

WINDJAMMER HOMEOWNERS ASSOCIATION
LANDSCAPING POLICY AND PROCEDURES
21 September 2023

Authority: CRS 38-33.3-302 Powers of Unit Owners' Association, Para (1) (k), CRS 38-33.3-106.5 Prohibitions Contrary to Public Policy, Para (1) (j) and (k), CRS 37-60-126(11), Water Conservation and Drought Mitigation Planning, Para (11) Declaration, Sections 208 (Owner Maintenance), 301 (Building and Grounds Conditions), 308 (Landscaping), 309 (Weeds), 402 (Plans Submissions), 403 (Approval Process), and 404 (Variances)
Bylaws, Article III, Section 3.7, Methods of Adopting Rules and Regulations

Purpose: This Policy outlines landscaping features and changes allowed by the Windjammer Homeowners Association ("**Association**"). For the purpose of this Policy, **Owners** refers to both resident and non-resident owners of any property subject to the Association's Covenants and Policies. All modifications to landscaping must be approved using the Approving Authority ("**AA**") process.

Definitions:

- a. **Landscape:** The portion of a Lot with cultivated vegetation, xeriscape, additional decorative structures, non-porous surfaces, and ornamentation.
- b. **Cultivated vegetation:** The total amount of living, intentionally planted greenery on a Lot. Cultivated vegetation includes bushes, flowers, grass, ivy, shrubs, trees, vegetables, vines, etc.
- c. **Xeriscape:** A well-maintained landscape designed to minimize the use of irrigation water. Xeriscaping is based on sound horticultural practices including the application of the principles of landscape planning and design, soil analysis and improvement, appropriate selection of low-water and/or native plants, use of mulches (including rock, bark, shredded wood, etc.), irrigation efficiency, and careful maintenance that results in water use efficiency and water saving practices.
- d. **Zeroscape:** Landscaping that consists solely of mulch or rock with no vegetation present.
- e. **Hardscape:** Landscaping that uses hard landscaping materials, such as concrete, stone, and wood,

Policy: All lots must be landscaped either using cultivated vegetation, xeriscaping, or a mix of the two. Zeroscape landscaping **is not** allowed within the Association boundaries. Owners are encouraged to landscape in such a manner as to conserve water. Examples of approved xeriscaping plans may be viewed at plantselect.org or by clicking [here](#).

- a. **Landscape Maintenance:** Owners shall maintain their landscaping in good condition, by repairing damage or deterioration (including erosion) as it occurs. Owners shall prevent the development of unsightly or unkempt condition of grounds on their Lot which tends to substantially decrease the beauty of the neighborhood as a whole or in their specific area.
- b. **Altering Landscaping:** All modifications to landscaping, except the exemptions in “Procedure” below, require approval by the Approving Authority of a landscaping plan before modifications are made. Changes to drainage patterns also require AA approval. Landscape modifications made without approval are a violation of Covenants; Owners may be required to make additional changes to comply with this policy.
- c. **Yards visible from the street:** Yards must be landscaped using cultivated vegetation or xeriscapes. They may NOT be cemented, stamped concrete, nor zeroscaped. All front yards must meet landscape requirements and weeds must be monitored. The use of artificial turf is allowed provided it is approved by the AA and remains in good condition.
- d. **Yards not visible from the street:** Yards must be landscaped to ensure weed control is maintained and as to not affect neighboring yards.
- e. **Weeds:** Owners must keep Lots free from weeds, which in the Board of Director’s reasonable opinion are likely to spread to neighboring properties. Lots must be free from brush, overgrowth, or trash which could cause undue danger of fire. Owners are responsible to limit the spread of invasive landscape plants, especially to neighboring Lots.
- f. **Irrigation:** Homeowners shall irrigate all cultivated vegetation sufficient to maintain vegetative health, consistent with watering limitations or restrictions. Declaration of a watering restriction by the City of Colorado Springs does not relieve an Owner of watering to the extent permitted, to maintain vegetative health and appearance.
- g. **Drought Recovery:** Upon termination of a declared drought emergency, Owners shall revive or replace turf grass consistent with weather conditions. Owners need to show health improvement through greening and bare-spot filling by June 15th of the year watering restrictions are lifted. In the event recovery is not possible, Owners are expected to replace landscaping or implement alternative landscaping plans authorized by the AA.

Procedure: Prior to any landscaping changes, a plan must be submitted to and approved by the Approving Authority. Proposed landscape plans (a hand or computer drawn sketch) must include:

- Placement and type of all landscaping elements, including vegetation, rock, mulch, walls, fencing, flagpoles, and any large décor items.
- Description of the work to be accomplished with an estimated start and completion date.
- Description and layout for the irrigation system.
- If a portable toilet or dumpster is needed during installation.

Submit plans to the Approving Authority by emailing aa@wjhoa.org, using the Lot's address (ex. 4382 Windjammer Dr) in the subject line. Plans may also be submitted via USPS mail using the Association's mailing address:

Windjammer HOA
PO Box 62121
Colorado Springs, CO 80962

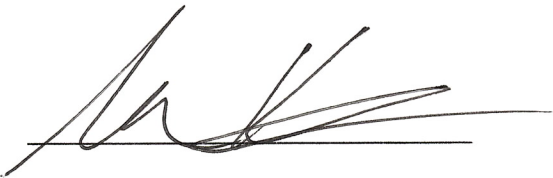
The AA has a 30-day window from receiving plans to approve any requested landscaping changes, during which no changes may be made to the existing landscaping. Therefore, the Association highly suggests sending plans for approval 30 days in advance of starting date. Landscaping improvement may commence once approval has been given to the Owner from the AA either by email or mail.

Approving Authority approval is required for **all** changes to Lot landscaping, except for the following:

- Replacement of existing sod, shrubs, or trees with like kind sod, shrubs, or trees.
- Replacing rock with rock, or other non-vegetative material
- Over seeding with drought resistant turf grasses
- Renewal or restoration of existing landscaping
- Normal maintenance such as removal of dead trees or bushes, provided they are replaced with like kind

Unless otherwise defined herein, initially capitalized words shall have the meaning given in the Covenants.

IN WITNESS WHEREOF, the undersigned certifies that this Policy and Procedures was revised by resolution of the Board of Directors of the Association on this day 21 September 2023.

A handwritten signature in black ink, appearing to read 'Mark Hrdlichka', written over a horizontal line.

Mark Hrdlichka, President