.

7.4. Temporary Storage and Staging

Any outside storage or staging of construction related equipment, materials or supplies must be approved by the DRC concurrent with review of the proposed modification. They should be located so as to minimize visual impact and disruption to adjacent properties, common areas and pedestrian and vehicular traffic.

Deer Creek at Northgate Modification Guidelines

7.5. **Utility Locate Services**

Always call 8-1-1 before you plan to dig, regardless of the depth of dig or your familiarity with the property. Determine your dig area in advance, so you can be specific when calling for your locate request. Colorado 8-1-1 will notify all Tier 1 companies (ex: Springs Utilities, phone, cable) who may have underground lines in your area. If there are Tier 2 members who own lines in your area (ex: utility lines that were privately installed), you will be given the phone number for those Tier 2 members. For more information visit www.csu.org or <http://colorado811.org>.

This document alone does not constitute Full Resale Disclosure as required under Colorado Law.

Deer Creek at Northgate Modification Guidelines

Appendix A

Definitions

Accepted Submission: The modification submission has been deemed generally complete and in line with these Modification Guidelines' core elements and is ready for formal review by the DRC. An Accepted submission is not to be confused with the formal review response classifications assigned by the DRC after its formal review.

As-Built Plan: A plan drawn after the completion of construction, which identifies all significant revisions made to the original, approved plan.

Board: Deer Creek Homeowners Association Board of Directors.

City: Colorado Springs, Colorado.

Common Area: Refers to all real and personal property, including easements, belonging to and/or maintained by Deer Creek HOA, the State, County, City or other entity for the common use and enjoyment of Deer Creek Homeowners.

County: El Paso County, Colorado.

Declarant: Shall mean Elite Properties of America or any person or entity that is an assignee of Elite Properties of America as set forth in the Declaration.

Declarant Guidelines: Deer Creek at Northgate Design Review Guidelines.

Declaration: Declaration of Covenants, Conditions and Restrictions for Deer Creek at Northgate.

Deer Creek: Deer Creek at Northgate.

Deer Creek HOA: Deer Creek Homeowners Association.

DRC: Design Review Committee.

Establishment Permit: A permit granted by the Municipal Approving Authority for a newly installed Landscape, which allows a Homeowner a temporary variance from current watering restriction schedules.

Federal: Government of the United States of America.

Landscapable Area: The area outside of the home foot print and other paved areas on the lot that is able to be landscaped.

Municipal Approving Authority: City of Colorado Springs, El Paso County or Pikes Peak Regional Building Department.

Municipal Code: The code or similar governing regulations used by the City of Colorado Springs, El Paso County or Pikes Peak Regional Building Department in managing construction within their jurisdiction.

Deer Creek at Northgate Modification Guidelines

Native Trees, Shrubs/Plants or Grasses: Indigenous or naturalized to a given area in geologic time, including ones that have developed, occur naturally or existed for many years in an area. Suppliers may sometimes brand certain nursery products as Native when in fact they may not truly be Native. Therefore, Owners are encouraged to research impartial sources, such as those provided in Appendix L, to confirm whether the tree, shrub/plant or grass fits this definition.

National: United States of America

NOR: Notice of Receipt; the notice delivered to the Homeowner from the DRC stating it has received an Acceptable modification submission, thereby starting the formal 30-day review period for the DRC.

Parkway: The area between the street curb and Sidewalk.

Positive Drainage: At least a 2% slope.

RBD: Pikes Peak Regional Building Department.

Restoration: Restoring any exterior element of the existing property (i.e. landscape, lot, hardscape, accessory structures, furnishings, lighting, Communications equipment, architecture or attached features, etc.) to its original condition, type, species, size, color, materials, location, construction, installation and any other specification used to describe it.

Site Triangle: An area required to be free of obstructions to enable visibility between conflicting movements, i.e. vehicles, pedestrians, bicycles, etc. See [City of Colorado Springs Traffic Manual](#) for more specific direction regarding factors affecting the Site Distance, shown on the following page, and other regulations.

Sod: Grass and the layer of soil beneath it held together by the roots of the grass. It is grown on sod farms and typically harvested and sold in small square slabs, rolled rectangles, or large 4-foot-wide rolls, and used to accelerate the establishment of a lawn.

Soil Amendment: Organic materials introduced into the existing soil that assist in water retention, plant nutrition, air circulation and overall soil condition.

State: State of Colorado

Sustainable Landscape Practices: Landscape design, plant selection, installation and maintenance practices that reduce or eliminate the need for supplemental water from irrigation

Turf Establishment: The 2 to 4-week period during which newly laid sod, or newly applied seed, requires more water to establish roots into the amended soil (See Establishment Permit definition).

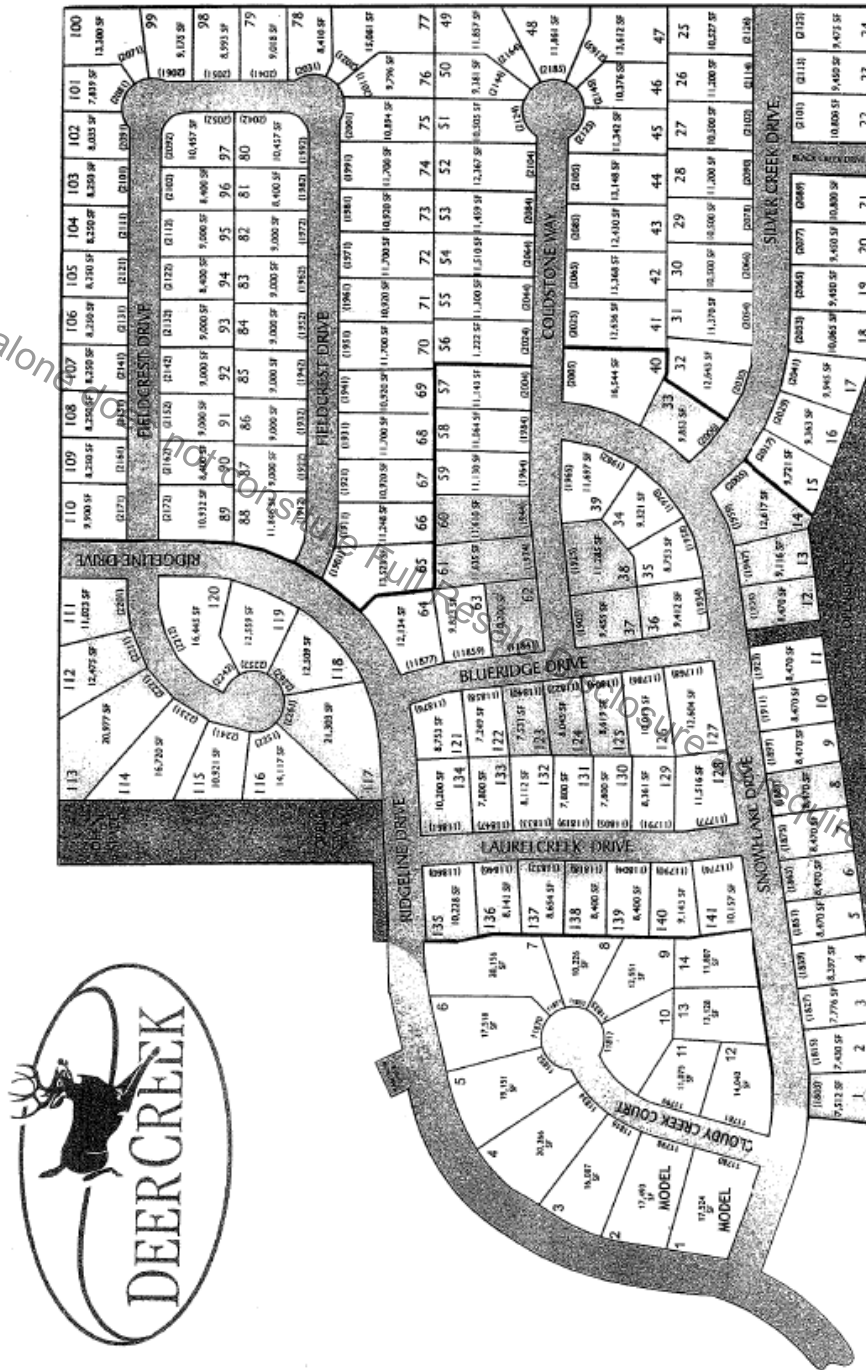
Yard Area References:

Front Yard	From the front corners of the home to the back of the street curb and laterally between the side property lines.
Rear Yard	From the rear corners of the home to the rear property line and laterally between the side property lines.
Side Yard	That area between the Front and Rear Yard.
Corner Side Yard	Applying only to corner lots; that area on the street side of the home, between the Front Yard and Rear Yard.

Deer Creek at Northgate Modification Guidelines

Appendix B

Deer Creek Location Map



This document along with all other documents filed herewith are filed under Colorado Law.

Deer Creek at Northgate Modification Guidelines

Appendix C

Modification Submittal Form (Sample Only)

Homeowners can request a current Modification Submittal Form through the association website (www.deercreekcos.org) or by contacting the association management company, shown on the cover page of these Modification Guidelines.

Name _____

Mailing Address _____

Home Phone _____ Work Phone _____

Email _____

Address of proposed improvement: _____

Briefly describe proposed improvement: _____

Date Submitted _____ Date Received (office only) _____

I have read and understand the design review standards for the Deer Creek Community and to the best of my knowledge have attempted to comply with these standards.

Fee (if required) _____ Homeowner Signature _____

Materials that may be required to accompany this application:

- Site plan or improvements survey clearly indicating the proposed improvement
- List of materials, colors or other information necessary to understand the bulk, mass and visual impact of the proposed improvements
- Proposed timing of the start and completion of the improvement
- Any other information that would assist the DRC in making their decision

TO BE COMPLETED BY DESIGN REVIEW COMMITTEE:

Disposition Approved Denied

Conditions: _____

Comments: _____

Design Review Committee Signature _____ Date _____

This decision is final. However, the Applicant may appeal all or part of the decision to the Board of Directors. Such appeal must be made within 30 (thirty) days of Applicant's receipt of notification of the DRC's decision and will be taken up by the Board at its next scheduled meeting. Additional guidelines may apply to this process or this type of improvement and are available from the Association Manager.

**Deer Creek at Northgate
Modification Guidelines**

Appendix C

Modification Submittal Form (Sample Only)

A large grid area for drawing or writing, with a diagonal watermark reading "This document alone does not constitute Full Resale Disclosure as required under Colorado Law." The grid is composed of small squares and is intended for providing a visual representation of the modification being submitted.

Deer Creek at Northgate Modification Guidelines

Appendix D

Tree and Shrub List

The following list of trees and plants are recommended for use based on their Native or adaptable characteristics in relation to the environmental conditions of Deer Creek, resulting in reduced water requirements and increased survivability in drought conditions.

<u>BOTANICAL NAME / COMMON NAME</u>	<u>WATER REQ</u>	<u>SIZE</u>	<u>SPREAD</u>
<u>STREET TREES</u>			
Acer x Freemanii 'Autumn Blaze' Autumn Blaze Maple	Adaptable	2.0" Cal.	30-35'
Populus species (n) Cottonwood	Adaptable	2.0" Cal.	30-40'
Celtis Occidentalis* Western Hackberry	Dry	2.0" Cal.	40-50'
Fraxinus species Ash	Adaptable	2.0" Cal.	30-40'
<u>ORNAMENTAL TREES</u>			
Malus species Prairiefire Crabapple /Louisa Crabapple	Adaptable	1.50" Cal.	15-20'
Crataegus species (n) Hawthorn	Dry to Adaptable	1.50" Cal.	15-20'
Koelreuteria Paniculata Golden Rain Tree	Adaptable	1.50" Cal.	15-20'
Pyrus Calleryana 'Prairie Gem' Prairie Gem Pear	Adaptable	1.50" Cal.	15-20'

Notes:

1. Deer Creek is located in northern Colorado Springs with a Plant Hardiness Zone designation of 6. Consult <http://www.arborday.org> if planting in other areas to ensure selection of plants designated for the associated zone.
2. Plants listed as 'Dry' or 'Adaptable' are considered to be Xeric (low water) plants.
3. (*) designates recommended Signature Plants
4. (n) designates Native Species
5. Additional plant materials may be approved per the Municipal Approving Authority landscape code. Also refer to the Colorado Native Plant Society "Suggested Native Plants for Horticultural Use on the Front Range of Colorado".

Deer Creek at Northgate Modification Guidelines

Appendix D

Tree and Shrub List (Continued)

<u>BOTANICAL NAME / COMMON NAME</u>	<u>WATER REQ</u>	<u>SIZE</u>	<u>SPREAD</u>
<u>EVERGREEN TREES</u>			
Picea Pungens (n) Blue Spruce*	Adaptable	8-10'	30-40'
Pinus Flexilis (n) Flexible Pine	Dry to Adaptable	8-10'	10-20'
Pinus Ponderosa (n) Ponderosa Pine	Dry to Adaptable	8-10'	30-40'
Pinus Nigra Austrian Pine	Dry to Adaptable	8-10'	30-40'
Pinus Edulis (n) Pinon Pine	Dry to Adaptable	8-10'	12-15'
Pinus Sylvestris Scotch Pine	Adaptable	8-10'	20-30'
<u>SHRUBS (Partial Shrub List)</u>			
Amorpha Canescens* Leadplant	Dry	5 Gal.	4-6'
Buddleja Davidii Nanhoensis 'Petite Plum' Compact Purple Butterfly Bush	Dry to Adaptable	5 Gal.	4-6'
Chamaebatiaria Millefolium Fernbush	Dry	5 Gal.	1-4'
Cytisus species* Broom	Dry to Adaptable	5 Gal.	Varies

Notes:

1. Deer Creek is located in northern Colorado Springs with a Plant Hardiness Zone designation of 6. Consult <http://www.arborday.org> if planting in other areas to ensure selection of plants designated for the associated zone.
2. Plants listed as 'Dry' or 'Adaptable' are considered to be Xeric (low water) plants.
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5. Additional plant materials may be approved per the Municipal Approving Authority landscape code. Also refer to the Colorado Native Plant Society "Suggested Native Plants for Horticultural Use on the Front Range of Colorado".

Deer Creek at Northgate Modification Guidelines

Appendix D

Tree and Shrub List (Continued)

BOTANICAL NAME / COMMON NAME	<u>WATER REQ</u>	<u>SIZE</u>	<u>SPREAD</u>
<u>SHRUBS (Partial Shrub List – continued)</u>			
Fallugia Paradoxa Apache Plume	Dry to Adaptable	5 Gal.	4-6'
Juniperus Horizontalis species. Horizontal Juniper species	Dry to Adaptable	5 Gal.	2-3'
Juniperus Scopulorum Rocky Mtn. Juniper	Dry to Adaptable	15 Gal.	4-6'
Perovskia Atriplicifolia Russian Sage	Dry to Adaptable	5 Gal.	3-4'
Pinus Mugo 'Pumilo'* Dwarf Mugo Pine	Dry to Adaptable	5 Gal.	3-4'
Potentilla Fruticosa species Potentilla species	Dry to Adaptable	5 Gal.	3-4'
Prunus Tenella Dwarf Russian Flowering Almond	Dry to Adaptable	5 Gal.	2-4'
Rosa X species Red Shrub Rose	Dry to Adaptable	5 Gal.	4-6'
Rosa X species White Rose	Dry to Adaptable	5 Gal.	4-6'

Notes:

1. Deer Creek is located in northern Colorado Springs with a Plant Hardiness Zone designation of 6. Consult <http://www.arborday.org> if planting in other areas to ensure selection of plants designated for the associated zone.
2. Plants listed as 'Dry' or 'Adaptable' are considered to be Xeric (low water) plants.
3. (*) designates recommended Signature Plants
4. (n) designates Native Species
5. Additional plant materials may be approved per the Municipal Approving Authority landscape code. Also refer to the Colorado Native Plant Society "Suggested Native Plants for Horticultural Use on the Front Range of Colorado".

Deer Creek at Northgate Modification Guidelines

Appendix D

Tree and Shrub List (Continued)

<u>BOTANICAL NAME / COMMON NAME</u>	<u>WATER REQ</u>	<u>SIZE</u>	<u>SPREAD</u>
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SHRUBS (Partial Shrub List – continued)

Native Species:

Physocarpus Monogynus Mountain Ninebark*	Dry to Adaptable	5 Gal.	3-4'
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Chrysothamnus Nauseosus Rabbitbrush species	Dry to Adaptable	5 Gal.	3-6'
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Symphoricarpos Albus Snowberry	Dry to Adaptable	5 Gal.	1-3'
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Cornus Stolonifera Redosier Dogwood	Adaptable	5 Gal.	3-6'
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ORNAMENTAL GRASSES

Calamagrostis Acu. 'Karl Foerster'* Feather Reed Grass	Adaptable	5 Gal.	2-5'
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Festuca Glauca Blue Fescue	Dry to Adaptable	5 Gal.	8-12''
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Helictotrichon Sempervirens* Blue Avena Grass	Low	5 Gal.	2-3'
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Saccharum Ravennae Silver Plume Grass	Adaptable	5 Gal.	3-4'
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Schizachyrium Scoparium (n)* Little Bluestem	Dry to Adaptable	5 Gal.	1-2'
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Sorghastrum Avenaceum (n)* Indian Grass	Dry to Adaptable	5 Gal.	1-2'
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Notes:

1. Deer Creek is located in northern Colorado Springs with a Plant Hardiness Zone designation of 6. Consult <http://www.arborday.org> if planting in other areas to ensure selection of plants designated for the associated zone.
2. Plants listed as 'Dry' or 'Adaptable' are considered to be Xeric (low water) plants.
3. (*) designates recommended Signature Plants
4. (n) designates Native Species
5. Additional plant materials may be approved per the Municipal Approving Authority landscape code. Also refer to the Colorado Native Plant Society "Suggested Native Plants for Horticultural Use on the Front Range of Colorado".

Deer Creek at Northgate Modification Guidelines

Appendix D

Tree and Shrub List (Continued)

<u>BOTANICAL NAME / COMMON NAME</u>	<u>WATER REQ</u>	<u>SIZE</u>	<u>SPREAD</u>
<u>PERENNIALS</u>			
Clematis species Purple Clematis	Adaptable	Flat	12-18'
Leucanthemum species Double Shasta Daisy	Adaptable	Flat	18-24"
Clematis Terniflora Sweet Autumn Clematis	Adaptable	Flat	12-18'
<i>Native Species:</i>			
Aquilegia Caerulea * Rocky Mountain Columbine	Adaptable	Flat	12-18'
Blue Flax* Adenolinum (Linum) Lewisii	Dry	Flat	18-24"
Lupine* Lupinus Argenteus	Dry/Moist	Flat	12-24"
Prairie Coneflower Ratibida Columnifera	Dry	Flat	12-24"
Rocky Mountain Penstemon Penstemon Strictus	Dry	Flat	12-16"

Notes:

1. Deer Creek is located in northern Colorado Springs with a Plant Hardiness Zone designation of 6. Consult <http://www.arborday.org> if planting in other areas to ensure selection of plants designated for the associated zone.
2. Plants listed as 'Dry' or 'Adaptable' are considered to be Xeric (low water) plants.
3. (*) designates recommended Signature Plants
4. (n) designates Native Species
5. Additional plant materials may be approved per the Municipal Approving Authority landscape code. Also refer to the Colorado Native Plant Society "Suggested Native Plants for Horticultural Use on the Front Range of Colorado".

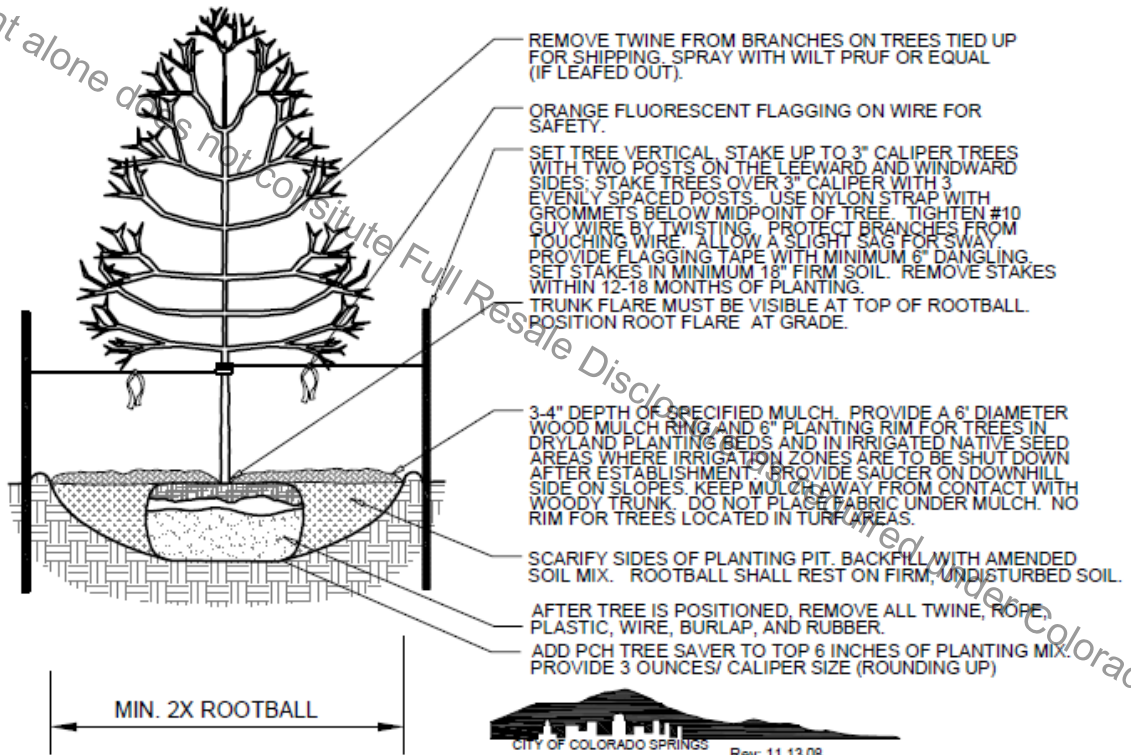
Deer Creek at Northgate Modification Guidelines

Appendix E

Deciduous Tree Planting Detail

NOTES:

1. MARK THE NORTH SIDE OF TREE IN THE NURSERY, AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE.
 2. AT TIME OF PLANTING, DO NOT REMOVE OR CUT LEADER AND PRUNE ONLY DEAD OR BROKEN BRANCHES, CROSS OVER BRANCHES, AND WEAK OR NARROW CROTCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED. HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.
 3. STRUCTURAL PRUNING SHOULD NOT BEGIN UNTIL AFTER ESTABLISHMENT PERIOD, USUALLY TWO GROWING SEASONS.
 4. KEEP PLANTS MOIST AND SHADED UNTIL PLANTING.
 5. DO NOT FERTILIZE FOR AT LEAST ONE GROWING SEASON.
 6. AMENDED BACKFILL SHALL BE 1/3 COMPOST (PREFERABLY CLASSIFIED) AND 2/3 NATIVE AND/OR IMPORTED TOPSOIL.
 7. WRAP TRUNK ON EXPOSED SITES AND SPECIES WITH THIN BARK. USE ELECTRICAL OR DUCT TAPE, NOT TWINE.
 8. COORDINATE WITH CITY FORESTRY FOR CURRENT INSECT AND DISEASE RECOMMENDATIONS PRIOR TO PLANTING.
- DEEP WATER ALL PLANTS AT TIME OF PLANTING.



DISCLAIMER: THESE PLANTING DETAILS ARE FOR CITY REVIEW AND APPROVAL PROCESS ONLY AND SHALL NOT BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE

SECTION

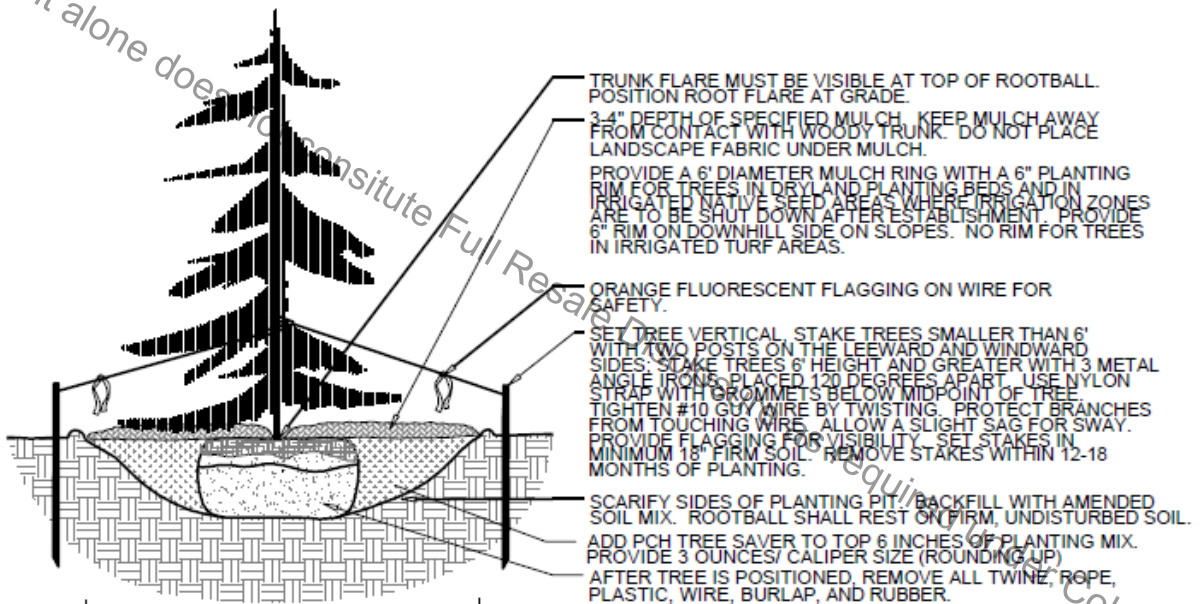
Deer Creek at Northgate Modification Guidelines

Appendix F

Evergreen Tree Planting Detail

NOTES:

1. DO NOT REMOVE OR CUT LEADER.
2. PRUNE ONLY DEAD OR BROKEN BRANCHES IMMEDIATELY PRIOR TO PLANTING.
3. DO NOT REMOVE ANY DOUBLE LEADER, UNLESS OTHERWISE DIRECTED BY OWNERS REPRESENTATIVE.
4. KEEP PLANTS MOIST AND SHADED UNTIL PLANTING.
5. AMENDED BACKFILL SHALL BE 1/3 COMPOST (PREFERABLY CLASSIFIED) AND 2/3 NATIVE AND/OR IMPORTED TOPSOIL.
6. MARK THE NORTH SIDE OF TREE IN THE NURSERY, AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE.
7. PINE AND SPRUCE TREES TO BE SPRAYED FOR IPS BARK BEETLE PRIOR TO PLANTING. COORDINATE WITH CITY FORESTRY FOR CURRENT INSECT AND DISEASE RECOMMENDATIONS PRIOR TO PLANTING.
8. ALL TREES TO BE DEEP WATERED AT TIME OF PLANTING.



MIN. 2X ROOTBALL



DISCLAIMER: THESE PLANTING DETAILS ARE FOR CITY REVIEW AND APPROVAL PROCESS ONLY AND SHALL NOT BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

EVERGREEN TREE PLANTING DETAIL

NOT TO SCALE

SECTION

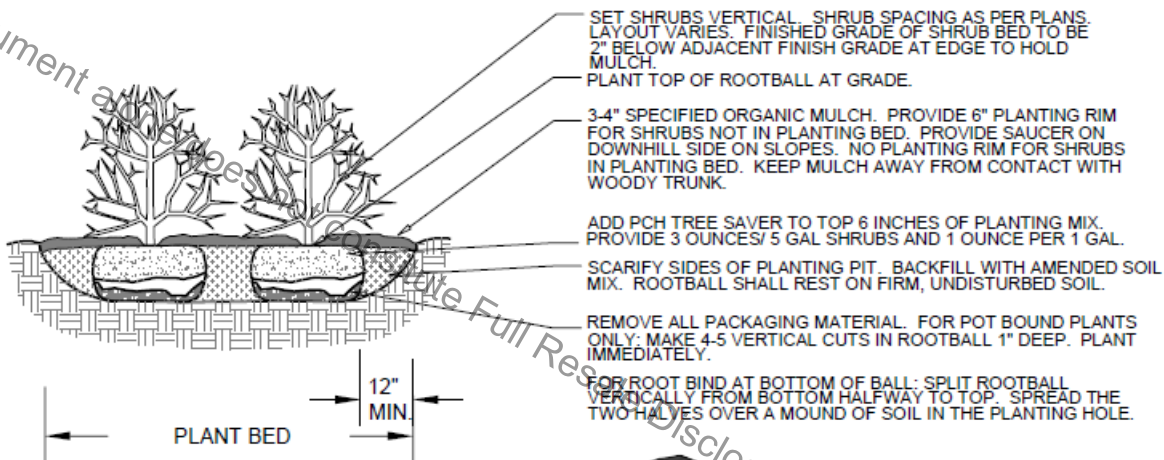
Deer Creek at Northgate Modification Guidelines

Appendix G

Shrub Planting Details

NOTES:

1. PRUNE ONLY DEAD OR BROKEN BRANCHES AND WEAK OR NARROW CROTCHES.
2. KEEP PLANTS MOIST AND SHADED UNTIL PLANTING.
3. DO NOT FERTILIZE FOR AT LEAST ONE GROWING SEASON.
4. AMENDED BACKFILL SHALL BE 1/3 COMPOST (PREFERABLY CLASSIFIED) AND 2/3 NATIVE AND/OR IMPORTED TOPSOIL.
5. ALL SHRUBS IN ROCK AREAS TO RECEIVE SHREDDED MULCH RINGS.
6. DEEP WATER ALL PLANTS AT TIME OF PLANTING.



- SET SHRUBS VERTICAL. SHRUB SPACING AS PER PLANS. LAYOUT VARIES. FINISHED GRADE OF SHRUB BED TO BE 2" BELOW ADJACENT FINISH GRADE AT EDGE TO HOLD MULCH.
- PLANT TOP OF ROOTBALL AT GRADE.
- 3-4" SPECIFIED ORGANIC MULCH. PROVIDE 6" PLANTING RIM FOR SHRUBS NOT IN PLANTING BED. PROVIDE SAUCER ON DOWNHILL SIDE ON SLOPES. NO PLANTING RIM FOR SHRUBS IN PLANTING BED. KEEP MULCH AWAY FROM CONTACT WITH WOODY TRUNK.
- ADD PCH TREE SAVER TO TOP 6 INCHES OF PLANTING MIX. PROVIDE 3 OUNCES/ 5 GAL SHRUBS AND 1 OUNCE PER 1 GAL.
- SCARIFY SIDES OF PLANTING PIT. BACKFILL WITH AMENDED SOIL MIX. ROOTBALL SHALL REST ON FIRM, UNDISTURBED SOIL.
- REMOVE ALL PACKAGING MATERIAL. FOR POT BOUND PLANTS ONLY: MAKE 4-5 VERTICAL CUTS IN ROOTBALL 1" DEEP. PLANT IMMEDIATELY.
- FOR ROOT BIND AT BOTTOM OF BALL: SPLIT ROOTBALL VERTICALLY FROM BOTTOM HALFWAY TO TOP. SPREAD THE TWO HALVES OVER A MOUND OF SOIL IN THE PLANTING HOLE.

DISCLAIMER: THESE PLANTING DETAILS ARE FOR CITY REVIEW AND APPROVAL PROCESS ONLY AND SHALL NOT BE USED FOR CONSTRUCTION OR BIDDING PURPOSES.

SHRUB PLANTING DETAIL
NOT TO SCALE



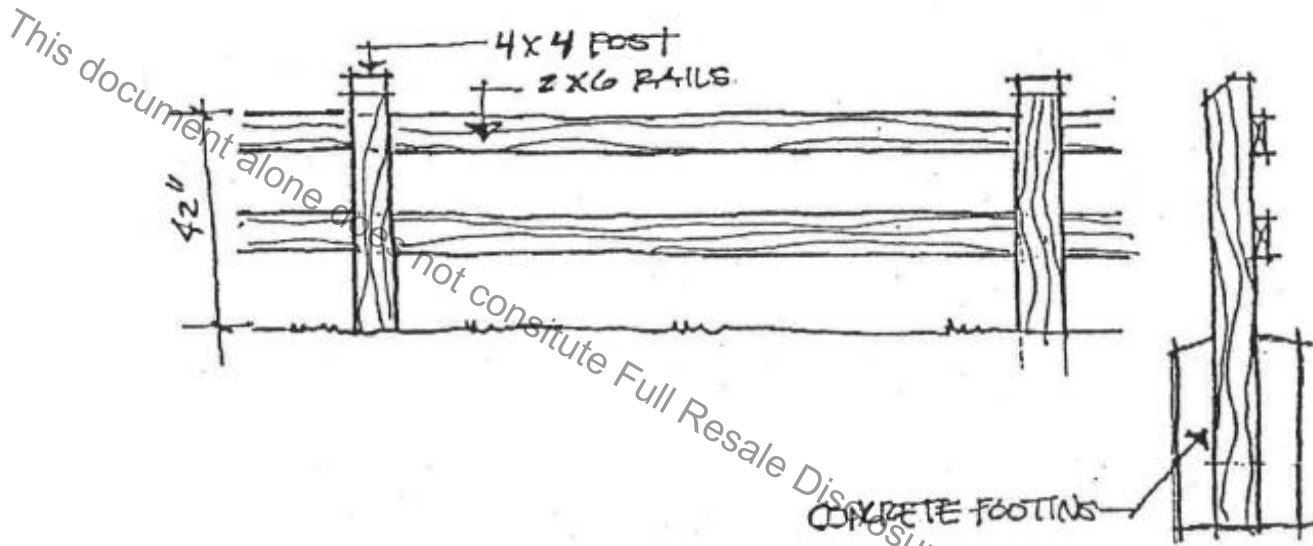
CITY OF COLORADO SPRINGS Rev: 11/13/08

SECTION

Deer Creek at Northgate Modification Guidelines

Appendix H

Post & Rail Fence Detail (2-Rail)

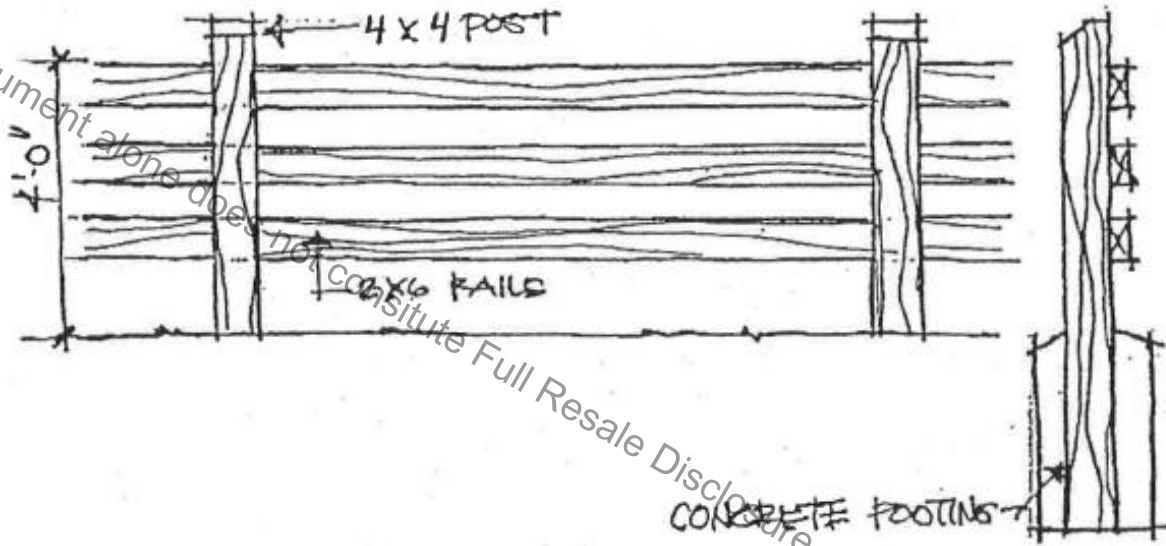


POST & RAIL FENCE DETAIL
(2 RAILS)

Deer Creek at Northgate Modification Guidelines

Appendix I

Post & Rail Fence Detail (3-Rail)



POST & RAIL FENCE DETAIL
(3 RAILS)

Deer Creek at Northgate Modification Guidelines

Appendix J

Synthetic Turf Considerations

While the DRC values the water conserving qualities of synthetic turf, it also views some of the product's other characteristics as limiting its allowable application within Deer Creek. Accordingly, the DRC considered appearance, installation and maintenance, cost, environmental and safety factors in deciding:

Synthetic turf is not allowed in areas exposed to streets and common areas within Deer Creek, but will be considered on a case-by-case basis in less visible locations, subject to sufficient screening and the use of a professional installation company and professional grade materials.

The factors used by the DRC to establish this policy, listed in the paragraph above, are described in greater detail below. Given its evolving nature, however, Homeowners are encouraged to conduct their own research on this product before making their buying decision. Further, Homeowners are encouraged to request a Pre-Review by the DRC for this type of modification prior to formally submitting it for review, as each submission will be considered on its own unique merits.

Appearance

Synthetic turf's year round rich green appearance is attractive, but can look out of place, if not artificial, in relation to other landscapes and Native areas during periods of drought and especially in the winter months. It also has more of a more plastic crinkle feel and sound than natural grass. This is contrary to the goal of modifications being in harmony with the surrounding natural areas of the community.

Installation

The proper installation of synthetic turf is a more involved process than natural grass, including extensive subgrade preparation, special equipment and materials. Therefore, in the Deer Creek it is required that a professional installation company and professional grade materials are used.

Maintenance

Although considerably less than natural grass, in order to maintain synthetic turf in acceptable condition it does require maintenance, such as sweeping/vacuuming/rinsing, rolling, infill replenishment, cleaning and disinfecting, spraying for static, carpet repairs and drainage monitoring. Additionally, even though synthetic turf is generally more durable than natural grass, it does have a lifespan, estimated by some to be about 10 years.

Cost

While estimates vary widely, it's safe to say the cost to install synthetic turf is multiples higher than natural grass, especially when taking into account the associated costs of subgrade preparation, irrigation and drainage considerations and type of fill material. The cost to replace synthetic turf is also significantly higher than natural grass.

Environmental and Safety

Synthetic turf can reach very high surface and air temperatures in contrast to natural grass, which can be equal to or even less than ambient air temperatures

There are varying opinions and pending research regarding the effects of the toxic materials in synthetic turf on the human body, such as recycled rubber, lead and zinc, when ingested (rubber granules) or inhaled (rubber

Deer Creek at Northgate Modification Guidelines

Appendix J

Synthetic Turf Considerations (Continued)

dust) or through skin abrasions. Further, the product is made from non-biodegradable petrochemical plastics, creating issues regarding disposal and provides no air-clearing photosynthesis as natural grass does.

Synthetic turf is unable to self-sanitize as natural grass does, which is relevant when considering its exposure to bodily fluids, animal excrement and algae growth, thereby creating prime locations for harmful bacteria growth, unless proper mechanical and chemical maintenance is practiced to maintain a healthy environment.

Once synthetic turf has replaced natural grass, it prohibits the growth of any living organism in the subsoil underneath it, which makes it very difficult to effectively grow anything there again without extensive soil amendment and remediation over a period of years.

This document does not constitute Full Resale Disclosure as required under Colorado Law.

Deer Creek at Northgate Modification Guidelines

Appendix K

Rubber Mulch Considerations

The DRC values the sustainable qualities of rubber mulch, which is recycled product typically made from used tires. However, the DRC also views some of the product's other characteristics as limiting its allowable application within Deer Creek. Accordingly, the DRC considered appearance, installation and maintenance, cost, environmental and safety factors in deciding:

Rubber mulch will be considered on a case-by-case basis, subject to the use of professional grade materials, being installed to a depth of at least 4 inches and having a color that simulates natural wood mulch, specifically any existing natural wood mulch located within line of site of the proposed location for the rubber mulch.

The factors used by the DRC to establish this policy, listed in the paragraph above, are described in greater detail below. Given its evolving nature, however, Homeowners are encouraged to conduct their own research on this product before making their buying decision.

Appearance

Rubber mulch comes in a variety of colors, but only those which simulate natural wood mulch are allowed in Deer Creek. The feel and weight of rubber mulch is distinctly different from natural wood mulch, thus it is somewhat contrary to the goal of modifications being in harmony with the surrounding natural areas of the community.

Installation

Rubber mulch is installed in a manner similar to natural wood mulch, including the requirement of a minimum depth of 4 inches for landscape applications. If the rubber mulch is intended for use in play areas, a 6-inch depth will provide a safer surface for children (check manufacturer specifications for specific requirements). Landscape fabric underlayment is recommended under rubber mulch in order to discourage weeds. Rubber mulch typically has a rubber-like odor for a brief period of time after installation.

Maintenance

Being non-biodegradable, rubber mulch does not work to amend your soil with needed nutrients like natural wood mulch does. As with other mulches, rubber mulch does require some maintenance, such as raking, replenishment and removal of weeds and accumulated debris. Additionally, even though rubber mulch is generally more durable than natural wood mulch, it does have a lifespan, estimated by some to be about 10 years.

Cost

The cost of rubber mulch can be as much as double the cost of natural wood mulch. However, since it is non-biodegradable, it will last for many years without the annual renewing required by natural wood mulches. Its weight also makes it less vulnerable to floating away or being blown away by high winds. Over several years, these factors help offset the increased initial cost.

Environmental and Safety

Being a recycled product, rubber mulch is made from used tires that would otherwise end up in landfills. However, consideration needs to be given to disposing of the mulch if and when it is no longer desired. Also,

Deer Creek at Northgate Modification Guidelines

Appendix K

Rubber Mulch Considerations (Continued)

there are varying opinions and pending research regarding the effects of the toxic materials in recycled rubber. It is suspected to leach chemicals such as zinc into the ground, which if true would make it a bad choice for use in and around gardens. There are also concerns about its effect on the human body, when ingested (rubber granules) or inhaled (rubber dust) or through skin abrasions, especially if the rubber contains bits of wire-reinforced tires, rather than fiber-reinforced tires.

Rubber mulch does have some insulation qualities, which can help reduce the effect of extreme winter and summer temperatures on the soil. However, rubber mulch can catch on fire and is harder to extinguish than natural wood mulch.

This document alone does not constitute Full Resale Disclosure as required under Colorado Law.

Deer Creek at Northgate Modification Guidelines

Appendix L

Sustainable Landscape Resources

Although not all inclusive, the following are considered reliable, respected and objective sources of information related to sustainable landscape practices.

Associated Landscape Contractors of Colorado - <https://www.alcc.com/index.php>

American Society of Landscape Architects - <http://www.asla.org/>

Colorado Nursery and Greenhouse Association - <http://www.coloradonga.org/gardener>

Colorado Springs Utilities - <https://www.csu.org>

Colorado State University Extension - <http://www.ext.colostate.edu/>

Green Industries of Colorado - <http://www.greenco.org/>

Pikes Peak Urban Gardens - <http://www.ppugardens.org/>

HGTV Gardens - <http://www.hgtvgardens.com/>

Water Returns - <http://www.water-returns.org>

Water Sense (EPA Program) - <http://www.epa.gov/WaterSense>

This document alone does not constitute a full Resale Disclosure as required under Colorado Law.