

Homestead in the Willows

# Homestead Herald

**JANUARY 2025** Volume 49 #1

A Covenant Controlled Community for the Benefit of All  
[www.homesteadinthewillows.org](http://www.homesteadinthewillows.org)

## CELEBRATING OUR ROOTS



**50 YEARS OF HOMESTEAD**

**SAVE THE DATE**

**SEPT 13, 2025**

**Come celebrate our past, present,  
and future. More details to come.**



## ASSOCIATION NEWS

## BUSINESS OFFICE HOURS

5896 E. Geddes Ave.

Hours: Monday, Wednesday, Friday  
9:00 am — 3:00 pm

Phone: 303-793-0230

Email: [businessmgr@homesteadinthewillows.org](mailto:businessmgr@homesteadinthewillows.org)

Website: [www.homesteadinthewillows.org](http://www.homesteadinthewillows.org)

## MANAGERS:

Business Office	Katie Kidwell	303-793-0230
	<a href="mailto:businessmgr@homesteadinthewillows.org">businessmgr@homesteadinthewillows.org</a>	
Landscape	Nancy Bauer	303-241-6212
Tennis Facilities	Jill Ellsworth	303-808-4513
Pool	Jaylene Jones	303-617-0221
ACC	<a href="mailto:accmgr@homesteadinthewillows.org">accmgr@homesteadinthewillows.org</a>	

## COMMITTEES:

ACC / Design Review; Covenant Review  
Taskforce, Swim Team, Social Committee

All committee meetings are open to residents.  
Call the Business Office for dates.



## BOARD OF DIRECTORS:

President	James Keating	720-701-0463
	<a href="mailto:pres@homesteadinthewillows.org">pres@homesteadinthewillows.org</a>	
VP	Michael Garnsey	303-210-9152
	<a href="mailto:vp@homesteadinthewillows.org">vp@homesteadinthewillows.org</a>	
Secy	Ginny Karlberg	303-564-6336
	<a href="mailto:sec@homesteadinthewillows.org">sec@homesteadinthewillows.org</a>	
Treasurer	Steve Bell	303-886-1844
	<a href="mailto:treas@homesteadinthewillows.org">treas@homesteadinthewillows.org</a>	
Mem at Large	Robb Origer	303-668-0452
	<a href="mailto:member@homesteadinthewillows.org">member@homesteadinthewillows.org</a>	

## BOARD MEETING MINUTES:

In an effort to provide timely Board information to the Membership, **unofficial minutes** of each Board meeting will be published in the next issue of the Herald.

Official, approved copies of all Minutes will be on file and available at the Business Office.

## BOARD MEETING

The next regular Board of Directors meeting for community input and manager's reports will be

**Monday, February 10, 2025**  
**Business Office, 6:30 pm**

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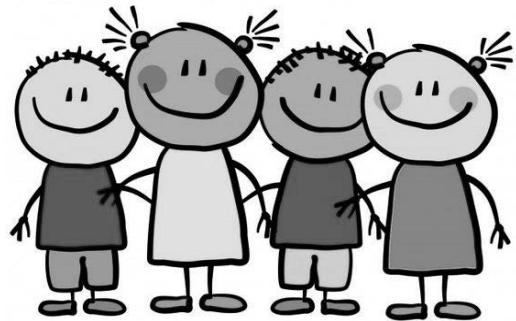
## MOVING FROM HOMESTEAD?

If you move from Homestead and retain ownership of your home, it is your responsibility to pay the Homeowners dues.

Remember: Please notify the Business office of your new address. Dues are always due March 1. If you are a **Renter**, you should forward all notices to the Homeowner.

## CALL TO REPORT

<b>Waste Connections</b>	<b>303-288-2100</b>
(HOA Trash Co.—Pick-up day is <i>Wednesday</i> )	
<a href="http://www.wasteconnections.com">www.wasteconnections.com</a>	
<b>Airport Traffic Complaints</b>	<b>303-790-4709</b>
<b>Centennial City Services (24/7)</b>	<b>303-325-8000</b>
<b>Vandalism or Speeders</b>	
Arapahoe County Sheriff's Dept.	<b>303-795-4711</b>
<b>Street Light Problems:</b>	
<a href="mailto:email.odlighting@xcelenergy.com">email odlighting@xcelenergy.com</a>	
<b>Barking Dogs</b>	
Arapahoe County Animal Control	<b>303-325-8070</b>
<b>Pot Holes</b>	<b>303-325-8000</b>
<b>Hazardous Waste Pick-up</b>	<b>1-800-449-7587</b>
<b>Graffiti</b>	<b>303-795-4711</b>
<b>Water Breaks</b>	<b>303-770-8625</b>
<b>Sewer Back-up's</b>	<b>303-779-0261</b>
<b>Div. of Wildlife -Coyotes</b>	<b>303-291-7227</b>
<b>Noise—Fiddlers Green</b>	<b>303-486-8275</b>



## The Homestead Playgroup

- We provide meet-ups for ages 0 - 6
- We connect new families & experienced families
- We explore parks & activities around town
- We are here for you & your young family

Email Ana or Kate at [homesteadplaygroup@gmail.com](mailto:homesteadplaygroup@gmail.com) to sign up or ask questions.



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# DUES 2025

Your 2025 Assessment letter will be mailed in early January. The single-family homeowner dues for the fiscal year January 2, 2025 to December 31, 2025 will be \$1,645 (\$1,535 + \$110 fence maintenance reserve fund). Village I Townhome sub-association dues will be \$663 (50% of the single-family base less fence and trash).

**Our governing documents specify that dues be paid in full once yearly.**

**If you do not receive our assessment letter by January 15<sup>th</sup>, please call the Business Office so that we may send you a duplicate copy.**

The deadline for paying your dues without late charges is March 1, 2025, at 3:00 p.m. If the Business Office is closed on March 1<sup>st</sup>, dues must be received inside the office by 3:00 p.m. on the following business day.

**Homeowners have two options to submit payment:**

**Electronically:** register on PayHOA (see HOA homepage for registration details—homestead-inthewillows.org). (ACH or Credit Card). Once logged in on your PayHOA dashboard there is an option to "Pay Now." Please note: A \$1.00 processing fee is added to each ACH payment. A 2.9% + 0.30 processing fee is added to each credit card payment.

**Via Check:** Please mail (or drop off) your payment to the Business Office, 5896 E. Geddes Ave., Centennial, CO 80112 for proper credit to your account.

**PLEASE COMPLETE**

Property Address: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Owner Email: \_\_\_\_\_

Owner Cellular Number: \_\_\_\_\_

Owner 2 Name: \_\_\_\_\_

Owner 2 Email: \_\_\_\_\_

Owner 2 Cellular Number: \_\_\_\_\_

\_\_\_\_\_ Initial if you are interested in having your contact information published in the Homestead Directory Booklet (excludes email addresses) and give your permission for the above information to be published in a directory distributed to all Homestead Residents. **Your information will not be included if you don't initial.**

Full names of children for the Directory: \_\_\_\_\_

\_\_\_\_\_



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**SOLD**

\$1,650,000



**SOLD**

\$1,350,000



**SOLD**

\$1,350,000



**SOLD**

\$685,000



**SOLD**

\$529,000

## HOMESTEAD



**SOLD**

\$1,372,500



**SOLD**

\$1,065,000



**SOLD**

\$945,000



**SOLD**

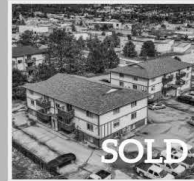
\$760,000



**SOLD**

\$570,000

## COMMERCIAL



**SOLD**

\$5,775,000



**SOLD**

\$2,610,000



**SOLD**

\$1,900,000



**SOLD**

\$1,400,000



**SOLD**

\$920,000

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*Hi, I'm Tina*



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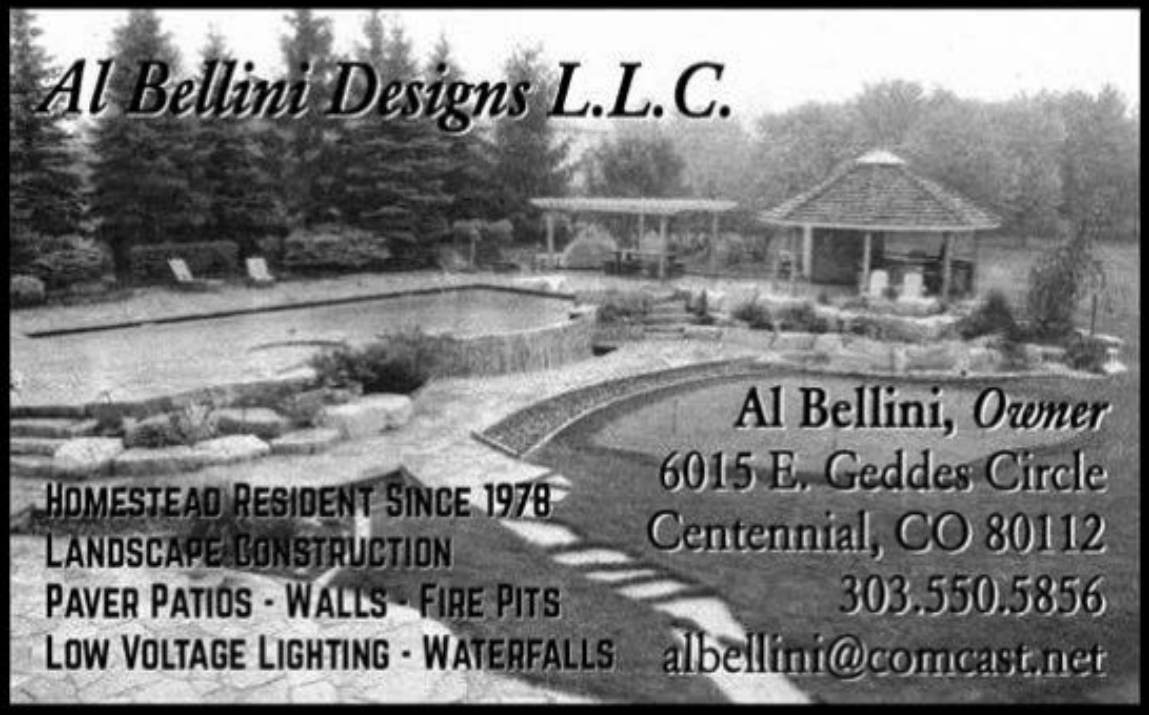


## Nancy Bauer

LANDSCAPE DESIGN

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**Centennial, CO 80112**  
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**albellini@comcast.net**





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## Landscape Logic

By: Nancy Bauer

### *Gardening in Denver . . .*

Gardening in Denver is different from almost anywhere else in our country. It's dry here, only 14 inches of precipitation a year on average. We have intense sunshine most days, low humidity, drying winds, and temperatures that may fluctuate 50 degrees or more in 24 hours. Then there's the soil: highly alkaline and, in most parts of the metro area, heavy clay. No wonder gardening is a challenge to newcomers and natives alike! Yet, many Denver landscapes are amazingly beautiful and productive. It's a matter of knowing how to work with our special conditions

### *Winter watering is important!*

Unless we have an unusually wet winter, trees, shrubs, perennials, ground covers, and lawn should be watered every four to six weeks. Check soil moisture levels during warm, windy, or dry periods. Wait for a day when the temperature is 40 degrees or more and the ground is not frozen. Be sure to water early in the day for about 20 to 30 minutes per setting. For further information go to [www.ext.colo.state.edu](http://www.ext.colo.state.edu) CSU Fact Sheet 7.211

### *Ornamental Grasses:*

Most people prefer to leave dried ornamental grasses standing in the winter garden for winter interest; their shape and swaying plumes add seasonal interest. With the heavy snows many of the grasses in unprotected locations can be smashed into unattractive mounds. These broken and bent grasses won't bounce back to their upright shape, so they should be cut back. For a neater look, avoid cutting them straight across, instead cut grasses below where they are bent and broken at different heights to create more of a rounded shape among the stalks. If grasses are still standing tall leave

them, knowing that they will need to be trimmed back before new growth emerges in the spring.

### *Upright Evergreens:*

Upright evergreens and shrub forms of arborvitae often splay open from the snow. While it's best to bundle these shrubs before the snow flies, they can still be pulled back together after the fact. Garden centers have netting and other materials to wrap around evergreens to help keep hold them in their natural upright position. Remember to remove the material in the summer once the plant starts to grow and re-establish its natural form. Binding materials, if not removed, can girdle the plant and eventually kill it.

### *Recycle Christmas Trees:*

After the holidays you can chop the branches off your Christmas tree and lay them over bulb beds and perennial gardens. The added insulation helps protect plants against fluctuating soil temperatures and early warm-up.

Please also consider dropping your trees off to be recycled at the SSPR Willow Springs location on Holly Street, between Dry Creek and Arapahoe Rd.



Acct.#	Account Description	2024 Actual*	2025 Budget
4010	Single Home Assessment	\$ 1,309,908.00	\$ 1,378,430.00
4015	Fence dues	\$ 89,800.00	\$ 98,780.00
		<u>\$ 1,399,708.00</u>	<u>\$ 1,477,210.00</u>
4020	Townhome Assessment	\$ 46,274.00	\$ 47,000.00
4030	Associate Memberships	\$ 6,570.00	\$ 6,500.00
4210	Late Fees	\$ 1,334.00	\$ 1,500.00
4230	Advertising Revenue	\$ 33,304.00	\$ 27,000.00
4240	Pool Revenue	\$ 15,695.00	\$ 1,000.00
4250	Transfer Fees	\$ 21,100.00	\$ 15,000.00
4260	Association Fines	\$ 1,801.00	\$ -
4300	Other Income	\$ 3,683.00	\$ 1,000.00
	<b>TOTAL INCOME</b>	<u>\$ 1,529,469.00</u>	<u>\$ 1,576,210.00</u>
	Sub-Total Administration	\$ 305,976.00	\$ 312,401.00
	Sub-Total Land Maintenance	\$ 258,595.00	\$ 264,970.00
	Sub-	\$ 273,352.00	\$ 269,900.00
	Sub-Total Tennis Expenses	\$ 12,678.00	\$ 18,359.00
	Sub-Total Utilities	\$ 280,529.00	\$ 360,500.00
	<b>Total Expenses</b>	<u>\$ 1,131,130.00</u>	<u>\$ 1,226,130.00</u>
	Total Income	\$ 1,529,469.00	\$1,576,210.00
	Total Expenses	\$ 1,131,130.00	\$1,226,130.00
	To Fence Reserves	\$ 89,800.00	\$98,780.00
	Reserve Fund Expenditures	\$ 352,359.00	\$375,000.00

\*12.1.23 - 11.30.24



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Homestead Homeowner

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SUN	MON	TUE	WED	T
				
5	6		8	
12	 <p>BOARD MEETING</p>	14	 <p>NATIONAL BAGEL DAY</p>	
19		21	22	
26	27	28	 <p>NATIONAL PUZZLE DAY</p>	



	FRI	SAT	WINTER
2	3	4	<p><b>Social Highlights:</b>  <b>Happy New Year - Cheers to 2025!</b></p> <p><b>HOA Board Meeting</b></p> <ul style="list-style-type: none"> <li>• January 13, 2025</li> <li>• 6:30pm - HOA Office</li> </ul> <p>HOA Dues - Call office if you haven't received dues letter by Jan 15.</p> <p><b>Join the Social Committee:</b>  <b>We need new members! Email if interested:</b>  <a href="mailto:Socialcommitteehomestead@gmail.com">Socialcommitteehomestead@gmail.com</a></p> <p><b>NOTES</b></p> <p><b>HOA Office Closures:</b>  January 1</p> <p><b>Homestead Playgroups - join the fun!</b>  Contact: <a href="mailto:homesteadplaygroup@gmail.com">homesteadplaygroup@gmail.com</a></p> <p><b>Connect with us:</b>  Website: <a href="http://Homesteadinthewillows.org">Homesteadinthewillows.org</a>  Facebook: Homestead in the Willows HOA</p>
9	10	11	
16	17	18	
23	24	25	
30	31		JANUARY

# KATE · PERRY

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Homestead Resident

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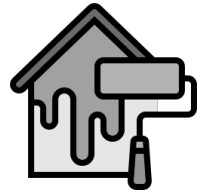
### HOLIDAY LIGHTS & ORNAMENTS

Just a reminder that the HOA Residential Improvement Guidelines, page 9, paragraph 2.51 states "seasonal ornaments...must be removed withing 30 days of the conclusion of the holiday or seasonal event."

### REPORTS TO THE ASSOCIATION

When an Association member wishes to report observed problems or any concerns or helpful ideas pertaining to the assigned areas of responsibility of the Architectural Control Committee, Landscape, Pools, or Business Office, please include your name and telephone number when you call and leave a message so that we may return your call.

**The Association does not act on anonymous calls.**



## Why is an Application for Architectural Change Required?

We are often questioned by owners as to why an Application for Architectural Change is required when work being done is a same-for-same replacement or considered maintenance or repair by the owner, or the work is being done in the back of the house or not visible from the street. We understand that the process of submitting an application may feel onerous for owners working to maintain their property but there are reasons applications are required.

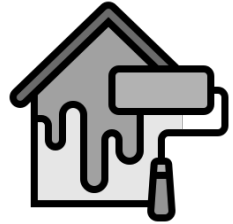
**Any, and all changes to the exterior of your home or property require an application as outlined in the Residential Improvement Guidelines. This includes any changes to the back and sides, of the house regardless of whether the changes are visible from the street or to other neighbors.**

Because approved elements and colors sometimes change owners should refer to the guidelines to see if/when an application is required. If an owner is not aware and replaces/changes/adds an element without submitting the application for approval and the change is no longer an approved element/style/color, they may be subject to a fine and required to bring the change into compliance. For example, if an owner repaints their exterior the same as existing colors, they see that as regular maintenance but if the existing colors are not currently approved it would be a violation of the covenants.

Or if the shutters are in disrepair and being replaced like for like an owner may consider this a repair. But many homes in our community do not have compliant shutters and when shutters are being replaced it's a requirement that they be replaced with an approved style and correct size. **The way to ensure this is to submit an application.**

*(Continued on page 20)*

# ACC



*(Continued from page 19)*

The Association is also notified by the city of any utility locates done on properties in preparation for remodels, landscaping etc. If no application has been submitted for that work the office has to call the owner to request the paperwork. Sometimes the work has already been completed, in which case if any aspect of the project is found to be non-compliant the owner is responsible for bringing it into compliance. Filing the application before the work is done avoids that issue.

Additionally, the Association is required by law to permanently keep all ACC applications and attachments. This serves as a permanent record of the property and any changes made.

Often owners will ask about a previous change made and want to know details like what color or product was used or when an element was changed. Applications are referred to for those questions. Also, when a property sells new owners often have questions about the property and we can provide answers to many of their questions from the house file.

The Association and the Architectural Control Committee appreciate your cooperation in following the process in place, and for helping to preserve the aesthetic harmony of the neighborhood and maintain property values.

# ACC

## Unofficial ACC Meeting Minutes

- 4 applications were reviewed as a group, due to concerns over approvable elements. No changes to current guidelines were made as a result.
- A shutter manufacturer company owner came into HOA office to talk to the ACC Manager. His concern over the current guidelines is that it should be made clear where the measurements need to be, as homeowners are the ones who measure for him and can misinterpret what the sizes should be. The ACC discussed and decided that the current guidelines have sufficient information, but agree that a picture guideline of how to measure may be helpful to homeowners.



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**Next Meeting** – January 14 at 12 noon

**HOMESTEAD IN THE WILLOS HOMEOWNERS ASSOCIATION  
POLICY REGARDING NONVEGETATIVE TURF,  
XERISCAPING AND VEGETABLE GARDENS**

Adopted November 11, 2024

The following policy has been adopted by Homestead in the Willows Homeowners Association (the “Association”) pursuant to the provisions of its Policy Regarding Adoption and Amendment of Policies, at a regular meeting of the Board of Directors.

Purpose: To establish uniform procedures for the installation of Vegetable Gardens, Xeriscaping and other drought-tolerant vegetative landscapes and hardscapes within the Association.

WHEREAS, the Association is a planned community and per the Declaration of Restrictions of Homestead in the Willows Homeowners Association (the “Declaration”), Owners are solely responsible for the maintenance, repair, and replacement of the landscaping on their Lots; and

WHEREAS, the Colorado Common Interest Ownership Act, in C.R.S. 38-33.3-106.5, gives all Owners the right to use Xeriscape, Nonvegetative Turf Grass, or drought-tolerant or Nonvegetative landscapes to provide ground covering to property for which the Owner is responsible; and

WHEREAS, the Association is permitted to adopt and enforce design or aesthetic guidelines or rules that apply to drought-tolerant vegetative or Nonvegetative landscapes or to Vegetable Gardens or that regulate the type, number, and placement of drought-tolerant plantings and hardscapes that may be installed on the Owner’s Lot; and

WHEREAS, the Association is permitted to adopt bona fide safety requirements consistent with applicable landscape codes or recognized safety standards for the protection of persons and property, prohibit or restrict changes that interfere with the establishment and maintenance of fire buffers or defensible spaces, and prohibit or restrict changes to existing grading, drainage, or other structural landscape elements necessary for the protection of persons and property.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing xeriscaping, Nonvegetative Turf Grass, drought-tolerant or Nonvegetative landscaping, and Vegetable Gardens.

**I. DEFINITIONS**

**Any capitalized term not otherwise defined herein has the same meaning as provided in the Declaration.**

1. “**Nonvegetative Turf Grass**” means a covering of non-growing, synthetic material intended to resemble Turf Grass.
2. “**Turf**” means a covering of mowed vegetation, usually Turf Grass, growing intimately with an upper soil stratum of intermingled roots and stems.
3. “**Turf Grass**” means continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions which, when regularly mowed, form a dense growth of leaf blades and roots.

4. “**Vegetable Garden**” means a plot of ground or an elevated soil bed in which pollinator plants, flowers, or vegetables or herbs, fruits, leafy greens, or other edible plants are cultivated, on the front, back or side yard of the Owner’s Lot.

5. “**Xeriscape**” or “**Xeriscaping**” means the combined application of the seven principles of landscape planning and design, soil analysis and improvement, hydro zoning of plants, use of practical turf areas, uses of mulches, irrigation efficiency, and appropriate maintenance.

## II. NONVEGETATIVE TURF GRASS

1. **Prior Approval for Installation.** Any Owner who desires to install a Nonvegetative Turf Grass product must first obtain Committee approval. In any application to install Nonvegetative Turf Grass, the request must specifically reference Nonvegetative Turf Grass, as opposed to Turf or Turf Grass. Nonvegetative Turf Grass may only be installed in the rear yard of a Lot. Nonvegetative Turf Grass may not be installed over concrete or wood, including, without limitation, on patios, porches, or balconies.

2. **Application.** Any application for the installation of Nonvegetative Turf Grass must include:

- a. A description of the Nonvegetative Turf Grass that will be used including, the manufacturer, type, and color of the proposed Nonvegetative Turf Grass.
- b. All Safety Data Sheets and component information supplied by the manufacturer along with any material or use warnings that apply to the product. No lead-based products are allowed.
- c. A description and proposed plan for drainage of the area, including material lists and a site plan. The Association may require an engineering report reflecting the proposed plan for drainage.
- d. A physical sample (12” by 12”) of the exact finished turf product (if requested).

3. **Installation and Inspection.**

- a. Professional installation is required.
- b. Nonvegetative Turf Grass must be installed according to manufacturer’s installation recommendations.
- c. The minimum allowable total weight for Nonvegetative Turf Grass is 40 ounces per square yard. The maximum width of the stitch gauge is ¾ inch. Primary backing shall be a polypropylene with a secondary polyurethane backing to provide drainage. The Nonvegetative Turf Grass pile height must be at least 1.5 inches and cannot exceed 2.0 inches.
- d. Installation must include a weed barrier and a weed suppressor must be used under the seams and the seams must be properly secured.
- e. Nonvegetative Turf Grass must be installed in such a way as to appear seamless and uniform. The Owner must install a proper sub-base to prevent wrinkling and uneven surfaces. The sub-base shall be a minimum of four (4) inches of compacted aggregate material below the Nonvegetative Turf Grass’s finish grade. A suggested sub-base is ¼” to ¾” diameter crushed drain rock.
- f. Nonvegetative Turf Grass must be installed to present a natural appearance. Only natural green shades are permitted. All Nonvegetative Turf Grass must be installed with sufficient infill to present a natural appearance. Standard industry guidelines provide for a minimum infill of two (2) pounds per square foot.

- g. Except as otherwise permitted by the Association, Nonvegetative Turf Grass must be installed with a physical barrier at least six inches in width between the Nonvegetative Turf Grass and any vegetation. If a Nonvegetative Turf Grass area abuts a native area, it must be separated with a barrier of at least 4" of hardscape or a planting area.
- h. The Committee has the power to inspect any Nonvegetative Turf Grass after installation. Owners shall notify the Committee of the date the installation is completed to schedule the inspection. If the product is not properly installed or is otherwise unsightly or unattractive, the Committee shall recommend steps to the Owner to remedy the problem. If the Owner fails to remedy the problem within a reasonable period of time, the Board may take further action, including, without limitation, imposing fines in accordance with the Association's Enforcement Policy, or requiring the Owner to remove the Nonvegetative Turf Grass and re-landscape at Owner's own expense.

4. **Drainage.** Nonvegetative Turf Grass may not be installed in a manner that negatively impacts the drainage within the community, whether on the requesting Owner's Lot or neighboring Lots of Common Elements. An Owner who installs Nonvegetative Turf Grass that negatively impacts drainage is obligated to remedy the problem in a timely fashion at the Owner's expense. The Owner is liable for any damage caused by such drainage. If Nonvegetative Turf Grass cannot be installed without negatively impacting the drainage, the Owner of the Lot shall remove the Nonvegetative Turf Grass and re-landscape at his or her own expense. The Association shall not be liable for any alterations to the drainage.

5. **Maintenance.**

- a. Nonvegetative Turf Grass must be maintained in like-new condition, color, and uniformity with no tears or seams visible. The Owner must regularly rake the pile to provide a natural, vertical appearance. Nonvegetative Turf Grass pile shall not be permitted to lie flat or horizontal.
- b. Any installed Nonvegetative Turf Grass must be cleaned and maintained according to the manufacturer's guidelines and warranty requirements.
- c. When Nonvegetative Turf Grass reaches the end of its lifespan and no longer appears natural in color and appearance, or has suffered irreparable damage or wear, the Owner must replace the Nonvegetative Turf Grass.
- d. If animals are allowed to defecate upon the Nonvegetative Turf Grass, feces should be removed as soon as possible, and the Owner is required to regularly clean and sanitize the surface according to manufacturer's guidelines.

6. **Disclaimer.** Any Owner seeking to install Nonvegetative Turf Grass is notified that Association approval is not approval by any applicable local government. Each Owner is solely responsible for any costs and action required by local governments with respect to their landscape design, including, without limitation, Nonvegetative Turf Grass.

### III. VEGETABLE GARDENS

1. **Prior Approval for Installation.** Any Owner who desires to install a Vegetable Garden must first obtain Committee approval. In any application to install a Vegetable Garden, the request must specifically reference the Vegetable Garden, as opposed to turf.

2. **Location.** Vegetable Gardens may be located in the front, side, or back yard. Vegetable Gardens that are located in the front or side yard are limited to one raised container bed no larger than 6' x 4', with



a maximum height of 2' from the ground surface. No at-grade Vegetable Gardens are permitted in front or side yards. The container must be made of natural wood, rock, pavers, or decorative concrete block that must match or be complementary to the residence in materials, design, and color. Any front and/or side yard garden containers must sit back at least 18" from the property line and may not block or alter existing drainage patterns.

Vegetable Gardens located in back yards may not exceed more than 25% of the square footage of the back yard landscaping area. Vegetable Gardens that are installed at-grade and located in back yards shall not directly abut the property line but shall instead be at least 18" from the property line. Vegetable Gardens that are installed at-grade must have a physical border or boundary to reduce erosion and runoff, and may not block or alter existing drainage patterns.

3. **Application.** Owners understand and acknowledge that the right of installing a Vegetable Garden is tied to the obligation to properly maintain the Vegetable Garden in the off-season. Any application for the installation of a Vegetable Garden must include:

- a. A depiction of the proposed Vegetable Garden shown on a plot plan of the Lot.
- b. Pictures or other descriptions of type of garden bed (raised or at-grade) that will be installed including the manufacturer, type, and color of any proposed raised bed.
- c. A description and proposed plan for drainage of the area, including material lists and a site plan. The Association may require an engineering report reflecting the proposed plan for drainage.

4. **Drainage.** Vegetable Gardens may not be installed in a manner that negatively impacts the drainage within the community, whether on the requesting Owner's Lot or neighboring Lots or Common Elements. An Owner who installs a Vegetable Garden that negatively impacts drainage is obligated to remedy the problem in a timely fashion at the Owner's expense. The Owner is liable for any damage caused by such drainage. If a Vegetable Garden cannot be installed without negatively impacting the drainage, the Owner of the Lot shall remove the Vegetable Garden and re-landscape at his or her own expense. The Association shall not be liable for any alterations to the drainage.

5. **Maintenance.**

- a. Vegetable Gardens must be maintained in a manner that minimizes harm to others. Owners should regularly water and weed Vegetable Gardens to present an attractive and cared-for appearance.
- b. Raised planter beds shall not be permitted to fall into disrepair and shall be replaced when they start to show excessive age or wear and tear.
- c. Any Owner who decides to cease gardening shall maintain the Vegetable Garden in a neat and attractive manner, or shall remove the Vegetable Garden and replace it with landscaping approved by the Committee.
- d. After the autumn frost, Vegetable Gardens that are visible from public rights of way must be planted with cover crops (e.g., buckwheat, peas) to minimize weed growth, or otherwise maintained free of weeds.
- e. Dead plant materials and other compostable materials shall not be permitted to naturally compost in Vegetable Gardens but shall instead be composted in an above-ground container designed for that purpose. Vegetable Gardens and compost shall not be maintained in a manner that permits or encourages the unreasonable proliferation of rodents.

- f. Plants in Vegetable Gardens in front and side yards may not exceed 2' at maturity and may not be enclosed with wire or fencing. Corn may not be planted in front or side yard Vegetable Gardens.

6. **Disclaimer.** Any Owner seeking to install a Vegetable Garden is notified that Association approval is not approval by any applicable local government. Each Owner is solely responsible for any costs and action required by local governments with respect to their landscape design, including, without limitation, Vegetable Gardens.

#### IV. XERISCAPING AND OTHER DROUGHT TOLERANT LANDSCAPING

1. **Installation.** After submitting an application to the Association and receiving written approval from the Association, an Owner may install Xeriscaping or other drought tolerant landscaping in accordance with the application on any portion of the Lot.

- a. The Lot landscaping should complement the overall Homestead neighborhood. Plant material should be similar in scale and character to that used in our community landscape areas. In any design, particular attention should be paid to the functional aspects of planting and hardscapes such as their use for screening, space definition, erosion control, glare reduction, dust control, and aesthetics. The use of drought tolerant plants and Xeriscaping is highly encouraged so that plant materials, irrigation systems, and maintenance practices conserve water, wherever possible.
- b. A minimum of 50% of the permeable lot surface area (i.e., whatever is left *after* sidewalk, driveway, porch, patio) must be living material/ground cover.
- c. Landscaping must consist of trees, shrubs, ornamental grasses, ground covers, annual and perennial flowers, Turf Grasses, mulches, and automatic irrigation.
- d. Mulch may not be used as a lawn replacement.
- e. Each Lot Owner must maintain all landscaping on their Lot in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of dead landscaping. This applies to front, side, and back yards.

2. **Pre-Approved Designs.** The Association has preapproved several pre-planned water-wise garden designs that Owners may install in strict conformance with the design; in accordance with statute, reasonable substitute plants are allowed when a plant in a design is not available. These pre-planned water-wise garden designs are attached to this Policy as Exhibit A. Alteration to any pre-planned water-wise garden design requires Committee approval.

3. **Application.** Any application for the installation of Xeriscaping or other drought tolerant landscaping must include:

- a. A depiction of all planned vegetation, hardscape, mulch, rock, watering facilities, and other improvements to the property in sufficient detail to allow the Association to determine the appropriateness of the proposed landscaping, shown on a plot plan of the Lot.
- b. An application for the installation of one of the Association's preapproved pre-planned water-wise garden design must scale the design to the Owner's particular Lot.
- c. A description and proposed plan for drainage of the area. The Association may require an engineering report reflecting the proposed plan for drainage.

4. **Review Fee.** The Association may charge the Owner a fee, not to exceed the actual charge incurred by the Association, to defray the expenses related to obtaining any expert opinion regarding an Owner's Xeriscaping application. Such expert opinion is designed to ensure the proposed Xeriscaping is likely to work as intended, and to provide advice regarding potential problems with the proposed Xeriscaping.

5. **Maintenance.** No Owner shall be relieved of his or her maintenance obligations on his or her Lot by virtue of the installation of Xeriscaping. The Association may take all actions necessary to enforce appropriate maintenance of Xeriscaping as it is permitted to take by its governing documents as to any other Owner maintenance obligation.

## V. GENERAL REQUIREMENTS

1. **Watering Restrictions.** If an Owner fails to adequately water landscapes or vegetation for which he or she is responsible, the Association may treat such failure as a violation of the Declaration. However, the Association shall not levy fines against the Owner for such failure if both:

- a. Watering restrictions have been imposed by the local entity with jurisdiction over watering in the Association; and
- b. The Owner presents satisfactory evidence that he or she is watering the landscape in a manner consistent with the watering restrictions then in effect.

2. **Plant Replacement.** In the event any vegetation requires replacement, such requirement shall be stayed as mandated by any applicable watering restrictions. The Owner shall commence the process to obtain any necessary replacement approval within 60 days after expiration of the applicable watering restrictions or amendment in a manner that would permit replacement and appropriate watering. The Association shall notify the Owner of the date by which the replacement must be completed, which shall be not less than 60 days after the Owner's application.

3. **Grading and Drainage.** The Association is not required to approve any landscaping plan that will alter the established flow of grading and drainage as initially existed at the time the Declarant conveyed the subject Lot to its first private Owner.

4. **Fire Safety and Invasive Species.** The Association is not required to approve any landscaping plan that will, in the Association's reasonable opinion, negatively impact fire safety or fire mitigation activities. Further, the Association is not required to allow the planting and maintenance of any noxious weed or invasive plant species as those terms are used by the Colorado State University Extension.

5. **Exculpation.** While the Association has approved pre-planned water-wise garden designs and other improvements as contemplated by Owners and this Policy, the Association does not, by such approval, represent or warrant that any particular improvement is appropriate for any particular Lot. Owners are obligated to ensure that their landscaping is appropriate to their property and the Association shall have no liability for any damage caused by or related to landscaping approved by the Association.

6. **Conflicts.** This Policy controls over any pre-existing rule, policy, design guidelines, or other Board-adopted document. This Policy does not change any provision of the Declaration except to the extent such provision is rendered unenforceable under Colorado law.

7. **Deviations.** The Board or its agent may deviate from the procedures set forth in this policy if in its sole discretion such deviation is reasonable under the circumstances.

**EXHIBIT A**  
**Preapproved water-wise garden designs**

The Association has approved the following designs as found on the Plant Select Waterwise Garden Plans & Xeriscapes website located at <https://plantselect.org/design/downloadable-designs/>:

- Colorado Watersmart Native Border
- Dry Shade Garden
- Four Season Sensation
- Waterwise Cottage
- Butterfly Hummingbird Garden
- Prairie-Inspired
- Chaparral/Xeric Mixed Border
- Xeriscape Rock Garden
- Parkstrip / Right of Way Planting Design
- Native Planting Design
- Dry Shade Planting Design
- Part Shade Planting Design
- Part Shade Planting Design 2
- Front Yard & Right of Way Design
- Front Yard & Right of Way Design 2
- Front Yard Design for High Elevation
- Backyard Planting Design for High Elevation

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