

## **THE BIJOU DESIGN GUIDELINES**

# **THE BIJOU**



## **DESIGN REVIEW COMMITTEE**

# **THE BIJOU DESIGN GUIDELINES**

## **1. INTRODUCTION**

### **1.1. Project Overview**

The Bijou is a community of 213 total (100-lots in Phase 1) single-family, residential lots. The Bijou is located in Fort Morgan, CO. The Bijou is planned to include a variety of housing types and could include first time buyers and also for buyers that are looking for an updated and new home.

### **1.2. The Design Review Committee Purpose**

The Design Review Committee has been created pursuant to the Declaration of Covenants, Conditions and Restrictions for the Bijou recorded in the real property records of Morgan County, Colorado on \_\_\_\_\_, at Reception No. \_\_\_\_\_ (the "CC&Rs") to review and decide upon requests from owners for improvements to their Lots to oversee the implementation of Design Guidelines.

### **1.3. The Role of Design Guidelines**

The purpose of The Bijou Design Guidelines ("Design Guidelines") is to create an environment that is pleasing from both aesthetic and practical points of view. The Design Guidelines apply to Improvements within The Bijou subject to the CC & R's, including site planning, architectural design, landscape design, fences, walls, signage, entry monumentation, lighting and site furnishings for all residential Lots.

Design is a complex process balancing many issues. These Design Guidelines try to balance the immediate wishes of a homeowner/builder with the long-term responsibilities to the community and environment. These Design Guidelines are not intended to be rigid regulations, nor are they intended to promote a particular type of design. Variations from these Design Guidelines may be appropriate when weighed against other considerations within the discretion of the governing Design Review Committee.

The Design Guidelines for The Bijou work in concert with the CC & R's. If there is any conflict between the Design Guidelines and the CC & R's, the CC & R's will control.

The Design Guidelines do not supersede or modify any existing applicable codes, ordinances or regulations.

### **1.4. The Design Review Committee**

The purpose of The Bijou Design Review Committee ("DRC") is to implement the Design Guidelines and to review and approve proposed Improvements by Builders and Owners within The Bijou, according to the procedures outlined in Section 2.

Neither the District, the Declarant, nor the DRC assumes responsibility for assuring that plans conform to applicable local codes, ordinances or regulations.

The Design Guidelines are to be interpreted by the DRC in its sole discretion. Additionally, the DRC may amend the Design Guidelines from time to time.

# **THE BIJOU DESIGN GUIDELINES**

## **1.5. Definitions**

Initially capitalized terms used in these Design Guidelines shall have the meaning for the same set forth in the CC & R's unless defined below or otherwise defined in these Design Guidelines.

**Builder:** The entity that constructs improvements on a Lot for later sale to a third party.

**CC & R's:** The Declaration of Covenants, Conditions and Restrictions for The Bijou, recorded on \_\_\_\_\_, at Reception No. \_\_\_\_\_ and all subsequent supplements and amendment thereto.

**City:** City of Fort Morgan

**County:** Morgan County

**Design Guidelines:** These Bijou Design Guidelines as applicable to property subject to the CC & R's. The Design Guidelines are written primarily to set parameters for the construction of residences and other Lot Improvements.

**District:** The Bijou Metropolitan District, a quasi-municipal corporation and political subdivision in the State of Colorado.

**District Area:** All real and personal property and easements that are owned and maintained by the District for the use and enjoyment of The Bijou property owners.

**District Area Fence or Wall:** A fence or wall within a District Area, owned and maintained by the District.

**DRC:** Design Review Committee for The Bijou, as set forth in the CC & R's

**Front Yard:** The area in the front portion of the Lot, beginning from the back of sidewalk to 5-ft beyond each side of the front corners at the home.

**Lot:** A physical portion of the Property as defined in the CC & R's which is designated for separate ownership or occupancy and the boundaries of which are depicted upon the Plat. The term Lot shall not include any property owned by a public body.

**Lot Numbers:** All Lot numbers for The Bijou referred to in these design Guidelines are based on Lot numbers from recorded final Plat for The Bijou.

**Lot Fence or Wall:** A fence or wall on a Lot, which is not designated as a District Area or Open Space fence or wall. Lot Fences or Walls shall be constructed by a Builder or Owner in compliance with these Design Guidelines.

**Open Space:** An unimproved parcel or area of land or water set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining the same which is owned and controlled by a public entity or authority other than the District.

# **THE BIJOU DESIGN GUIDELINES**

**Open Space Fence or Wall:** A side or rear Lot line fence or wall adjacent to an Open Space area which is located on a Lot.

**Owner:** The Person(s) or entity who holds fee simple title to a Lot subject to the CC & R's.

## **2. PROCEDURES FOR SUBMISSION OF PLANS TO THE DESIGN REVIEW COMMITTEE**

In accordance with the recorded CC & R's, all improvements to a Lot must be approved by the DRC prior to beginning construction on the Improvement. This requirement applies to permanent structures only, such as fences, decks, house and garage additions, storage sheds over 50 square feet, play structures and equipment, retaining walls and spas. This requirement also applies to the initial landscaping on a residential lot, as well as subsequent material change to landscaping.

It is suggested that plans for an Improvement be submitted at least 30 days prior to the commencement of the work on the Improvement, to allow time for the DRC to review the plans. In the event submitted plans and specifications are not acted upon by the DRC (i.e. written approval or disapproval) within thirty (30) days of submission of a complete set of plans, the plan shall be considered disapproved. Plans should be as complete and concise as possible in order to reduce the time required to review and approve them.

### **2.1. SUBMITTAL REQUIREMENTS FOR INITIAL CONSTRUCTION OF A HOME ON A LOT (CUSTOM HOMES)**

#### **a) Site Plans**

- 1) Lot Identifier, including Lot, Block and Address
- 2) Building location, dimensioned to property lines showing setbacks and easements
- 3) Driveway Location
- 4) Utility connections (water, irrigation, sewer, gas, electricity and fiber optic)
- 5) Final grading and drainage plans, showing elevations of street sidewalk, back-lot property line and final finished floor elevations.
- 6) Finished Floor elevations including garage.

#### **b) Complete Drawings Submitted Electronically**

- 1) Floor plans at no less than 1/8" per 1'-0" scale
- 2) All exterior elevations with exterior materials noted for each side of home or Improvement.
- 3) Exterior details, including chimneys, vents, air-conditioning units, exterior electric panels and conduits, exterior stairs, decks, railings and deck columns.
- 4) Details of roof structure including roof and gable pitches and heights.
- 5) Electrical plans indicating location of all exterior electric panels, disconnects, and all exterior lighting both on the house and decorative landscaping lighting. Exterior light cut sheets shall list brand, type, color (3000k, 4000k, 5000k, etc.) output (lumens), location and heights called out on plans.
- 6) Samples of all exterior siding materials and colors including cut sheets / color swatches or a rendering of such exterior materials including colors.
- 7) Complete Landscape Plan, including driveway location type and color, retaining walls including material and color, erosion control, decorative features and lighting. Also include areas of spray irrigation, drip irrigation, and non-irrigated areas with weed barrier. Submittal cut-sheets shall be provided for edging and weed-barrier materials. Landscape plans shall also include any ancillary improvements contemplated on the lot (dog runs, storage sheds or areas, fences, etc.).
- 8) A completed Submittal Application Form and Fee Submitted.

#### **c) Submittal & Resubmittal Fees**

- 1) Initial Submittal Fee will be \$0.00.

## **THE BIJOU DESIGN GUIDELINES**

- 2) Resubmittal Fees will be \$150.00 per re-submittal for corrections, or missing information.

The Design Review Committee may occasionally request additional information in order to be able to visualize the proposed residence. One set of plans will be kept by the Design Review Committee, and the other set of plans will be returned to the Builder when approval is granted.

### **2.2. HOUSE PLANS FOR SPEC OR PRODUCTION HOMES CONSTRUCTED BY A BUILDER**

In addition to the requirements in Section 2.1 above, builders of production homes to be built are required to submit building elevations for each proposed floor plan and elevation to DRC. Also, the production builder shall submit for DRC approval a color scheme document showing roof, trim, brick or stone veneer, siding and stucco colors to be used at The Bijou. If vertical siding is used, seam or joint locations shall be shown and detail provided for such joints and method to conceal or make less visible such joints. As lots may require different/unique building elevations and to ensure that there is variation in color and style within the development, the Builder shall be required to submit for each home/lot.

### **2.3. FENCE PLANS**

If the construction of a fence is planned, a lot sketch should be submitted that clearly shows the property lines, all Improvements on the Lot, and location of the proposed fence, the dimensions of the fence and distances from property lines and front of residence. A description of the type, color and material of the fence shall also be included. Also, if gates or wire attached to the inside of the fence are being proposed, these should be included in the submission. All fencing shall be stained, painted or have color to match the perimeter fencing in The Bijou.

### **2.4. LANDSCAPE PLANS**

A landscape plan for each Lot shall be submitted to the DRC for approval prior to installation of any landscaping. Landscape improvements shall be completed within 60 days of the date of the certificate of occupancy for homes for which the same is issued between April 1<sup>st</sup> and August 31<sup>st</sup>, by the following June 1<sup>st</sup> for homes for which a certificate of occupancy is issued between September 1<sup>st</sup> and March 30<sup>th</sup>. This shall include all lot fencing.

## **3. LOT IMPROVEMENT STANDARDS**

### **3.1. PARKING**

For Lots with a width less than 70-ft a minimum or lot size less than 8,000 Square Feet, two (2) vehicular parking spaces within an enclosed garage shall be provided for at the primary residence and a minimum of two (2) vehicular parking spaces shall be provided on the driveway.

For Lots with a width equal to or greater than 70-ft, or lots greater than 8,000 Square Feet, three (3) vehicular parking spaces within an enclosed garage shall be provided for at the primary residence and a minimum of two (2) vehicular parking spaces shall be provided on the driveway.

The area of the driveway must not equal more than 75% of the front portion of any Lot. Please refer to the following sections in the CC & R's: Section 2.15 Vehicles, Parking and Section 5.4 Easement for Emergency Vehicles.

# **THE BIJOU DESIGN GUIDELINES**

# **THE BIJOU DESIGN GUIDELINES**

## **3.2. MODEL HOME COMPLEXES**

Model homes shall submit and meet the same guidelines as other Lots. Variances may be granted for additional driveway, parking area, signage with conditional acceptance and that such variances would be removed when the model home Lot is sold to an individual Owner that is not a successor to the model home Builder.

## **3.3. LOT GRADING AND DRAINAGE**

### **a) Drainage**

Lots shall be graded to provide positive drainage away from all buildings. Drainage shall not be adjusted, blocked or redirected from the grading plan approved by the City. If any living space or mechanical room is below grade/elevation that is required to provide positive drainage, a below grade foundation drainage system shall be constructed to a sump pit. No lot surface area drains or downspouts shall be connected to this drainage system / sump pit.

Any damage to areas outside a Lot caused by construction activity of the Owner or Builder shall be repaired to original condition at the Owner's or Builder's expense.

### **b) Berming**

Berming may be used to soften the impact of structures and fences, as well as to provide screening and spatial separation between adjacent dwellings or roadways. The height of berms may vary, but slopes shall not exceed 3:1. Berming within Lots adjacent to District Areas is allowed and encouraged, subject to the guidelines noted in 3.3.a above. Owners may change existing berming so long as it conforms to the guidelines in 3.3.a and does not significantly alter the streetscape or compromise the positive drainage. Additionally, berming may not occur adjacent to a District Area Fence. The design of slopes should produce a continuous and rolling appearance consistent with the existing topography of the Open Space and District Areas. Berming shall not restrict or change the Lot's original drainage and water flow pattern.

### **c) Slope Requirements and Erosion Control**

Slopes shall be limited to a slope of 3H:1V or less. Retaining walls or other acceptable alternatives must be used to maintain slopes at 3H:1V or less. Please refer to Section 7.2 for retaining wall guidelines.

Builders and Owners are required to provide adequate temporary erosion controls during the construction of the improvements and buildings. Preventative measures such as temporary barriers (hay bales and silt fences) and temporary drainage structures (sediment ponds) may be used. All disturbed soils and slopes shall be maintained in a clean and orderly condition by the Owner or Builder.

A minimum slope away from each Home shall be 2% for 5-ft away from the house or foundation wall.

## **THE BIJOU DESIGN GUIDELINES**

### **d) Utility or District Easements**

Fences, landscaping and other features may be located within utility or District easements provided they do not interfere with the use, operations or access to such easements. Any party preparing to commence construction shall verify easement and allowable uses within these easements with the appropriate utility company and/or District and/or City.

## **3.4. SINGLE FAMILY DETACHED HOME STANDARDS AND SETBACKS**

### **a) Single Family Home Development Standards**

The following Single Family Home Development Standards (“Standards”) are intended to create a quality living environment for the Bijou. In some cases, the Standards for the Bijou may be more restrictive than City standards.

### **b) Setbacks and Utility Easements**

Setbacks are as noted on the approved development plan and the City Municipal Code. Generally, building setbacks are 25-ft in the front from the back of the sidewalk, side-lot setbacks are 5-ft and back-lot setbacks are 12-ft.

A 10-ft utility easement is in the front adjacent to the street access. Utility easement in the back and side-lots are on a case-by-case basis and will be shown on the final Plat. Deciduous trees and fencing are prohibited in utility easements.

### **c) Projections into Setbacks**

Encroachments or projections into setbacks for architectural features such as chimneys, decks and patios are subject to the City zoning regulations and any applicable City codes or ordinances. Deviations requiring a variance must be approved by the DRC prior to submittal to the City. Local fire codes may require special building requirements for architectural elements located closer than 10-feet apart between adjacent structures. No encroachments may be permitted into any utility or District easements, except as allowed by the utility company or District.

### **d) Driveways for the Primary Residence Garage (Attached or Detached)**

Driveways shall meet the width, thickness and Lot coverage requirements identified in the City Zoning Regulations. In addition, driveways must have a minimum width that matches with the garage door opening plus an additional one-foot on both sides of the opening. Driveways may not comprise more than seventy-five (75%) of the front portion of any Lot. Dirt, gravel, crushed concrete or crushed asphalt will not be permitted for use as driveway material. Driveway materials such as concrete, colored concrete, brick, tile, slate, textured concrete, asphalt and combinations thereof are allowed.



# **THE BIJOU DESIGN GUIDELINES**

## **e) Square Footage**

Unless otherwise approved in writing by the DRC, no dwelling unit shall be erected on any Lot which has a gross livable temperature controlled finished floor area less than 22% of the Lot size. For lots larger than 15,000 SF, the minimum square footage will 3,300 SF of gross livable temperature controlled finished floor area. Finished basements will be included as part of the finished floor square footage area. Notwithstanding the above minimum square footage requirements, if, in the sole and absolute discretion of the DRC, the size, construction cost, architectural design or other features of a proposed dwelling unit cause it to be compatible to existing dwelling units within the Property, the DRC shall have the authority to waive the minimum square footage requirements set forth in this Section.

## **4. ARCHITECTURE**

The purpose of the architectural guidelines for The Bijou is to encourage variety as well as harmony within a neighborhood and among surrounding neighborhoods. All architectural drawings shall be approved by the DRC.

### **4.1. BUILDING MASSING**

- a) The mass of a residence should be scaled to reduce its apparent size and provide visual interest and depth. Box-like designs are not acceptable. The following is encouraged for single-family residences:
  - 1) Front-loaded garages generally shall not project more than fifteen 15 feet from the main building face. The projection may be measured from the front covered porch, if, in the DRC's discretion, the porch provides substantial architectural interest.
  - 2) Consideration should be given to the design of upper levels and how these masses appear from streets, adjacent Lots, or District Areas. Variety can be achieved by providing "movement" of upper story orientations and locations. Avoid repetitive forms over garages.
  - 3) Design building elements that are visually "heavier" on the lower story and those that are less massive or "lighter" on the upper story. An upper story should not appear heavier and have disproportionately greater bulk than the portion of the building (or columns) that supports it.
  - 4) In addition, front-loaded three (3) or more car garages, where provided, are encouraged to have a 2-foot minimum offset between the garage doors. The offset may be away from or towards the street, but in no case shall it reduce the driveway apron or setback to less than the minimum building setback.

### **4.2. BUILDING ELEVATIONS**

Front, side and rear elevations facing District Areas shall be well articulated to reduce boxiness. Where possible, adjacent and opposite facing single-family residences shall not have a plan with similar elevation or color scheme.

## **THE BIJOU DESIGN GUIDELINES**

### **4.3. DECKS, BALCONIES AND COVERED PATIOS**

The design of elevated decks, balconies and patio covers, including colors and materials, shall be consistent with the main structure and not appear to be a subsequent addition. All vertical elements (deck railings, supports, and columns), fascia and overhead structures shall be painted or stained to match or complement the main structure. Metal railings may be painted an accent color which is consistent with the approved color scheme.

Columns or supports are encouraged to appear substantial and proportionate to the building mass of the home. When the distance from the finished grade to the bottom of the deck joists is four (4) feet or greater, supports shall be a minimum of six 6 inch post(s), the supports shall be a minimum of ten 10 inches wide in each direction or a 20" diameter circle.

Exterior stairs or steps shall not project out from a home or deck for more than four risers from the deck or home without a 90-degree turn after the fourth riser. Exterior stair landings shall not project out perpendicularly into the yard.

In no instance shall a Builder or Owner install a temporary bar across a door, sliding glass door or French door to an intended exterior deck. All exterior decks shall be constructed at the same time as the construction of the residence.

Each primary residence shall have at least one (1) continuous covered porch with a minimum square footage of 120 Square Feet. This covered porch can be along the front, side or back of the residence. A second or additional covered porches may be less than the 120 square feet minimum.

### **4.4. ROOF MATERIALS AND COLORS**

A variety of roof colors is encouraged. Use of dimensional composition asphaltic shingle or standing seam metal is acceptable but subject to ultimate approval at the DRC's discretion.

### **4.5. ROOF FORM**

In general, a simple, dominant roof form should be used in conjunction with complimentary, secondary and minor roof forms/elements. The dominant roof form should be oriented from front-to-back in order to lower apparent roof heights. Hip and gable roofs intersecting the dominant front-to-back roofs are encouraged. Gables, dormers, hip and other smaller roof elements should be proportional to the spaces they cover and to overall roof sizes and forms. Minimum roof slopes of 2"/12" shall be enforced.

All facias shall be a minimum of 8" and all soffits shall be a minimum of 16".

### **4.6. BUILDING WALL MATERIALS**

Any residential plan should be designed to look attractive from all four sides. Decorative elements (masonry veneer, dormer windows, etc.) should not be limited to the front side of the residence. Fireplaces and full height of any chimney must be fully enclosed with compatible materials to exterior siding of the residence.

Acceptable painted/finished wall materials include manufactured siding and shingles, natural wood, stucco, brick and stone. Reflective materials, unfinished concrete or unfinished precision concrete block

## **THE BIJOU DESIGN GUIDELINES**

are not permitted. Aluminum or vinyl siding shall be reviewed and approved by the DRC on a case-by-case basis.

When applying dissimilar materials on exterior elevations, logical termination points should be identified. The return of outside corners of dissimilar materials shall be a minimum of 2-ft.

Vertical siding must have a means to conceal the horizontal joint(s) with either an architectural seam or change in siding type.

Wood siding shall be restricted to natural wood boards or shingles, stained or painted. Lap board siding must have a maximum exposed board width of 6".

Hardboard siding shall be restricted to prefinished painted with natural colors. Certain high quality vinyl siding may be allowed.

Masonry siding shall be restricted to stone, brick or stucco (no rottled patterns). If used on the front of the residence, the stone or brick shall be extended a minimum of four feet 4' on both sides of the residence at the same height as the brick or stone on the front of the residence.

### **4.7. WINDOW AND DOORS**

The placement of windows and doors within the residence on flat walls should align vertically and horizontally and should not be randomly located.

Windows and doors shall be framed and/or cased on all exterior sides and the minimum width of the frame trim shall be three inches 3"; unless such window or door is adjacent to masonry / brick exterior. Window and Door exterior frames, casing, sill and aprons shall be painted or stained exterior grade wood, painted steel, anodized painted aluminum or vinyl cladding. Color shall match one of the secondary or trim exterior colors.

Window awnings must be fixed and constructed of either the same material as the roof or aluminum or steel standing seam or glass/plexiglass/polycarbonate. Awning supports should match style and color of other exterior architectural components. Corbels or decorative supports are encouraged. Awnings may not project more than forty inches 40" away from the wall on which it is attached. Retractable and cloth awnings are prohibited.

Window shutters must be a side mounted board and batten, raised panel or herringbone style. Color should match one of the primary or secondary colors of the house and not be of the same color that is the underlying wall the shutter is attached to. Attachment shall be adjacent and abutting to the window frame. Fixed louvered and Bahama style window shutters are prohibited. Operable louvered window shutters may receive a variance.

Garage door color shall match a primary or secondary color of the home or be of a wood stain color. Garage door panels shall only be painted with one color. Panels shall not be plain or flush style. Panel insets may be either short or long and either horizontal or vertical. Cross brace or "X" style panels are prohibited. The top panel of the garage door shall include a window to allow the emittance of light into the garage. Such windows can be frosted or coated to screen visibility but still must allow light to pass thru. Each sectional panel shall have a full width continuous support bracket / strut.

## **THE BIJOU DESIGN GUIDELINES**

### **4.8. EXTERIOR COLORS**

A variety of exterior colors is encouraged. Exterior colors shall be limited to muted or earth tone colors (not vibrant or flashy). Downspouts, vents, piping or other utility boxes should be a similar color to the adjacent surface upon which it is attached. Where possible, adjacent and facing single-family residences should not have a similar color scheme. Exterior colors at a minimum should consist of a primary color, up to two (2) accent colors and a trim color.

### **4.9. ACCESSORY STRUCTURES**

All improvements over 50 square feet such as garden or utility sheds, gazebos, greenhouses, hot tubs, spas or detached garages shall match the architectural details, material and color of the residence. They must be of new material, maintained in a like-new condition and meet building setback requirements. Approval must be obtained from the DRC for all accessory structures in excess of a total of 50 square feet of floor area.

### **4.10. DECKS, PATIOS, PORCHES, AND HOUSE NUMBERS**

Decks must be within the allowable building setbacks. Front porches and steps may be constructed of brick, stone, colored or exposed aggregate concrete or plain concrete.

Covered porches or second floor balconies must be of the same materials as the home siding. Deck columns must have a minimum dimension of 5-1/2" or common 6" posts.

Second floor balconies must be designed by a Professional Engineer in the State of Colorado and provide a report including all loads and reactions, including floor joist sizes and spacing, column types, sizes, locations and associated foundation footings and connection details. Column support posts to be a minimum of 12" in width.

All Decks shall comply with local building codes and be supported with a footing system that is constructed below frost depth.

House numbers must be between 5" and 7" high. House numbers shall be either etched in stone/masonry block, or metal powder coated in black or matching a secondary color that is contrasting to the exterior where the house numbers are attached. House numbers shall be placed on the exterior wall or garage that is closest to the street and lighted by the porch light or some other method.

### **4.11. ANTENNAE, SATELLITE SYSTEMS, POLES, UTILITY LINES AND TRANSMITTERS**

The Telecommunications Act of 1996 allows satellite dishes measuring 1 meter in diameter or less to be installed such that acceptable signal reception is not impaired.

Except for utility meters, pipes for water, gas, sewer, drainage or other purposes, all wires, poles, aerials, antennae, satellite dishes in excess of one meter and other facilities for the transmission or reception of audio or visual signals or electricity or other utility facilities shall be kept and maintained, to the extent reasonable possible, underground or within an enclosed structure. No exterior radio antennae, television antennae, or other antennae of any type shall be erected or maintained within the Lot, except

## **THE BIJOU DESIGN GUIDELINES**

as set forth below or otherwise as may be approved by the DRC. No exterior radio antennae, television antennae, or satellite dish shall exceed one (1) meter in diameter and project higher than four (4) feet above the tallest projection of the residence or other Improvement. Placement of antennae in the Front Yard is prohibited.

### **4.12. PLAY AND SPORTS EQUIPMENT**

All play and sports equipment, with the exception of play structures (i.e., slides, swings or swing sets, climbing structure, or similar), is to be placed on the Lot and cannot be placed within the building setback areas. All equipment must be maintained in like-new condition.

Only a basketball backboard with rim is allowed to be permanently placed in the front portion of any Lot, either permanently attached to the residence or placed on a permanent pole. Basketball backboards that are on a portable stand must be stored inside the garage or behind a fence in the back or side yards and are only allowed in the front during active play.

All other play equipment, sports equipment, recreational equipment, play structures, swing sets, and amusement structures shall not be permanently placed in the front portion of any Lot. Temporary use of such other equipment is allowed in the front portion of the Lot only during active play.

The maximum height of any play or sports equipment, except basketball backboards is 12 feet. Play structures taller than 6-feet, shall not be closer than twelve (12) feet from the rear property line and not within five (5) feet from the side property line.

## **5. GENERAL LANDSCAPE CRITERIA**

Landscape guidelines for The Bijou are intended to promote variety while maintaining continuity among neighborhoods and adjoining Lots.

### **5.1. IRRIGATION**

The District owns and maintains a raw water irrigation system which provides a one inch 1" tap at the back of each Lot. The actual operation of the supply/shutoff valve to an irrigation system within The Bijou via the District's raw water irrigation system shall be conducted only by authorized personnel of the Declarant or the District approved in advance by the DRC. The non-potable irrigation supply is anticipated to supply up to 10 gpm at a maximum of 80 psi to the Lot. It is also anticipated that at full demand the lowest pressure available to the irrigation system would be 40 psi. The Owner(s) will be assessed a base annual fee for irrigation water from the District. The District reserves the right to adjust / amend irrigation water rates from time to time. Irrigation season is anticipated to begin on April 1<sup>st</sup> and run to October 1<sup>st</sup>. These dates will be adjusted as needed and in accordance with weather forecasts and low temperatures.

The District may have water restrictions and suggestions on water conservation. Use of plant materials (including xeriscaping), installation of efficient irrigation systems and maintenance practices that conserve water are encouraged. Watering systems should be designed to minimize overspray and water waste.

Owners are encouraged to install underground irrigation systems on their Lots.

# **THE BIJOU DESIGN GUIDELINES**

## **5.2. PLANT MATERIAL SETBACKS**

Trees with vigorous, shallow root systems such as willows and cottonwoods are not recommended within 10 feet of building foundations, driveways, curbs and sidewalks.

Care should be used in placement of trees and plant material so access and visibility are not impaired near sidewalks, roadways and building entrances.

## **5.3. LANDSCAPE GRADING**

The finish grade of the Lots shall meet the standards set by the City. Planting, earth mounding and hardscape areas shall not impede or significantly alter drainage patterns.

## **5.4. LANDSCAPE RESTRICTION**

Builders and Owners should refer to the City, utility companies, District or other applicable governmental agency standards for landscaping within a sight visibility triangle, around fire hydrants and utility boxes, vaults and meters.

## **5.5. ROCK AND WOOD MULCH**

Shrub and perennial beds are encouraged to be mulched with either rock or wood mulch and lined with landscape fabric or other acceptable weed barrier. The combining of rock and wood mulch in the same planting bed is not permitted. Exposed bare ground should be kept to a minimum.

Rock mulch size shall be a minimum of ¼ inch diameter and a maximum of 3-inch diameter. Smaller mulch may be used in sandboxes and larger sizes may be used in drainage and accent areas as specifically approved by the DRC.

Wood mulch must be of high quality and consistent size and color. It should be of natural color without added pigment. Chipper mulch is not an acceptable material due to its tendency to be easily blown away by the wind.

All mulched areas (rock and wood mulch) adjacent to turf grasses should be bordered by a concrete, plastic/vinyl or steel edger. Steel edgers must have a protective rolled top with a ¼ " width.

## **5.6. ARTIFICIAL TURF**

The use of artificial turf, except for an area 200 square feet or less located in the side or back yard. All other uses of artificial turf is prohibited unless expressly approved by the DRC.

# THE BIJOU DESIGN GUIDELINES

## 6. CRITERIA FOR LANDSCAPE IMPROVEMENTS

### 6.1. TIMING OF LANDSCAPE IMPROVEMENT INSTALLATION

A landscape plan for the Lot shall be submitted to the DRC for approval prior to installation. Entire landscape improvements shall be completed within 60 days for homes closed between April 1<sup>st</sup> and August 31<sup>st</sup>, and by June 1<sup>st</sup> for homes closed previously between September 1<sup>st</sup> and March 30<sup>th</sup>.

### 6.2. FRONT YARD LANDSCAPE IMPROVEMENTS

A minimum number of one deciduous shade tree shall be planted in the Front Yard of each home. The required tree must be a minimum of five feet 5' tall in the front portion of a Lot.

Additional tree(s) or shrub(s) may be deciduous or evergreen and are exempt from any height requirement(s).

### 6.3. SIDE AND REAR YARD LANDSCAPE

Side and rear yards are encouraged to be fenced. If side and rear yards are not fenced, the side and rear yard landscaping shall provide a natural transition between the Lot and its surroundings.

All Owners of Lots shall landscape and maintain their yards in a neat and orderly fashion.

### 6.4. DROUGHT-TOLERANT LANDSCAPING

The use of drought tolerant plants is permitted. Up to 80% of the landscape area of a Lot may consist of drought-tolerant plantings. It should be noted that if drought-tolerant landscaping is selected a more traditional "green" appearance can still be achieved. Included in **Exhibit B** are three pre-approved water wise plant designs that Owners may utilize. In the event an Owner is using a pre-approved plan, the Owner must notify the ARC in writing in advance of the intent to use a pre-approved plan, including which pre-approved plan is being used and the Owner's schedule for the installation of the landscaping. Please remember that drought-tolerant landscaping requires as much or more maintenance as traditional landscaping. All drought-tolerant plans must incorporate the installation of a properly functioning irrigation system to help maintain the plantings.

### 6.5. WEEDS AND DISEASED TREES

All yards and open spaces and the entire area of every Lot (except approved landscape areas) shall be kept mowed to a maximum of 6 inches. In addition, each Lot shall be kept free from brush or other growth or trash which, in the reasonable opinion of the DRC, is unsightly or causes undue danger of fire. All yards and open spaces and the entire area of every Lot on which no Improvement has been constructed, shall be kept free from plant or weeds infected with noxious insects or plant diseases and from weeds which, in the opinion of the DRC, are likely to cause the spread of infection or weeds to neighboring property. Trees infected with pine beetle or other diseases shall be removed by the Owner.

## **THE BIJOU DESIGN GUIDELINES**

If such tree is required to meet this guideline, the tree shall be replaced in a timely manner and meet the requirements of Section 6.2.



# **THE BIJOU DESIGN GUIDELINES**

## **6.6. CONCEPTUAL LANDSCAPE DIAGRAMS**

Conceptual landscape diagrams shall be provided to the DRC from each Builder or Lot Owner. These diagrams shall represent and list the square footage area of spray-irrigated sod/grass as well as other landscape elements. The diagrams shall show that a cohesive, sustainable landscape is achievable within the guideline criteria.

Use of drip irrigation for planting areas and trees outside the spray-irrigated areas is encouraged. The use of native seed mixes is recommended for areas outside the spray-irrigated areas, but may require periodic watering to become established.

All areas that will be landscaped with weed barrier and rock or wood mulch shall be noted on the diagrams. Even if plantings are NOT planned to the area and the area is separated or divided by a fence or concrete from other irrigated areas, a minimum of a 2" sleeve shall be provided under the fence or concrete and extend one foot 1' on either side of the fence/concrete and be no greater than 2-ft below the ground surface and marked with a location marker.

## **7. FENCING AND WALLS**

### **7.1. LOT FENCES AND WALLS**

Front and side Lot fencing shall conform to a six foot 6' vinyl (tan/beige) privacy fence. Privacy fences shall at a minimum consist of a top and bottom rail with vertical slats that are butted together. Gaps or openings shall not be visible through the fence. Column posts shall be installed a minimum of 24" below the final grade and set in wet fresh concrete.

If the side or rear yard is adjacent to an open space or easement, then a four foot 4' vinyl split rail (tan/beige) with a rectangular vinyl coated wire mesh that has a maximum opening of 2" x 4", may be installed in lieu of the six foot 6' vinyl (tan/beige) privacy fence.

It is encouraged to install fencing that is symmetrical front and back.

Fencing installed adjacent or pointed towards a street or open space shall face outward with the framework or wire mesh is exposed to the interior of the yard.

#### **a) Lots greater than 12,000 Square Feet**

Cedar or wood fences will be allowed in addition to vinyl fencing. All wood fencing shall be weather protected with a light or natural chestnut wood color. Wood fencing will need to be maintained and weather protected periodically and new stain or weatherproofing shall be a light or natural chestnut color.

Six foot 6' privacy fences shall consist of a top rail and three running 2x4 boards. All vertical boards must be butted together to create a privacy fence. Column support posts must be 2x6 or larger and spaced no greater than 8'-6" and placed in the ground a minimum of 24" and set in fresh wet concrete. Columns shall be levelled in both directions and must abut to the top rail or extend higher than the top rail. Top rails shall also be level. Adjustments for elevation changes shall be made at the columns.

## THE BIJOU DESIGN GUIDELINES

Four foot (4') split rail fence shall consist of a top rail and at least two running 2x6 boards or three 2x6 running boards. Fence shall also be constructed with a vinyl coated wire mesh with a maximum opening size of 2 inches by 4 inches. Wire mesh must be rectangular in shape (No chicken wire or chain-link). Column support posts must be 2x6 or larger and spaced no greater than 8'-6" and placed in the ground a minimum of 24" and set in fresh wet concrete. If a top rail is used, then the column post must abut to the bottom of the top rail or extend above it. Top rails shall be level and elevation adjustments done at the column posts. If no top rail is constructed and the use of three running boards is utilized, the column posts must abut or extend above the top of the highest running board. If the column posts extend above the running boards, they shall each be extended to the same height in comparison to the highest running board.

### b) DISTRICT FENCING

District Area Fences may be installed on District Areas along property lines adjacent to Lots, and are or will be owned and maintained by the District. Gates are prohibited within District Area Fences.

District Area Fences may be utilized as the Lot fencing, but landscape material, storage or any other items must not apply pressure to the fence. Additionally a minimum of 3-ft of clearance must be available for repair and maintenance of the fence by the District.

### c) GATES / ACCESS

Gates in the rear or side Lots that are adjacent to open or public spaces (and that are not District Area Fences) are allowed but must be a maximum of four feet 4' in width and match the style of fence in material and color. Gates must be a minimum of four feet 4' in height. It is encouraged that gates along the rear yard be placed near the middle of the lot.

Side gates or gates that provide access to a street may be as large as practical, but must match the material and color of the fence. Gates shall not swing or protrude into open-space, public areas, sidewalks, nor neighboring lots in any manner.

All gates shall have a mechanical means to keep the gate closed and secure. Locking mechanism is optional but may be provided by the builder or lot owner.

## 7.2. RETAINING WALLS

Retaining walls shall be as low as possible with a maximum height of three feet 3' unless otherwise necessary. **All Retaining Walls** must be approved by the DRC. Prior to building any retaining walls, check with the City regarding whether a permit is required. Grade changes that require walls in excess of three feet 3' in height shall be designed a Colorado Licensed Professional Engineer. Any fencing above the retaining walls must have a minimum offset from the retaining wall of four feet 4'.

Acceptable finish materials for retaining walls visible from the street or District Areas shall include natural stone, manufactured stone, split-face masonry, brick, stucco or high quality wood timbers and are consistent with the natural surroundings and architecture of the residence.

# **THE BIJOU DESIGN GUIDELINES**

## **7.3. LANDSCAPE LIGHTING**

Lighting design should take into account the effect on neighboring homes, preventing light spillage onto adjacent properties. Downlights are encouraged for design to prevent light pollution.

If spot-lights, large area lights or any light that spills light upwards to the night sky or neighboring properties shall be limited to operating between 4 p.m. to 10 p.m. daily.

## **7.4. MAILBOXES AND NEWSPAPER DELIVERY RECEPTACLES**

Mailboxes will be provided by each Builder / Lot Owner and maintained by such. The postal service will deliver to each Lot. Mailboxes may be combined with newspaper delivery receptacles. Mailboxes may be located on the house or in the Front Yard so long as a hard concrete sidewalk or surface is maintained from the street to the mailbox.

## **7.5. TRASH RECEPTACLES**

All containers used for the purpose of storing waste shall be screened from public or neighbor viewpoints. Trash receptacles shall be put out at the curb no earlier than the night before the day it will be picked up, and put away no later than the evening on the day it has been picked up. Trash must be stored in a durable container with a lid to prevent trash from blowing onto adjacent properties or streets.

## **7.6. ALLOWABLE STORAGE**

Vehicles including cars, recreational vehicles, motorcycles, ATVs, snow-mobiles, bicycles, scooters, and all other modes of transportation must be stored in the garage or designated parking areas/driveway, as provided in the CC & R's. Vehicles may not be stored or worked upon in the back or side yards unless contained in a storage shed that has been constructed in accordance with the Design Guidelines and has received all necessary permits and licenses.

## **8. MASTER SIGNAGE PROGRAM**

The purpose of the Master Signage Program is to provide some visual cohesiveness with respect to monumentation and signage, as well as enable visitors to recognize and identify neighborhoods within The Bijou. It addresses both permanent signage and temporary marketing signs. Illustrations are schematic only and are to be used as a guideline.

### **8.1. PERMANENT SIGNS**

#### **a) COMMUNITY SIGNS**

Monument signs that identify The Bijou at primary entrances or along major roadways may be installed. The District will ultimately approve and be responsible for maintaining permanent signage.

## **THE BIJOU DESIGN GUIDELINES**

### **8.2. TEMPORARY SIGNS**

#### **a) COMMUNITY / EVENT DIRECTIONAL SIGNS**

Direct people to different Builders' projects throughout The Bijou. These signs are not subject to the DRC review. These signs must be less than 6-ft in height and less than 30 Square Feet.

#### **b) PROJECT MARKETING SIGNS / EVENT BANNERS**

Identify each different production Builder's project. Prior to installation, these signs will need to be approved by DRC and the City. The Builder is responsible for designing, applying for permits, fabrication, maintenance and removal.

#### **c) TEMPORARY SALES SIGN**

The Builder is responsible for designing, applying for permits, fabrication, maintenance and removal of signs. Prior to installation, these signs will need to be approved by DRC and the City.

#### **d) LOT SIGNS**

One (1) unilluminated, double-faced sign. Such sign shall not exceed six square feet 6sf in area or six feet 6' in height. It shall be situated within the property line and in no event shall encroach upon the public right-of-way or District Area. It shall remain only during the period of time the Lot begins active construction, thru the completion of the construction and issuance of a Certification of Occupancy by the City. The sign shall be removed within thirty (30) day after the property has received its' Certification of Occupancy. The Builder is responsible for designing, applying for permits, fabrication, maintenance and removal.

### **8.3. SIGN SUBMITTAL AND APPROVAL PROCESS**

Signage requiring DRC approval will require a letter of authorization from the DRC prior to installation. Signage submittals to the DRC must include diagrams and specifications. Approval by the DRC shall not be deemed to be approval by the City, nor shall it imply that the submitted designs are in compliance with City codes, ordinances or regulations.

### **8.4. ALLOWABLE SIGNS AND FLAGS NOT REQUIRING A PERMIT**

Except as provided herein, signs no more than 36" by 48" in size each may be displayed on a Unit without approval. Signs may not be illuminated without the prior approval of the DRC. Any request for lighting must detail the type and location of the lighting, and any such lighting shall be placed so as not to disturb Owners or occupants of neighboring Lots.

Notwithstanding the above, Commercial Signs may be displayed on a Lot in accordance with the following. Commercial Signs are defined as signs that carry a message making or intended to make a profit, or advertising for the same purpose. The following Commercial Signs may be displayed:

## **THE BIJOU DESIGN GUIDELINES**

- One for sale or for rent sign per Unit may be placed on a Unit during the marketing period of that Unit. Such sign must be removed upon sale or rent of the Unit.
- If work is actively being done on a Unit by a contractor engaged by the Owner of the Unit, one Commercial Sign of the contractor doing such work may be displayed on that Unit's property during for the letters of the time work is being performed or 60 days.


Approval is required for any freestanding flagpole. Approval is not required for flagpoles mounted to the front of the residence provided that the height of the flagpole does exceed the height of the roofline of the residence. Flag size cannot exceed five (5) feet in length and three (3) feet in width. Flags may not be illuminated without the prior approval of the DRC. Any request for lighting must detail the type and location of the lighting, and any such lighting shall be placed so as not to disturb Owners or occupants of neighboring Lots.

### **8.5. PROHIBITED SIGNS**

- a) Any Sign not approved by the DRC, which required DRC approval.
- b) Animated Signs
- c) Flashing Signs
- d) Revolving / Moving Signs
- e) Any sign emitting sound, smoke or substances
- f) Signs which, by their color, wording, design, location or illustration, resemble or distract attention from or conflict with any traffic control devices or directional signs
- g) Signs that create a safety hazard by obstructing clear view of pedestrian or vehicular traffic.
- h) Signs within the public right-of-way or on District property.

# THE BIJOU DESIGN GUIDELINES

## ARCHITECTURAL DESIGN REVIEW REQUEST

Name of Home Owner / Builder:		
Address:		
City, State, Zip		
Phone:		
Email:		
Alternate Contact: Name, Number, Email:		

Improvement / Design / Change request involves the following (please check all that apply):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> New Home            | <input type="checkbox"/> Basketball Backboard | <input type="checkbox"/> Deck / Patio / Slab |
| <input type="checkbox"/> Driveway / Sidewalk | <input type="checkbox"/> Exterior Painting    | <input type="checkbox"/> Fencing             |
| <input type="checkbox"/> Landscaping         | <input type="checkbox"/> Patio Cover          | <input type="checkbox"/> Roofing             |
| <input type="checkbox"/> Other               |   |  |

Be sure to attach drawings, picture(s) renderings brochure(s) or submittal specifications of the proposed improvement.

Please provide a description of improvements and attach drawings as necessary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Planned Completion Date: \_\_\_\_\_

I understand approval must be received from The Bijou Metropolitan District's Design Review Committee (DRC) before proceeding with improvements. I understand the DRC approval does not constitute approval of local city / county building departments, and I may be required to obtain a building permit. I will maintain proper drainage swales when installing landscaping or building improvements. I agree to complete improvements in a timely manner after approval from the DRC.

Owner's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### COMMITTEE ACTION (TO BE FILLED OUT BY ACC)

Date Received: \_\_\_\_\_

- ☐ Approved as submitted
- ☐ Approved, subject to the following requirements: \_\_\_\_\_
- ☐ Declined for the following reasons: \_\_\_\_\_

Committee member name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date Approved: \_\_\_\_\_



# THE BIJOU DESIGN GUIDELINES

## CONSTRUCTION & RESIDENCE FORM SUBMITTAL CHECKLIST

<hr/>	<b>Site Plan showing:</b> Building location dimensioned to all property lines Setbacks and Easements Driveway location Utility connections Grading and Drainage Plan & Lot Corner and Building Corner Elevations Finished Floor Elevations Proposed Topography									
<hr/>	<b>Construction Drawings</b> Floor Plans Exterior Elevations Indications of exterior materials and colors Location of Masonry/Brick Locations and cut-sheets of exterior doors and windows including size, casing, colors and accents. Exterior details including color, siding type, size and orientation Roof layout including heights, pitches, materials and color(s) Total Building Height Location of exterior lighting and house number Cut sheets of exterior light fixtures referenced to location(s) Cut sheets or rendering of garage door									
<hr/>	<b>Exterior Materials &amp; Colors</b> Samples of all exterior materials and roof shingles / tile Exterior colors submitted Samples may be electronic but must include actual pictures of sample materials.									
<hr/>	<b>Completed New Construction Submittal Form</b>									
<hr/>	<b>Landscaping Plan showing:</b> Location including area (sf) of spray-irrigated sprinkler area for sod, grass Location including area (sf) of irrigated vegetable or flower gardens Location of interior fencing or retaining walls Location including area (sf) of areas not planted with rock or wood mulch Cut Sheets for weed barrier and edging									
<hr/>	<b>Fencing Plan – Showing Location, Height, Style and Gates</b>									
<hr/>	<b>Ancillary Improvement(s), Please List:</b> <table><tr><td><hr/></td><td><hr/></td><td><hr/></td></tr><tr><td><hr/></td><td><hr/></td><td><hr/></td></tr><tr><td><hr/></td><td><hr/></td><td><hr/></td></tr></table>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>								
<hr/>	<hr/>	<hr/>								
<hr/>	<hr/>	<hr/>								
<hr/>	<b>Irrigation tap activated _____ (Date)</b> Irrigation tap will be activated after approval and installation of sprinkler system has begun in accordance with the landscape plan and payment for the irrigation season has been made. Water for the irrigation season will not be pro-rated and is available from April 1 <sup>st</sup> to October 30 <sup>th</sup> , weather dependent.									