

Cherry Creek Vista Homeowners Association Regulations

Revised: June 22, 2022

In order to maintain the appearance and value of homes in Cherry Creek Vista it is necessary that all Association members maintain the exterior of their property in good condition. The Board of Directors, in compliance with the established Covenants of the Homeowners Association, has developed these regulations.

I. ARCHITECTURAL REVIEW COMMITTEE APPROVAL (*Protective Covenants 2: Architectural Control*)

ANY exterior changes to your home, including landscape, paint, trees, that is visible from the street, **MUST** be approved by the Architectural Review Committee (ARC) **BEFORE** work begins. **Failure to seek ARC approval will result in a \$500.00 fine and possible denial of the project. The project will still need to go through the ARC approval process.**

II. SIGNS AND FLAGS

Flag sizes are limited to 4' x 6' or smaller. Yard signs are limited to 600 Sq inches.

III. YARD (*Arapahoe County Ordinance 2001-02; Protective Covenant 7: Nuisance*)

A. Lawns must be kept mowed and trimmed, and free of weeds. In the case of xeriscape, the yard must be neat and free of trash and weeds.

- B.
1. Trees, shrubs, or fences/walls may not interfere with pedestrian traffic or vehicle line of sight.
 2. Homeowners with corner lots must ensure that trees and shrubs on the property corner comply with Covenant article 14 and with applicable County regulations, regarding sight lines.
 3. Tree and shrubs must not overhang or in any way block the sidewalk or street.
 4. Any dead, dying or diseased trees or shrubs (or their branches or limbs) must be removed, pruned or trimmed as required to maintain both the appearance and health of the trees or shrubs

C. Xeriscape – Waterwise landscaping. A landscaping method that utilizes individual site conditions to maximize efficient water usage. The seven principals of xeriscape are:

1. Minimize cool season turf grasses.
2. Replace turf areas with hardscape such as decking patios, walkways, etc.
3. Reduce turf areas with mulched planting beds.
4. Amend soil with organic matter.
5. Zone or group plants by water, soil and sun needs.
6. Zone irrigation by plant water needs.
7. Maintain landscape to reduce water usage by weeds and promote health plant growth.

Landscape/Xeriscape Plan Requirements – the following information is required on all landscape/xeriscape plans and **must be submitted to the ARC for approval**:

- North arrow and scale.
- Scale not less than one inch equal to 10 feet.
- Title Block complete with residence address, owners name, designer if other, phone number, email address and date.
- Property lines, utility easements, walks, drives, hard pavement, existing landscaping to remain, city trees, and building footprints.
- Draw proposed and existing plant material to scale. Recommended dimensions for proposed plant are: Shade Trees, 25' diameter maximum; Ornamental Trees, 15' diameter maximum; Evergreen Trees, 10' diameter maximum; shrubs, perennials, ornamental grasses, 3' to 5' depending on species.
- Existing tree cover, existing plant beds, and plant containers drawn to scale.
- Plant list including symbols, quantities, water usage characteristics, botanic and common names, size in applicable caliper inches, height and container.
- Total landscaped area.
- The area in square feet and percentage of the total landscape area of rock, mulch, bark or wood mulch, and decorative pavement.
- Location of three-dimensional features such as boulders, berms, fences and walls.

- Plant containers, such as wooden, ceramic, concrete, etc.

Xeriscape Requirements

1. Plant Beds. All areas that are not regarded as edging, paths and artificial streambeds shall be designated as plant beds. All plant beds should be mulched with organic and/or inorganic mulches. All plant beds shall be planted with quantities of plant material that will provide a minimum of 50% yard coverage when planted as described in item (3).
 2. Organic and inorganic mulches: Rock mulch is limited to not more than 50% of the total landscapeable area of yard, whereas the use of organic mulch is unlimited.
 3. Plant material quantities are based on assigned square footage values for evergreen trees, shrubs, annuals, perennials, and groundcovers. The total square footage value for plant materials within a plant bed shall be equal to or exceed the square footage of the plant bed. Square footage values are based on 50% of yard coverage at time of planting.
 4. The use of natural stone and/or man-made pavers shall not exceed 40% of the landscapeable area.
- D. Snow must be cleared from sidewalks no later than 24 hours after the end of any snowfall that exceeds one inch. (*Arapahoe County Department of Public Works*).
- E. Homeowners with open area between their fence and a street along the side of their home are responsible for maintaining that open area. This area may be planted with grass or flowers or covered with rocks. The Homeowner must keep the area clear of weeds and trash
- F. Storage Sheds, Gazebos, Pergolas and other Structures in the yard. (*Protective Covenant 2: Architectural Control*).
1. Every effort should be made to reduce any visibility from any neighborhood street.
 2. One storage shed is allowed per lot, and it shall not exceed 96 square feet and 8 feet, 8 Inches feet in height at the peak.
 3. The exterior of any storage shed shall appear to be the same type of material and color as used on the sides and roof of the home. Paint colors, including trim, must match the home colors. Preformed plastic/rubber portable storage units do not need to match the home but must be in neutral tones.
 4. Metal storage sheds will not be approved for use in CCV.
 5. All existing storage sheds and structures will be grandfathered. Any damaged or collapsed storage sheds or structures must be removed, repaired, or replaced within 30 days. Metal storage sheds may not be used to replace any existing Storage Sheds.
 6. Any new or replacement storage shed, gazebo, pergola or free standing structure must comply with the preceding paragraphs and must have prior Architectural Committee approval.
 7. Freestanding gazebos and pergolas may not be any larger than 192 square feet and may not exceed 10 feet 4 inches in height at the peak.
 8. Prefabricated gazebos and pergolas shall be constructed of wood posts that are no smaller in circumference than 4 inches X 4 inches. The wood must be stained to a natural wood color or painted to match the home. The roof shall be a structural metal in a neutral color or shingles that match the shingles on your home. An open pergola roof made of wood to diffuse sun is acceptable.
 9. Gazebos and Pergolas made of metal, plastic, rubber or resin are not acceptable.
 10. Fabric roofing and fabric curtains are not acceptable.
 11. Gazebo and Pergolas may utilize sunshades in a neutral color.
 12. Patio Covers, Gazebos and Pergolas that are attached to the home may exceed the above size restrictions ONLY with prior approval of the Architectural Review Committee.
- G. Chickens and Bees (*Protective Covenant 11: Poultry & Livestock; Arapahoe County Department of Public Works*).
1. No animals, livestock, poultry or insects (bees) of any kind shall be raised, bred or kept on any building site, save and except that domesticated dogs, cats or other common household pets may be kept so long as they are not kept, bred or maintained for any commercial purposes/.

IV. TRASH REMOVAL

- A. Trash cans, trash bags, and recycle bins must not be placed at curbside more than 24 hours before

scheduled pickup.

- B. Trash cans and bins must be removed from curbside the same day pickup is completed.
- C. Trash cans must be kept covered.
- D. All trash cans must be stored in garages, or behind fences and out of sight from the street.
- E. No accumulation of trash, bags of grass clippings, or debris should be visible from the street.
- F. All trash or debris left from renovation or construction must be removed within two weeks after completion of the project. If the project lasts longer than one month, debris must be removed at least every two weeks.
- G. Any accumulation of cut trees, brush, or discarded lumber, anywhere on the property must be removed within 14 days to eliminate a fire hazard, and so as not to provide a home for vermin. This prohibition does not apply to cut and stacked firewood.

V. HOME APPEARANCE (*Protective Covenant 2: Architectural Control*).

- A. Home should be repainted when there is evidence of exterior paint peeling or cracking.
- B. Missing siding, sagging pillars or soffits, or broken windows should be repaired within 30 days after receipt of a letter from the Board requesting such repairs.
- C. All exterior painting must be completed within 30 days from the time such painting has commenced.
- D. Walkways and driveways that have extensive cracking, pitting, or holes are safety hazards and should be repaired or replaced within 30 days after receipt of a letter from the Board requesting such repairs.
- E. Any additions, modifications or painting to the exterior of a home must have prior Architectural Committee approval, even if planning to paint the existing color. This includes any new Structures such as Deck, Porches, Gazebos, Room additions, Garages, or Driveways.
- F. Any changes to roofing materials or siding must have prior approval of the Architectural Committee.

VI. FENCING (*Protective Covenant 2: Architectural Control*).

Any fence that is installed in Cherry Creek Vista needs ARC approval, even if they conform to the below three guidelines. Any deviation from these three guidelines must be submitted on an Improvement Request Form and submitted to the ARC for approval prior to the start of construction.

The following four fence types are approved for use in Cherry Creek Vista:

TYPE 1) = 6' 1 x 8 Baffleboard, 6 X6 Posts, 6ft. 1X6 Dog-Eared Pickets, 1X2 baffles



TYPE 2) = 4' or 6' High 3" or 5" wide Dog Eared Pickets 4X4 Posts 2X4



TYPE 3) = 3' Split Rail



TYPE 4) Horizontal

Fencing Type 4) = 4' or 6' high with horizontal wood only cedar wood fence boards. Boards may be ½" to 1" thick (gauge). Boards must be 6" nominally wide. All components used on the fence must be the same wood material and color as viewed from the street. All boards for the fence must be the same width and spaced closely together with no more than a 1/8" gap between boards.



Homeowners are responsible for all fencing on their property including the rear and side of their lots.

Only fence type "3" may be installed beyond the front building line of any home. Privacy fences must be set back from the front of the house at least 2-feet.

Where a solid fence borders a street, the rails and posts shall face the lot. The fence pickets shall face the street (refer to above diagram for fence types "1" and "2"). On each lot that abuts a park and does not have adjacent park

access, one gate may be installed for access. All wood members in fence types "1", "2", "3", and "4" are to be rough or resawn cedar.

Chicken wire or other wire materials may not be used.

A homeowner wishing to use an alternate type material must first obtain approval from the ARC. It is the homeowner's responsibility to notify and obtain the approval of adjacent neighbors prior to the installation of any fence that separate lots along the property line. It is the responsibility of homeowners with corner lots to ensure that their rear or side lot fencing does not interfere with traffic sight on streets.

VII. VEHICLES

A. The following vehicles may **NOT** be parked or stored in the driveway or any portion of a Lot except, for approved storage or an enclosed garage on the property,

- Trucks larger than ¾ ton capacity
- Boats
- ATV's, trail bikes and other off road vehicles
- Trailers, including boat trailers
- Recreational Vehicles
- Business or commercial vehicles (other than government passenger automobiles)
- Motor Homes
- Campers
- Motor Coaches
- Race Cars
- Snowmobiles
- Motorcycles on Trailers
- Pop-up Campers
- Any other motorized or non-motorized Recreational Vehicle

B. The vehicles listed in A may be parked in driveways for up to 72 hours for the purpose of loading, unloading, and servicing only.

C. Motor Homes and Motor Coaches may be parked in the driveway for a period not to exceed 14 days, by visitors to the home. An extension to the 14-day limit must be approved through the Homeowners Association.

D. Idle abandoned, inoperable, or unlicensed vehicles, unsightly or oversized vehicles, snow removal equipment, garden maintenance equipment and any other type of machinery shall not be stored, parked, or otherwise kept in any part of Cherry Creek Vista, except in an enclosed garage, or approved storage. This storage must **not** be visible from the street. This parking must be approved in advance of use by the Architectural Committee. (*Arapahoe County Department of public Works – Ordinance 91-1*).

F. Placing vehicles or any items listed in paragraph A or D under covers does not provide approved storage.

G. "Owner's approved parking areas" includes garage spaces and paved/concrete driveways, and HOA approved extensions thereof. Additional parking pads will be limited to one more than available garage spaces. For example, a home with a three car garage may add an additional parking pad adjacent to their driveway, for a total of seven (7) total parking spaces. . An owner with a two car garage and a two car driveway may park a total of five vehicles on the property by adding an additional parking pad. Owners approved parking areas do not include areas that have grass, dirt, gravel or other permeable surfaces or those areas not originally or typically intended for vehicle parking.

Owners and their tenants are prohibited from parking more vehicles than can be accommodated within the owners approved parking areas. Cars parked on the street for an extended period of time should be reported to the Arapahoe County Sheriff's office at 303-795-4711

H. Any improper, oversize or inoperative vehicle or item left or parked on the street will be governed by Arapahoe County laws and enforced by the County Sheriff's dept. (*Arapahoe County Department of public Works – Ordinance 91-1*).

I. Only one car cover may be used covering a licensed and operative passenger vehicle that is parked on a paved parking surface as long as the cover is well fitted, not faded, not ripped or torn and is in good condition.

J. Definitions:

1. An “idle, abandoned or inoperable vehicle” is any vehicle that has not been driven under its own propulsion for a period of 14 days or longer. An Owner may apply for an exception from this 14-day period for the purpose of keeping a vehicle within CCV during an extended vacation or an illness, by sending a written request to the Association.
2. A vehicle that does not have current registration or license shall automatically be considered idle or abandoned.
3. An unsightly vehicle is identified by characteristics including, but not limited to, missing body parts (i.e. a bumper), finish that has deteriorated on over 20% of the vehicle, body damage on a significant portion of the vehicle that has not been repaired within a reasonable amount of time, rust and/or primer on a significant portion of the vehicle.
4. An oversized vehicle is one that is too high to clear the entrance to the owner’s garage or is too long or too wide to fit within that garage.
5. “Parking within the community” shall mean the location of any approved motorized vehicle on any approved paved driveway or in any garage within the contiguous boundaries of the Cherry Creek Vista community as defined by the Declaration and applicable recorded documents.

These Regulations are published to ensure that all Homeowners are aware of the standards required to achieve our common goal, and in the expectation that all Homeowners will voluntarily ensure they are in complete compliance. It is the strong desire of the Board that it will not be necessary to impose fines.

IN WITNESS WHEREOF, the undersigned, as President of the Cherry Creek Vista Homeowners Association, certifies the Board of Directors adopted these revised Regulations on the 22th day of July, 2022, to be effective on July 22, 2022.

Casey Korejwo
President
Cherry Creek Vista HOA