

Cottonwood Park West Homeowners Association RULES AND REGULATIONS

Effective Date: January 1st, 2017

A. Exterior Changes

The HOA embraces home improvements, and we strive to give you approval as quickly as possible, to avoid any undue inconvenience to you as a homeowner. The following guidelines must be followed. Should an Owner fail to comply with these guidelines, the Board may elect to impose fines or use other available sanctions.

1. The Cottonwood Park West Subdivision Covenants require that Homeowners and/or Tenants take certain actions only with the prior written approval of the Board of Directors of the Association or its Architectural Control Committee. The Original CC&Rs, Article V states in part:

“No new building, fence, wall or other structures shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or major change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Control Committee composed of three (3) or more representatives appointed by the board...”

2. If you are considering any exterior changes, additions or alterations, you must request approval **before** making them. We have a simple process of approval, whereby homeowners can submit requested changes by email to the HOA manager, who has authority to approve many minor changes immediately, while any greater changes will be sent to the board for a fast review.
3. Owners shall comply with any request by the Association for additional information relating to an improvement, prior to the Board’s approval of a request and/or prior to the completion of an improvement. Failure to comply with such a request by an Owner shall result in the withdrawal of Board approval, if previously granted.
4. The Board shall reply to all submittals of plans in writing or by email within 30 days after receipt. In the event the Board fails to take any action on received plans and specifications within 30 days after receiving the plans and specifications, approval shall be deemed to be granted, provided however, nothing is in violation of these Rules and Regulations or Section V of the Original CC&Rs.

5. All communications and submittals shall be submitted via email to the HOA Manager at: cpwhoaoffice@gmail.com.
6. All improvements approved by the Board must be commenced within six months from the date of approval, unless prior arrangement has been made with the Board as part of the original request. If not commenced within such time, then approval shall be deemed revoked by the Board, unless the Board gives a written extension for commencing the work.
7. Except for delays caused by strikes, fires, national emergencies, critical materials shortages or other intervening forces beyond the control of the Owner, all work approved by the Board shall be completed within six months of commencement unless prior arrangement has been made with the Board as part of the original request.
8. Board approval does not constitute approval of the local building for zoning department, drainage design or structural soundness.
9. Examples of changes include but are not limited to:
 - Additions
 - Painting substantially different than original
 - Addition of, or changes to, windows and doors
 - Changes in siding
 - Roofing changes including shingle replacement and skylights
 - Decks or porches, including front, side and back
 - Patio covers
 - Sheds
 - Play forts and/or tree houses
 - Backyard changes that infringe on a neighbor's privacy
 - Front yard landscaping including sculptures
 - Roof decks are not permitted but other structural changes will be considered on a case by case basis.

B. Fencing Guidelines

1. All fence projects must receive approval from the Board prior to construction
2. Fences must be wood or other suitable wood look composite material that fits with the general aesthetic of the neighborhood
3. Fences that face the common areas (perimeter streets, parks, etc.), must be placed with posts and horizontal supports to the inside of the property with a natural cedar stain
4. Fences must be set back to not block visibility at sidewalks and driveways
5. Fences that need to be replaced must meet the above requirements regardless of how they were constructed in the past
6. Under certain circumstances, to promote privacy, there may be a height allowance of more than 6' by the Board

C. Storage, Sheds, Outbuildings

1. Storage of large amounts of raw material, wood, metal, paint or other similar materials at a residence is a safety hazard and is prohibited, except as is reasonably necessary for construction of an approved change, alteration or addition. Front yards may not be used for any kind of storage. Storage pods, dumpsters and other large trash containers are only allowed for a limited time during a construction project.
2. Storage sheds may only be built or installed after approval from the Board and must meet the following specifications:
 - Cannot be higher than 9'
 - May not block neighbor's view
 - Must be painted to match the house
 - Must be made of be wood or other suitable wood look composite; no plastic or metal sheds
 - All sheds and similar structures must be contained within a fenced back or side yard
3. An "outbuilding" shall mean an enclosed or covered structure not directly attached to the dwelling it serves. No outbuilding or temporary structure, including mobile homes, shacks, barns, or detached garages or carports, shall be allowed on any Lot unless approved in writing by the Board.
4. No outbuilding or temporary structure shall be used on any Lot at any time for residential purposes, either temporarily or permanently.
5. Tents shall be allowed in back yards for a period of no more than 72 consecutive hours unless prior approval is granted in writing.

D. Signage

No sign, poster, billboard, advertising device or display of any kind shall be erected or maintained anywhere on a Lot except such sign or signs as may be approved in writing by the Association except for as stipulated below:

1. Signs intended to impact the outcome of an election may be displayed without seeking Associational approval as long as they meet the 2' X 3' size limit.
2. "For Sale" or similar signs which comply with the Boulder County Land Use Code may be located on a private lot anytime. Such signs on the Common Areas at the entrances to the subdivision (North and South ends of Niwot Square Drive) are permitted only from 6 p.m. Friday to 6 p.m. Sunday. "Open House" signs are permitted during the hours of the open house only. Sign sizes will be limited to 2' x 3'. There shall be no commercial signs advertising businesses.
3. Construction-related signs may be no larger than 2' x 3' and must be removed 30 days after completion of project. Signs may not be lighted.

E. Maintenance and Landscaping

1. Each property must be maintained by its owner. Any part of your property, building structures or fencing which is neglected and in need of paint or repairs must be painted or repaired in a timely manner.
2. The landscaping of each Lot shall be maintained by the Owner in an attractive and well-kept condition, which shall include lawns mowed, hedges, shrubs, and trees pruned and trimmed, and removal of weeds and debris.
3. Sidewalks must be kept clear of creeping plants. Tree branches must be 7' above the sidewalks and 9' off the streets.

F. Parking Restrictions

1. Every effort must be made to park all vehicles in one's garage or driveway
2. Please do not park in front of someone else's property, particularly overnight
3. Parked cars must never block walkways, sidewalks, another's driveway or park entrances
4. If a vehicle is blocking another vehicle or access to another Owner's or occupant's Lot, is obstructing the flow of traffic, is parked on any Common Area (other than as permitted on certain Association-owned streets), or otherwise creates a hazardous condition, no notice shall be required and the vehicle may be towed or booted immediately
5. Each household must limit the number of cars parked on the street to two
6. Parking for mail pickup should be limited to areas in front of the parks, not in front of any homes
7. Campers, motor-homes, recreational vehicles, boats, trailers, large commercial vehicles and trucks with more than two axles, non-operating vehicles, snow plows and other such items may NOT be stored or parked on streets, driveways, or private property where they are visible to the public or neighbors
 - a. Exception: a recreational vehicle may be parked for up to three days for the purpose of loading, unloading or cleaning.
 - b. This restriction shall not apply to trucks or other commercial vehicles temporarily located within the Community which are necessary for construction or for the maintenance of any Common Area, Lots, or any improvement located thereon
8. At no time will an inoperable or unregistered vehicle be allowed to be kept in driveways or on streets within the community. They may be stored in the garage. In the event that the Association determines that a vehicle is an abandoned or inoperable vehicle, then a written notice describing said vehicle shall be personally delivered to the Owner thereof or shall be conspicuously placed upon the vehicle.
9. If the abandoned or inoperable vehicle is not removed within 72 hours after providing such notice, the Association shall have the right to contact the

authorities or remove the vehicle, and the owner shall be solely responsible for all towing and storage charges

10. Activity such as, but not limited to, maintenance, repair, rebuilding, dismantling, repainting, or servicing of any kind of vehicle, trailer or boat, may be performed or conducted outside of garages, so long as such activity is limited to no more than 24 consecutive hours.
11. If a vehicle is towed or booted in accordance with this Section, neither the Association nor any officer or agent of the Association shall be liable to any person for towing and storage costs or for any claim of damage as a result of the towing or booting activity. The Association's right to tow or boot is in addition to, and not in limitation of all other rights of the Association, including the right to assess fines. The Board may elect to impose fines or use other available sanctions, rather than exercise its authority to tow or boot.

G. Snow Removal

- In general, snow must be removed from sidewalks within 24 hours after snow stops falling. Common sidewalks in the HOA parks and along 79th St. and Niwot Rd., are maintained by the HOA.

H. Parks

There are four common areas in Cottonwood Park West that have been set aside as “parks” for the enjoyment of residents

1. Please keep in mind that there are homeowners who live in close proximity to these parks. Use and enjoy the parks in a courteous manner while respecting the rights of others and by adhering to the following park rules.
2. Homeowners and tenants are responsible for their actions and the actions of their family members, guests, and pets in all parks, including any injuries and damages. People who vandalize or willfully destroy property will be prosecuted and require to pay for all damages and costs incurred.
3. The parks are open to activities or parties until 9:00 p.m. If you'd like to reserve a specific area in a park for a special activity, please contact the association manager or any board member.
4. Motor-driven vehicles are prohibited in all parks unless otherwise authorized by the Association.
5. Dumping of any trash or other material is prohibited in all parks. This includes placing personal household trash in the HOA garbage cans and putting leaves and branches from your property onto HOA parks and open space.
6. Use of volleyball court, basketball court and play sets is available on a first-come, first-served basis.
7. Please be considerate of others wishing to use the courts and report any maintenance or safety issues to the HOA Manager.

I. Nuisances

1. Any use, activity or practice which is the source of unreasonable annoyance or embarrassment to, or which unreasonably offends or disturbs, any Owner or which may unreasonably interfere with the peaceful enjoyment or the proper use of a Lot or any Common Area, or any portion of the Cottonwood Park West Community by residents, is prohibited.
2. No improper, offensive, or unlawful use shall be permitted within the Cottonwood Park West Community or any portion thereof. All valid laws, ordinances and regulations of all governmental bodies having jurisdiction over the Cottonwood Park West Community or a portion thereof shall be observed.
3. No light shall be emitted from any portion of the Cottonwood Park West Community which is unreasonably bright or causes unreasonable glare, and no sound or odor shall be emitted from any portion of the Cottonwood Park West Community which would reasonably be found by others to be noxious or offensive.
4. No exterior spot lights, searchlights, speakers, horns, whistles, bells or other light or sound devices shall be located or used on any portion of the Cottonwood Park West Community except with the prior written approval of the Association.

J. Animals

1. Pets may be kept on a Lot if the pet is not a nuisance to other residents.
2. Pets may not be kept for any commercial purposes.
3. No chickens or other farm animals allowed. Maximum of two bee hives, with board approval.
4. Owners shall hold the Association harmless from any claim resulting from any action of their Pets or the Pets of their tenants, guests or other invitees.
5. Dogs must be under leash control when in common areas and in the presence of any other person or dog.
6. Pet owners must provide for immediate clean up of pet waste.
7. Dogs barking excessively, habitually, or enough to be a nuisance must be controlled. If necessary, contact Animal Control 303-441-4444.

K. Permitted Antennas

“Permitted Antennas” are defined as:

1. A roof-mounted antenna which is less than one meter in diameter.
2. Other antennas which are expressly permitted under applicable federal statutes or regulations.

The board of directors may make amendments or revisions to these Rules and Regulations, and each member of the association shall have written notice of such changes. Please keep these Rules and Regulations, and any amendments, available for your review as needed.