

Piney Creek Community Guidelines

Prepared For:
Piney Creek Maintenance Association, Inc.

Piney Creek Clubhouse Office:

5800 S. Joplin Way
Centennial, CO 80015

Phone: 303.699.8069

Fax: 303.699.1429

Prepared By:
Westwind Management Group, Inc.
15150 E Iliff Ave
Aurora, CO 80014
303.369.1800

Historical data compiled with assistance from the
Cherry Creek Valley Historical Society

Revised: March 1, 2007*

*Improvements which were approved, erected or constructed prior to the effective date of these Revised Guidelines in compliance with the applicable Covenants and Guidelines in effect at the time of erection or construction shall not be deemed to violate these Guidelines.

TABLE OF CONTENTS

Introduction..... 4

Piney Creek - The History..... 4

Piney Creek – Today..... 4

Use of Guidelines 5

Application Process & Procedures 5

 Architectural and Landscape Improvements 6

 Painting 6

 Fencing..... 6

 Mechanical Equipment & Utilities 6

 Play Equipment..... 7

 Dog Houses/Runs..... 7

 Basketball Goals 7

 Storage Sheds 7

Other Application Submittal Information..... 7

 New Construction or Complete Remodel 8

Design Guidelines - General Principles 9

 Validity of Concept 9

 Landscape and Environment 9

 Relationship of Structures and Site 9

 Maintenance..... 10

 Protection of Neighbors..... 10

 Design Compatibility..... 10

 Workmanship 10

 Timing 10

 Permits / Licenses 10

 Variances..... 11

 Waivers 11

Acceptable Improvement Practices 11

Design Guidelines - Exemptions 11

Design Guidelines - Prohibited Uses 12

 Noxious or Offensive Activity 12

 Outdoor Storage 12

 Vegetable Gardens 12

 Livestock and Poultry..... 12

 Commercial Uses 13

 Maintenance of Grade and Drainage..... 13

 Utility Connections 13

 Garage Sales..... 13

Design Guidelines - Building Architecture..... 14

 Roofing..... 14

 Painting 14



 Windows..... 15

 Window Coverings..... 15

 Solar Panels 15

 Garages..... 15



Design Guidelines - Fencing	15
Permitted Types	15
Locations	15
Design Guidelines - Screening	15
Garbage and Refuse	16
Vehicles	16
Firewood	16
Swimming Pools/Hot Tubs	16
Mechanical Equipment/Utilities	16
Dog Houses/Runs	17
Design Guidelines - Landscaping	17
Plant Materials	17
Ornamentation	18
Maintenance	18
Water Conservation	18
Signage 	18
Mail Boxes 	18
Exterior Lighting	19
Play Equipment	19
Basketball Goals	19
Ancillary Structures	19
Driveways	19
Retaining Walls	19
Site Grading	19
Flag Poles for Display of U.S. Flag	20
Display of U.S. Flag on home	20

Introduction

Being a part of a common interest community and making efforts to maintain everyone's property values is an exciting and rewarding activity. It is an undertaking requiring the contributions and commitment of people with a wide range of goals and outlooks. These Guidelines have been prepared to direct activities so that the original vision of Piney Creek as a community will be realized and maintained.

Excellence is the hallmark of Piney Creek. That excellence is achieved through careful planning, quality construction, and by community activities and volunteer participation. These Guidelines ensure excellence by establishing standards for Architectural Controls. The Architectural Control Committee (ACC) and Board of Directors appreciate everyone's cooperation and assistance in following these Guidelines to make Piney Creek a lastingly beautiful community.

Piney Creek - The History

Piney Creek is a 700-acre planned community named for the creek located in the southern portion of the site. In planning Piney Creek, the developers were keenly aware of the rich history associated with the creek and the surrounding area.

For centuries, Native American Indians roamed and hunted the land in and around Piney Creek. The descendants of early settlers in the area recount tales of Arapaho Indian camps on the northern bank of Piney Creek approximately one-half mile east of the main Parker Road entry. They tell how, as children, they scoured the banks of Piney Creek for arrowheads following heavy spring rains.

The white man entered Piney Creek history around 1859, when news of gold in Cherry Creek and Little Dry Creek first reached Kansas City. Ten years after the California 49er's bypassed Colorado to the north and south on the Oregon and Santa Fe Trails, gold seekers rushed to the Rockies by a more direct route. An ancient Indian trail traversing Kansas along the Smoky Hill River served as the main "highway" to the newly formed supply town of Denver. In their eagerness to reach the gold fields, thousands of immigrants poured over what became known as the Smoky Hill Trail.

Piney Creek – Today

The community of Piney Creek is master planned to include nearly 2,000 single family homes. In addition, land was set aside for a shopping center, office buildings, an elementary school, and nearly 60 acres of open space which exists today. Together, these uses provide for a balanced community where people play, live, and work in a setting rich with historical interest.

In order for Piney Creek to function as an integrated community both now and in the future, several governmental and quasi-governmental entities were established to ensure the development and maintenance of community systems. Those entities include the Piney Creek Metropolitan District, which provided for collector street and storm sewer construction; the Arapahoe Park and Recreation District, which builds and maintains parks in the area and runs the Trails Recreation Center located nearby at Orchard and Buckley Roads; the Piney Creek Maintenance Association, which is responsible for the maintenance of certain common areas within Piney Creek; and the Piney Creek Recreational Association, which operates and maintains the Piney Creek recreational facilities.

Use of Guidelines

The requirements, objectives, standards and procedures contained in these Guidelines are all intended to establish and maintain a harmonious community image for Piney Creek. Through these Guidelines and the design review process, a consensus is achieved between individual aesthetic judgment and the broader interests of community standards.

The Guidelines supplement the Protective Covenants, the legal documents accepted by every homeowner when title to the property is taken. The Covenants establish the Architectural Control Committee (ACC) and require the Committee's written approval before any change to a site or building exterior of a residential property is made.

As stated in the Protective Covenants, no improvements "...shall be erected, placed, or altered on any Building Site until the...plans and specifications have been submitted to and approved in writing by the Architectural Control Committee." Simply stated, no construction or modification to existing construction (remodeling) of either a home or landscape is to occur without the prior approval of the Committee. The Committee's responsibility is to ensure that the harmonious, high quality image of Piney Creek is maintained.

Application Process & Procedures

In order to obtain Architectural Control Committee (ACC) review of proposed modifications to building, fence, landscape or any other exterior construction, improvement or renovation on a property, the homeowner initiates the review process by submitting an Architectural Improvement Request Form application to the Committee.

The Committee meets routinely on or near the first part of the month and will render a decision on an application within 45 days from the date of submittal (30 days for Piney Creek Village, Filing #2). Most routine

applications take 7-10 business days. Please plan well in advance so that the Committee can make an informed decision to the benefit of the entire community. Application forms may be obtained from management or online at www.pineycreek.org at your convenience.

Along with the Architectural Improvement Request Form, any supporting materials including brochures, blue prints, color samples, site plans, elevation drawings, etc., which will accurately describe your proposal should also be submitted. Incomplete or unclear applications will be returned to the homeowner and will delay the review process. Two (2) copies of the supporting materials must be submitted with the application. One copy will remain on file with the Committee and one copy, with comments as necessary, will be returned by mail to the applicant indicating the decision of the Committee.

Architectural and Landscape Improvements

Submit two (2) copies of a site plan, material descriptions, construction drawings and any elevation drawings which are necessary to adequately explain your improvement. Plans need not be professionally prepared, but must be adequate to fully describe the improvement. Photographs are often helpful. If a manufactured improvement is planned such as, but not limited to, a gazebo, sunporch, awning, storage shed or spa, a manufacturer's brochure should also be submitted.

Painting

Submit paint samples of requested colors (even if repainting in the *same* color) and describe the colors of the house (s) directly next door (e.g. light tan base, cream trim). It is preferable that a photograph of the home and each neighbors' be submitted.

Fencing

All perimeter (lot line) fencing shall be of the approved fencing type only. The approved fencing style is that of the perimeter fence bordering the common area throughout the property. All other fences, such as interior fencing to enclose patios, screen trash receptacles, support arbors, etc., shall be of a type, finish, color, etc., compatible with the approved perimeter fencing type and the building architecture. Chain link, barbed wire and concrete block fencing is not allowed. *see further detail under Fence Standards section

Mechanical Equipment & Utilities

Air conditioners, heating equipment, etc., shall be installed as an integral part of the architecture whenever possible. Under no circumstances shall these items be roof mounted or located in such a way that they are visible from neighboring properties or public streets.

Play Equipment

Such equipment may be erected within a fenced or screened area, but shall require the approval of the Committee. Play equipment shall be an appropriate scale and of approved materials and color. Equipment utilizing natural materials (wood vs. metal) is preferred. General guidelines for play equipment are; (1) Structure at the widest points must be a minimum of seven feet from all fence and/or property lines, (2) The peak of the structure may not extend more than four feet above the fence line, (3) Any platform may not extend above the height of the fence line, (4) Screening of the play structure with trees and/or shrubs may be required by the Committee, and (5) A brochure or elevation drawing of the proposed play structure and a site plan showing the proposed location, with measured distances from adjacent lot lines, must accompany the application.

Dog Houses/Runs

Dog Houses/Runs shall be completely screened from the view of adjacent public or private properties and streets, and shall be built from materials compatible with the house. Chain link is not allowed.

Basketball Goals

Basketball Goals may be approved by the Committee under the following criteria; (1) Posts must be removable from ground, (2) Portable goal posts are encouraged if properly stored when not in use, (3) House mounted goals must be painted to match the base color of the house, and (4) Written permission from the nearest adjoining neighbor is recommended.

Storage Sheds

All ancillary structures, such as green houses, storage sheds, patio covers, arbors, cabanas, etc., shall be approved by the Committee. Any such structures shall be sited and designed to be compatible with the house and all adjacent houses, fences, etc. In no case shall ancillary structures be located within the setbacks required by the County. General guidelines for storage sheds and ancillary structures are; (1) The shed must have a roof similar to that of the dwelling, (2) The shed must be compatible with the house (i.e. same color/staining and materials as the home – wood siding and/or brick), (3) The shed must reside clear of the setbacks required by the County, and (4) The shed must be free standing, fully enclosing the property bounded by the shed. Metal storage sheds are not allowed.

Other Application Submittal Information

Any approval granted by the ACC does not constitute the ACC's approval of the drainage from your lot or neighboring lots. Careful study pertaining to the proper drainage of both irrigation and storm drainage should be made of your and your neighbors' lots by qualified individuals. Maintaining proper drainage is the sole responsibility of the applicant. Notwithstanding the foregoing, the ACC may request that the applicant provide information

regarding drainage as the ACC believes may desirable to supplement any application.

It is the responsibility of the applicant to accurately identify lot lines, property lines, easements and setbacks.

It is recommended that the homeowner request evidence of insurance (both workmen's compensation and liability) from any contractor working on their behalf prior to the performance of services. Homeowners are also advised to obtain a lien waiver from the contractor upon satisfactory completion of work and final payment.

It is the responsibility of the applicant to insure that all appropriate building permits are applied for and obtained on by the county or city building inspector or authority.

Approval of an application by the Committee does not constitute approval from the standpoint of structural safety, engineering soundness, compliance with drainage plans or conformance with any other building standards or applicable codes.

Homeowners should review the Protective Covenants for their filing and the Piney Creek Guidelines prior to submitting requests to the Architectural Control Committee (ACC).

The Committee may request and the applicant shall provide any additional information which the ACC reasonably believes will help in its decision-making process.

New Construction or Complete Remodel

For any new construction or a complete remodel of an existing home, two copies of the Required Information (see following) must be submitted.

- A Site plan (at no less than 1" = 30') indicating building location, driveway, parking and grading plan.
- Roof plan and floor plans (at no less than 1/4" = 1').
- Exterior elevations (all) with both existing and proposed grade lines at same scale as floor plans.
- Indication of all exterior materials and colors as noted below.
 1. A sample of the house siding material not less than two square feet in size with the proposed stain or paint color applied.
 2. A sample of the proposed trim material not less than twelve inches long with the proposed stain or paint color applied.
 3. A sample of any proposed brick or other masonry to be used, including grout color.
 4. A written specification and sample of the type and color of

roofing to be used.

5. A colored perspective rendering of the proposed residence.

- A detailed site and grading plan showing finished contours, building elevations, spot elevations on pavements, retaining walls, drainage
- Swales/structures, curb/ gutter/sidewalk locations, etc.
- A detailed landscape plan

The Committee will meet to consider the application, and will render a decision by voting. An affirmative vote of a majority of the Committee constitutes approval. *At the Committee's sole discretion, a consultant (Architect and / or Landscape Architect) may be engaged to review the plan (s). In such cases, the cost for this consultant will be passed on directly to the Applicant.*

Within 15 days of completion of approved construction, the Applicant shall notify the committee. The Committee then has up to 15 days to inspect the work. If the work is not done according to the approved application, the Committee has the authority to require the Applicant to remedy the defect within 45 days or be subject to action by the Committee to remove any unapproved construction.

Design Guidelines - General Principles

The purpose for the Architectural Control Committee is to ensure consistent application of these Guidelines. The Guidelines are designed to promote those qualities in Piney Creek which will bring value to individual properties and will promote the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography, and overall design of the community.

The Guidelines set forth very specific criteria related to building construction and site development. These criteria are directed toward ensuring that the following general principles are adhered to.

Validity of Concept

The basic idea of the proposed construction must be sound and appropriate to the surroundings.

Landscape and Environment

The proposed construction must not unnecessarily destroy or blight the natural or man-made environment of Piney Creek.

Relationship of Structures and Site

Treatment of the site must relate harmoniously to adjacent sites and structures that have a visual relationship to the proposed construction.

Maintenance

The maintenance of each lot and all improvements upon the lot is crucial to the harmonious appearance of Piney Creek. Consequently, each owner shall be responsible to maintain and keep in good repair the lot and all improvements on the lot including, but not limited to, landscaping, structures, fences, and all other items, in such a manner to project a first-class image and that is consistent with the community standards.

Protection of Neighbors

The interests of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design which may have a substantial effect on neighboring properties.

Design Compatibility

The proposed construction must be compatible with the design characteristics of the property, adjoining properties, and the neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

Workmanship

The quality of workmanship evidenced in construction must be equal to or better than that of the surrounding properties. In addition to being visually objectionable and making an unflattering statement about the homeowner, poor construction practices can cause functional problems and even create safety hazards. The Committee assumes no responsibility for the safety of construction by virtue of design or workmanship.

Timing

Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the Committee may disapprove the application. If projects are not completed within the approved time schedule, the Committee has the authority to require the Applicant to complete the unfinished construction within 45 days or be subject to action by the Committee to remove the incomplete construction.

Permits / Licenses

Proposed construction may involve various agencies in addition to the Committee. The Applicant should check with the following agencies in order to determine if their review/ input is needed:

- City of Centennial, regarding building permits, zoning issues, variances, etc.
- Intermountain Rural Electric Association (IREA), regarding electrical

- service, street lighting, and construction in utility easements.
- Xcel Energy regarding gas service, including construction in utility easements.
 - Local Phone Company regarding telephone lines, easements, etc.
 - Cable TV Company, regarding cable television lines.
 - East Cherry Creek Valley Water and Sanitation District, regarding water and sewer service, including construction in utility easements.

It is the Applicant's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by these and other local, state, and federal government agencies. The Committee and Association assume no responsibility for obtaining these reviews and approvals.

Variances

The Committee may grant reasonable variances or adjustments from any conditions and restrictions imposed in order to overcome practical difficulties or prevent unnecessary hardships arising by reason of the application of any such conditions and restrictions. Such variances or adjustments shall be granted only if it will not be materially detrimental or injurious to the other property or improvements in the neighborhood.

Waivers

The approval or consent of the Committee to any application for architectural approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent by the Committee on any subsequent matter. Nor shall any such approval or consent be deemed to constitute a precedent as to any other matter.

Acceptable Improvement Practices

The balance of this document is devoted to outlining the design and construction practices required for changes and improvements to building exteriors and sites. Some of these practices are mandatory and are preceded by the word "shall." Others are recommendations, preceded by the word "should". In addition, certain design and construction methods that are not acceptable are illustrated for the Applicant's information.

Applications conforming with the design and construction practices and principles outlined in these Guidelines are most likely to be approved by the Committee. However, each individual application is reviewed on its own merit.

Design Guidelines - Exemptions

The following types of changes, additions, or alterations do not require the approval of the Architectural Control Committee. Although exempted, all

work must proceed in accordance with state and local building codes and other construction requirements, as well as the guiding principles for the neighborhood.

- Addition of plants to a property in accordance with a previously approved landscape plan
- Modifications to the interior of a residence when those modifications do not materially affect the outside appearance of the structure
- Repairs to a structure in accordance with previously approved plans and specifications
- Seasonal decorations, if removed promptly (within 15 days following the holiday)
- Real estate "for sale" or "for rent" signs which are not larger than five square feet and where no more than one sign is placed on any given lot
- Political Signs which meet the code requirements for the City of Centennial and comply with State Statute

Design Guidelines - Prohibited Uses

Certain uses are prohibited within residential neighborhoods at Piney Creek. Among those prohibited uses are the following (refer to the Protective Covenants for more detail):

Noxious or Offensive Activity

Uses or activities that constitute an annoyance or nuisance to the neighborhood are prohibited at Piney Creek, including those which will detract from residential value, and from the overall enjoyment and quality of the neighborhood. Uses or activities that are defined as noxious or offensive include, but are not limited to, for example, parking vehicles on lawns, exterior sound systems that create noise heard beyond the property lines, etc.

Outdoor Storage

Storage of trash, building materials, equipment, garden supplies, etc., in unscreened areas on a residential site is prohibited. Refer to the section on screening for further detail.

Vegetable Gardens

Vegetable gardens are prohibited except in screened back yard areas, and only then when part of an approved landscape plan.

Livestock and Poultry

The size of lots at Piney Creek make it an inappropriate setting for raising animals other than domesticated dogs, cats and other common household

pets. Raising livestock such as horses, goats, sheep, chickens, etc., is therefore prohibited at Piney Creek.

Commercial Uses

Most business activities are prohibited within residential neighborhoods in Piney Creek. Prohibited activities generally include in-house businesses that routinely and repeatedly attract clients or customers to the home, such as beauty salons, child care businesses, retail businesses, etc. Such in-home businesses as machine shops, car repair, or other similar commercial/industrial businesses are prohibited.

Maintenance of Grade and Drainage

No Owner shall interfere with the established drainage pattern over his Lot or any other property. Each Owner shall maintain the grading upon his Lot at the slope and pitch fixed by the final grading thereof, including maintenance of the slopes and swales. No Owner shall alter grading to divert water onto other properties. In the event it is necessary or desirable to change the established drainage over any Lot, such change shall require the prior approval of the Committee, and may involve review by a qualified consultant, at the applicant's expense.

Utility Connections

All utility connections installed in the Subdivision, including all electrical and telephone connections and installations of wires to buildings, including television, microwave or radio connections shall be made underground from the nearest available source. No transformer, electric, gas or other meter of any type or other apparatus shall be located on any power pole nor hung on the outside of any building, but placed on or below the surface of the property and shall be adequately screened. The location of all such transformers and other apparatus is subject to the prior approval of the Committee.

Garage Sales

No garage, patio, porch or lawn sale shall be held on any Lot, except that the Owner of any Lot may conduct such sale if the items sold are only his own furniture and furnishings, not acquired for purposes of resale; if such sale is held on an infrequent basis, at such time and in such manner as not to disturb any other residents of the area; and if such sale is held in full compliance with all applicable governmental ordinances, statutes, resolutions, rules and regulations. The Committee reserves the right to place limitations on such sales, including the following: (a) limits on the manner in which such sales are advertised and conducted; (b) limits on the time of day during which such sales may be held; (c) limits on the number or times in one year that such sales may be held; and (d) limiting such sales within the Piney Creek Community to specific date(s) during the year.

Design Guidelines - Building Architecture

Any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.

Roofing

Use of quality materials as specifically approved by the Committee is required. All materials and color selections shall be compatible with the community's architectural character and be of colors in harmony with the other existing homes in the neighborhood or of colors similar to those originally employed in the neighborhood.

All roofs shall be covered with original quality or better shingles or lightweight tile as applicable in the protective covenants for that Filing and which are harmonious with the rest of the Filing; multi-dimensional and multi-layered asphalt products or other high quality materials (tile, slate, etc.) that have discernable width, depth, height and colors which are aged appropriate tones (e.g. weathered wood), typically in 50 year or greater warranty levels are approvable by the Committee.

The intent of this guideline is to allow for various roofing materials that maintain a dimensional and layered appearance which are compatible and complimentary with the architectural style of the home. Flat materials with no vertical relief and that are not multi-dimensional and multi-layered are prohibited.*

The Committee may eliminate approval of materials that had previously been allowed, provided that this elimination shall not affect such materials already approved and installed on existing roofs.

Roof materials shall be harmonious with the color and texture of other materials on the home and adjacent properties.

Homeowners who are considering the use of a low weight concrete tile are advised to seek the advice of a structural engineer in regard to the weight bearing capacity of their existing trusses.

*The Village-Filing #7, Morningside, and Overlook which were constructed originally with 3-tab shingles may be replaced with a similar material to the original, provided it is at least a 40 year asphalt shingle. These must still be approved on a case by case basis.

Painting

In general, only those areas that were painted originally shall be repainted; only those areas that were stained originally shall be restained; unpainted surfaces and unstained areas, such as brick or stone, shall not be painted or stained.

Please note: Effective: 6-16-93

Repainting or restaining a house (trim and/or field colors) even when using the same colors requires the submission of an Architectural Improvement Request Form and color chips to the ACC.

Windows

All windows shall have painted or stained wood or non-reflective metal frames and dividers. No reflective glass is permitted.

Window Coverings

Window coverings visible from the exterior shall be compatible with the architectural character of the residence. Reflective shades or film-type window coverings are specifically prohibited.

Solar Panels

Any solar panels and related appurtenances / equipment, whether included in the original construction or added at a later date, shall be designed, constructed and maintained so as to appear as an integrated part of the building architecture. This generally means that the panels shall be roof-mounted so that the top surface is flush with the roof surface with all appurtenances recessed into the attic of the home.

Garages

All residences within Piney Creek shall have garages with the capacity for at least two cars. No garages (or combination of garages) shall have capacity for more than four cars.

Design Guidelines - Fencing

Permitted Types

All perimeter (lot line) fencing constructed in Piney Creek shall be of the approved fencing type only. The approved fencing style is that of the primary perimeter currently visible throughout the property. All other fences, such as interior fencing to enclose patios, screen trash receptacles, support arbors, etc., shall be of a type, finish, color, etc., compatible with the approved perimeter fencing type and the building architecture. Chain link, barbed wire and concrete block fencing is not allowed.

Locations

No fences shall be constructed in front yards, except ones no higher than 36 inches used to enclose or define gardens and in compliance with City or County setback requirements. No fencing shall be installed in such a way that it blocks established drainage ways or interferes with lines of sight.

Design Guidelines - Screening

Approved fencing or other approved means (such as plant material) shall be

used to screen the following unsightly objects. The purpose of the screening requirements is to ensure that residential neighborhoods have a neat and orderly appearance free from the visual clutter that detracts from property values and community character.

Garbage and Refuse

All trash, refuse, rubbish, garbage, and other waste shall be kept in closed containers, such as garbage cans, waterproof boxes, etc. These containers shall be kept within the garage, or if placed outside shall be screened from the view of any public or private property using approved means. The enclosure shall be kept neat, clean, and well maintained.

Vehicles

Only automobiles with four wheels shall be parked in the street or in visible areas on private property within Piney Creek. All other vehicles, such as recreational vehicles (RVs), motorcycles, boats, campers, hauling trucks, trailers, etc., shall be kept in the garage or shall be parked in the side or rear yards *only* in places specifically approved for that use by the Architectural Committee. These off-street parking spaces shall be screened with approved means, so that no part of the vehicle is visible from adjacent streets, properties, or other public or private properties.

No vehicles of any kind shall be repaired, rebuilt, etc., except for ordinary maintenance or washing which may be conducted in the garage or on the driveway. If conducted on the driveway, this kind of activity shall continue for no longer than a 24-hour period.

Firewood

Firewood shall be neatly stacked and shall be located within the confines of a screened enclosure such as a fence or wall.

Swimming Pools/Hot Tubs

Any swimming pools, spas, hot tubs, Jacuzzis, etc., shall be screened from view with approved means specifically authorized by the ACC.

Mechanical Equipment/Utilities

All utilities shall be installed underground. On-grade utility appurtenances, such as electrical transformers, utility meters, etc., shall be screened using approved means. (see Utility Connections section above for further information)

Mechanical equipment, such as air conditioners, heating equipment, etc., shall be installed as an integral part of the architecture whenever possible. Under no circumstances shall these items be roof mounted, window mounted, or located in such a way that they are visible from neighboring properties or public streets. The installation of window fans or window air conditioners is expressly prohibited.

Dog Houses/Runs

Dog houses, shelters, and runs shall be completely screened from the view of adjacent public or private properties and streets, and shall be built from materials compatible with the house.

Design Guidelines - Landscaping

All portions of a private home site not covered by house, driveway, patios, sidewalks, etc., shall be properly landscaped within 12 months from sale by the developer to the first owner. This landscaping shall be done in accordance with a landscape plan approved by the Committee. The plan shall show all proposed landscape improvements including (but not limited to) trees, shrubs, turf, mulches (bark, gravel, etc.), patios, fences, arbors, swimming pools, rock work, retaining walls, vegetable gardens, vehicle parking areas, etc.

Landscaping additions, including planting, irrigation systems, walls, patios, etc., that were not part of the initial approved plan must receive separate Committee approval.

The landscaping of each Lot shall be maintained in a neat, attractive, sightly and well kept condition, which includes lawns mowed, hedges trimmed, adequate watering as permitted by the local water district, replacement of dead, diseased or unsightly materials, removal of weeds and debris and appropriate pruning of plant materials.

Non-living durable landscape materials (i.e. decorative rocks or chips) may be utilized on the grounds of any Lots only to supplement live plantings. The general guideline is that no more than 10% of the landscaped area of any lot will be non-living material.

In the event that any Property is not kept in the manner stated above, the Board or its designated committee may enter upon such Lot or cause any of its agents or employees to enter upon such Lot for the purpose of maintaining the exterior appearance and integrity of the Property. In the event that the Association has to hire someone to maintain the Property, or in the event that the Association incurs expenses in any other regard as connected to necessary maintenance, the Owners of that Lot shall be liable to the Association for this expense, which shall constitute a lien on the Property for recovery of all such costs and expenses, including any legal fees and costs of covenant enforcement action.

Plant Materials

Plants utilized in landscaping shall consist primarily of permanent, "long-lived" materials, avoiding the extensive use of "short-lived" materials such

as annual flowers. Certain materials considered to be nuisance plants are prohibited, including Siberian elm, Russian Olive and cotton producing Cottonwood trees.

Ornamentation

The utilization of non-living objects as ornaments in the landscape is generally discouraged, particularly in front or side yards visible from adjacent properties and roads. Such ornamentation includes item such as driftwood, wagons, animal skulls, wagon wheels, sculpture (flamingo, deer, cherub, etc.) The goal of any landscape improvement is to promote a pleasing and harmonious neighborhood character. Individual expression is permissible so long as it does not detract from this goal. All proposed installation of landscape ornamentation is subject to specific approval by the ACC.

Maintenance

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal and/or killing of weeds and noxious grasses, and removal of trash.

Water Conservation

In the landscaping of home sites, occupants are urged to utilize plant material, irrigation systems, and maintenance practices that conserve water. Although water conserving landscapes are often associated with a rather bleak, "dry-land" appearance, it should be noted that a more traditional "green" appearance can be achieved while still using much less water than typical suburban residential landscapes. Utilization of a landscape architect or designer experienced in designing water conserving landscapes is encouraged.

Signage

No signs, advertising, billboards, or other unsightly objects of any kind shall be displayed on any Lot except that the owner of each Lot may display one (1) sign of not more than five (5) square feet advertising for sale or rent; and a political sign on that owner's Lot may be displayed no earlier than forty-five (45) days before the day of an election and no later than seven (7) days after an election day. Any other signs shall require the prior written approval of the Committee.

Mail Boxes

Mail boxes of the standard Piney Creek design as provided and installed by the developer are the standard. The mail boxes and posts shall be stained the Piney Creek stain color or clear coat. Other boxes, newspaper tubes, etc., shall not be installed or affixed to the original mail box or post. Mailbox replacements (if not in-kind) are subject to Architectural Committee Review.

Exterior Lighting

Exterior lighting shall not be directed in such a manner as to create an annoyance to adjoining properties. High wattage area lighting ("yard lights") are prohibited. Illumination of roofs or features on roofs is prohibited. Owners should refer to the specific references to exterior lighting in the individual Filings' protective covenants.

Play Equipment

Play equipment may be erected within a fenced or screened area, but shall have the approval of the Committee. Play equipment shall be an appropriate scale and of approved materials and color. Equipment utilizing natural materials (wood vs. metal) is preferred.

Basketball Goals

Basketball Goals must be approved by the Committee. Goals are not permitted to be placed or stored on the street or sidewalk; they must be placed in the driveway. Portable goals should be stored out of sight when not in use.

Ancillary Structures

All ancillary structures, such as greenhouses, storage sheds, patio covers, arbors, cabanas, etc., shall be approved by the Committee.

Any such structures shall be sited and designed to be compatible with the house and all adjacent houses, fences, etc. In no case shall ancillary buildings be located within the setbacks required by the City or County.

Driveways

Any modification to a driveway shall be approved by the Committee. In no case shall the width of the driveway at the curb be widened. Any widening inbound of the curb shall be smoothly transitioned back to the curb.

Retaining Walls

Any retaining walls shall be approved by the Committee. The applicant is encouraged to use materials that are compatible with the building construction (wood painted or stained to match the house, brick or stone to match the house, etc.).

Retaining walls which divert water onto other properties or otherwise substantially alter existing drainage patterns are prohibited.

Site Grading

Any change to site grading shall be approved by the Committee. No new grading shall divert water onto other properties or otherwise substantially alter existing drainage patterns. Care shall be taken to keep water away from foundations. Downspouts shall discharge onto splash blocks or other devices to prevent saturation of soils at foundations. Irrigation of plant

material shall be kept well away from the foundation. Patios, lawn areas, shrub beds, etc., shall be sloped positively away from foundations to prevent puddling of water.

Flag Poles for Display of U.S. Flag

Flag poles shall not be permitted on Lots, except for (a) flag poles which were approved by the Committee and which were erected or constructed prior to the effective date of these Revised Guidelines in compliance with the applicable covenants in effect at the time of erection or construction; and (b) flag poles for which the size and location have been approved by the Committee.

Display of U.S. Flag on home

Bracket holders may be affixed to the home, provided that the U.S. flag flown does not exceed twenty-four (24) square feet and is properly displayed according to current U.S. Flag Code.

The Covenants establish the Architectural Control Committee and give the Committee the authority to establish the additional guidelines and procedures set forth in the preceding pages.

Where the Covenants and Guidelines differ in requirement or procedure, the more restrictive shall apply. Where the two are contradictory, the Covenants shall prevail.

Piney Creek Architectural Control Committee – Statement of Clarification, Contractor Sign Policy

August 2008

The ACC Committee is providing this information to residents in order to clarify the no advertising/sign policy and its enforcement in our Community.

Although the covenant dictates “no signs” of this type, we have been (and will continue to be) understanding of the temporary placement of a single, small sign on an owner’s lot during the time of construction or landscaping projects. We allow this temporary placement so that the Association, as well as nearby homeowners, know who to contact with any questions or concerns that may arise during the time the job is being performed (such as noise disturbances, parking issues, etc.).

The Committee would remind our neighbors of the importance of removal of any such sign placed on your property immediately after any of these types of services being performed at your residence have been completed.

If the Committee or Board of Directors find that this allowance becomes a nuisance within the community, or if a sign is determined by the Committee to be unsightly in any way, it may require its immediate removal.

Piney Creek Maintenance Association
Architectural Control Committee

External Window Shutters Guideline
Adopted March 4, 2009

A motion was made, seconded and unanimously carried to adopt window shutter guidelines for all filings of Piney Creek. The guidelines to be submitted to the Board of Directors for adoption are:

External Shutters. All exterior operable or motorized rolling shutters require Architectural Committee approval.

Criteria for consideration by the Architectural Committee will include, but may not be limited to, the following:

1. Each window must have its own shutter; one shutter may not be used to cover multiple windows.
2. Materials / Dimensions: Slats should be no larger than 40mm, and made of 2" aluminum (PVC is not allowed). Housing units should be no larger than 10" square and mounted in the soffit whenever possible.
3. Colors: Colors specified must match the existing house. Housing units on stucco or brick veneer must match exterior finish color. Samples of curtain color shall be submitted for Architectural Committee approval.
4. Installation: Housing, track (or cable) and mechanism must be concealed behind trim to blend with the home. Window, trim style and shape must be maintained. Details must be submitted with application. Homeowners wishing to install shutters on any primary or secondary egress window or door shall confirm compliance with all applicable building and fire codes.

Piney Creek Maintenance Association
Architectural Control Committee

Mailbox Installation / Replacement Guideline
Adopted March 4, 2009

The ACC decided on a policy for mailbox installation to assist homeowners with mail receipt in a timely manner should their mail box become damaged. The proposed policy is as follows:

All mail boxes must be metal and painted black, consistent and harmonious with current installations. Mailboxes should be of similar size to the other mail boxes in the particular filing and fit on a standard mail box post. Any other modifications should be submitted to the ACC committee for specific approval. Each will be reviewed and approved on an individual basis.