

**THE WOODLAND PONDS SUBDIVISION  
ARCHITECTURAL REVIEW BOARD  
GUIDELINES**

The formation, duties and authority of the Architectural Review Board (ARB) are specified in Article VI of the Declaration of Covenants, Conditions and Restrictions for the Woodlands Ponds Subdivision. The purpose of the ARB is to keep the subdivision attractive for the peaceful enjoyment of the residents and to protect, preserve and enhance property values. An ARB application and review process is used to assure this purpose is met.

In general, no residence, structure, driveway, fence, patio or other improvement may be erected, placed, modified or altered on any Lot within the Woodland Ponds Subdivision unless building plans, specifications (including colors and materials) and plot plan showing the location and proposed erection, placement, modification or alteration of any such residence, structure, driveway, fence, patio or other improvement has been approved in writing by the ARB prior to construction.

The following items fall within the scope of authority of the ARB and require an ARB application prior to the commencement of work. Additional information and standards for these items may be found in The Woodland Ponds Covenants or in the following Guidelines which have been approved and accepted by The Woodland Ponds Executive Board. Date of approval is noted within each Guideline. These Guidelines may be amended and updated as necessary to meet changes in the law or for other reasons.

- Original Residence and Outbuilding Construction Including Sheds
- Exterior Finishes, Colors and Roofing Materials of All Buildings on Subdivision Lots
- Alterations of Original Building Plans
- Original Landscaping Plans Including Fencing
- Landscaping Improvements Including Arbors
- Greenhouses, Screened Porches, Patios
- Permanent BBQ Grills and Permanent Outdoor Cooking Areas
- All Concrete Work
- All Shade Structures Including Pergolas, Ramadas, Awnings, Etc.
- Pillars
- Energy Generating Devices Including Solar Panels, Wind Generators, etc.
- Energy Efficiency Devices Including Clotheslines, etc.
- Antennas and Satellite Dishes
- Children's Play Sets (See Guideline for Exceptions)

**Fencing**

1. (Reference Article VI, Section 6.f.) Regarding Lots 34, 35, 36 and 37: as of May 22, 2017 existing fencing consisting of split rail or 6' cedar is grandfathered in so that no changes in fencing are required. Homeowners may retain their existing fencing in total, may replace the backyard, subdivision perimeter line of their lots with 6' white vinyl privacy fencing with top pickets and keep side fencing as is, or may replace their entire fencing with 6' white vinyl privacy fencing with top pickets. All new fencing materials must match those along the Marine Street perimeter of the subdivision. Should existing perimeter fencing require replacement, it must be replaced with 6' white vinyl privacy fencing with top pickets.

## **Sheds and Outbuildings**

2. Effective June 21, 2018 all sheds and outbuildings must be constructed of the same materials and have the same colors as the main residence of the property. The design must be similar to that of the house. Roofing materials and the roof pitch must match those of the house. Sheds and outbuildings must be set back 10 feet as required by the County of Montrose. Any shed larger than 120 sq. feet, wired for electricity, and/or plumbed for water must have a building permit from the County of Montrose. Only one story sheds or outbuildings will be allowed. If sheds or outbuildings are moved on the property from the originally approved position, a new ARB application must be submitted.

## **Cement Work**

3. Effective June 21, 2018 cement work for driveways, patios, walkways, landscaping features such as raised beds and pillars, and foundations for sheds must be approved through the ARB application process. Any repair or modifications which alter the appearance, functionality or structure of originally approved cement work must also be approved through the ARB application process.

## **Energy Efficient Measures Including Clotheslines, Pergolas, Awnings**

4. Effective June 21, 2018 and per the Colorado Common Interest Ownership Act (CCIOA) revised in 2017, "any device or structure that reduces the amount of energy derived from fossil fuels that is consumed by a residence" is allowed with certain provisions per item. An ARB application is required so that input on "reasonable aesthetic provisions that govern the dimensions, placement, or external appearance of an energy efficiency device" can be made and so that the common interests of the subdivision can be considered. The ARB will not override this statute and will assure that decisions made regarding energy efficient devices will not negatively impact cost, efficiency, purpose or design of such devices.

- Clotheslines must be retractable meaning that lines must retract into a base unit mounted on an exterior wall of the home, garage or outbuilding on the property. No free standing clotheslines are allowed. Clotheslines must be retracted to their home position as soon as clothes or other items hanging on the lines are dry. Clotheslines may not be left extended overnight.
- Awnings, shutters, trellises, pergolas or other shade structures built for the specific purpose of reducing energy consumption are allowed. Wood, metal, and manufactured materials may be used and must be maintained to a standard of appearance similar to the original construction. All shade structures must be of natural, earth tone colors.
- Evaporative coolers are allowed. Evaporative coolers or other cooling devices mounted on the ground or through windows may not be mounted on the front side of the house.
- A garage or attic fan and any associated vents or louvers are allowed.
- Energy efficient outdoor lighting devices and motion detectors are allowed. Exterior lights may not exceed 100 watts. Additional information on lighting is found in Article III, Section 2., d. of The Woodland Ponds Covenants.

## **Energy Generating Devices**

### **Solar Panels**

5. Colorado law (C.R.S. 38-30-168) addresses the authority of HOAs to regulate the installation and

use of "solar energy devices." Solar panels and other devices are defined as "a solar collector or other device or a structural design feature of a structure which provides for the collection of sunlight and which comprises part of a system for the conversion of the sun's radiant energy into thermal, chemical, mechanical or electrical energy." HOAs are not allowed to prohibit the installation of solar panels on property owned by a resident but are permitted to adopt architectural guidelines that impose reasonable restrictions on the dimensions, placement or external appearance of solar panels and that do not: (1) significantly increase the cost of the solar panels, or (2) significantly decrease the performance or efficiency of the solar panels. Effective June 21, 2018 the ARB does require an ARB Application prior to installation of solar panels or any other solar device on the property. The following Guidelines will be reviewed.

- Solar panels must be flush mounted to the roof. No panels will be allowed on the ground or walls.
- Color of all exposed conduit and other components must match the color(s) of the roof and /or siding of the house to blend in with the house.
- There may be multiple, possible placements of the solar panels on the roof of the home. The ARB will review all possible locations and give input in cooperation with the homeowner.
- Panels must be installed by trained individuals and must meet all state and county requirements.
- The ARB will review and may make recommendations regarding the number, type and size of the panels.
- A review of the impact on adjacent neighbors will be done including the placement of trees and other landscaping features in neighboring lots that may block solar access.
- All solar panels and devices must be kept to the highest condition possible to assure that a clean, attractive appearance is maintained. Any deterioration in the devices must be addressed and corrected within a reasonable time frame not to exceed two months.

### **Exterior Paint & Finishes**

6. As specified in Article VI, Section 6, b & c. of The Woodland Ponds Covenants, no primary or bright colors are permitted on the roof or elsewhere on the exterior of the home, sheds or outbuildings. Earth tone colors, pastels and whites may be accepted so long as they are not bright. Effective June 21, 2018 exterior colors originally approved by the ARB may be repainted without an ARB application so long as the colors remain the same as those previously approved. If the homeowner wants to change any exterior colors an ARB application must be submitted before painting begins. Should a homeowner want to change trim type or any other exterior feature from that originally approved an ARB application will be required. When reviewing an application regarding exterior colors and finishes, the ARB will consider not just the individual home but the neighboring properties as well; it is the goal of the ARB to establish and maintain a harmonious, aesthetically pleasing appearance throughout the subdivision.

### **Greenhouses and Screened Porches or Patios**

7. Effective June 21, 2018 greenhouses and screened porches or patios do require ARB approval particularly if they are added after the originally built home. Note that the WP Covenants allow only one outbuilding per lot; this includes greenhouses. A greenhouse may be located on the rear of the house or lot. Exceptions to the rear location may be made if the existing home design favors a side location of the house. Greenhouses or screened porches should be appropriate to the size

of the home as sited on the lot. They must meet Montrose County building codes. Greenhouses shall be glass enclosures. Screened porches or patios must match the existing house in materials, color and style; the roof should match the pitch and materials of the house roof.

### **Yard Furniture**

8. The use of interior furniture, particularly overstuffed furniture, on patios, decks, porches and in yards is prohibited. Furniture left outdoors must be kept in good repair. Outdoor furniture must be of a scale and style so as not to detract from the appearance of the subdivision. Use of outdoor or lawn furniture meeting this standard does not require ARB approval.

### **Arbors**

9. An arbor is a decorative bar supported by vertical shafts for the purpose of supporting vines or hanging plants. It shall not exceed 8 feet in height from the ground or deck floor level, and shall not be enclosed to create a solid barrier. If attached to a deck, patio or fence the material and color(s) must coordinate with the other materials and color(s). Effective June 21, 2018 all arbors must be approved by the ARB.

### **Barbeque Grills**

10. Permanent grills will be considered on a case by case basis. Construction design, scale and materials of permanent grill areas must complement the existing house and lot. Portable grills and smokers may not be kept on the front side of the house. This Guideline is effective June 21, 2018.

### **Children's Play Sets**

11. Children's play sets including slides, swings, climbers and sun screens are allowed as long as they are not located in the front yard of the house. If they are in the back yard and are not elevated above the fence line of the home, no ARB application is required. However, if they are taller than the fence line, an application is required. The ARB will review the size, shape, scale, materials and color of the play set structure as well as placement, proximity to neighbors' yards and other structures. Owners will be required to provide regular maintenance and repair of the structures and will be asked to take them down once the homeowner's children have outgrown their use. This Guideline is effective June 21, 2018.

### **Landscaping**

12. Landscaping must be installed and completed within twelve (12) months of occupancy of the residence. Landscaping shall consist of any combination of attractive grass, chips, bark, rock and ground cover vegetation. Water absorbent weed barrier (not plastic) should be installed under all decorative rock, gravel stone and other non-vegetative areas. These requirements are for both aesthetic purposes and as an aide to weed and dust control. No more than fifty percent (50%) of the total landscaped area shall be occupied in such a manner. This Guideline is effective June 21, 2018.

- **Location:** Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular and pedestrian traffic, as well as to preserve views of open spaces. Hence, shade and branch patterns of larger trees should be carefully considered.
- **Scale:** Care must be exercised in selecting plant materials which, upon maturity, will be an appropriate size in height and breadth for the intended location. Mature size, in height and diameter, should always be considered especially when planting close to walkways and houses. Consideration will be given to the effect plantings will have on views from neighboring lots. Trees should be clustered rather than widely spread. A three-dimensional appearance of planting is improved by augmenting trees and taller shrubs with low spreading shrubs and/or ground cover.
- **Tree/Plant Removal:** No live deciduous or evergreen tree with a trunk eight inches or more in diameter may be removed without specific approval by the ARB unless there is imminent danger to people or property.
- **Hedges:** An application is required when plant materials are planted as hedges, fences, barriers or screens or which meet or exceed (either at installation or at maturity) 48 inches in height. Hedges will only be considered for rear and side yards (not extending forward of the front plane of the home into the front yard).
- **Retaining Walls:** The tops of retaining or decorative walls must be level and step down to accommodate grade changes. Retaining or decorative walls must not adversely impact drainage and may require landscaping to soften the visual impact. Terracing is encouraged.
- **Vegetable Gardens:** Such gardens shall be neatly maintained throughout the growing season including removal of all unused stakes, trellises, weeds and dead growth. No ARB application is required for planting a vegetable garden.

### **Roof Vent Pipes**

13. For aesthetic purposes roof vent pipes must be painted a color similar to the roof. An initial ARB application for construction of the home should include this information in the samples of materials that are submitted. This Guideline is effective June 21, 2018.

### **Satellite Dishes and Antennas**

14. Antennas and satellite dishes of a diameter of one meter or less are permitted on the property; however, they must be installed in the least obtrusive and least visible location on the lot. Satellite dishes in excess of one meter are not permitted. To comply with the Federal Telecommunications Act of 1996, prior approval is not required for the installation of a satellite dish or antennae less than one meter in diameter. However, prior notice of such an installation or planned installation is requested. Prior notice will allow the ARB to assist the homeowner in selecting the best possible location for the equipment while complying with the requirement for the least visible and least obtrusive location. This Guideline is effective June 21, 2018. More specifically:

- **Ground Mount:** Should be located at the rear of the house. Where front or side yard locations are necessary, all equipment should be installed near other utility equipment or among shrubbery.

- Roof Mount: Should be located on the rear of the roof below any ridge or peak. If a front mount is necessary, all equipment should be installed to one side of the roof rather than in the center. Homeowners may be required to paint equipment to match the roof so long as warranties are not voided.
- Structure Mount: Should be located such that the equipment is adjacent to a chimney or other structure on the home. If on a deck the equipment should be installed off to one side of the deck or adjacent to the house if possible. Screening may be required. Abandoned antennas must be removed from the house.