

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
CARRIAGE HILLS METROPOLITAN DISTRICT
ADOPTING AN AMENDMENT
TO THE CARRIAGE HILLS DESIGN GUIDELINES
(Water-Wise Landscaping – 2023)**

WHEREAS, Carriage Hills Metropolitan District (the “**District**”), a quasi-municipal corporation and political subdivision of the State of Colorado, was organized to provide various services, including design review and covenant enforcement services, in and around the Carriage Hills development in Weld County, Colorado; and

WHEREAS, pursuant to § 32-1-1001(h), C.R.S., the Board of Directors of the District (the “**Board**”) is empowered with the management, control and supervision of all the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1004(8)(a)(II), C.R.S., the District has the power to furnish covenant enforcement and design review services within the boundaries of the District; and

WHEREAS, pursuant to the terms and conditions of the Declaration of Covenants, Conditions and Restrictions for Carriage Hills, recorded in the real property records of the Clerk and Recorder of Weld County, Colorado on January 4, 2017, at Reception Number 4267408 (the “**Covenants**”), the Board of Directors (the “**Board**”) of the District is authorized to issue standards or rules relating to the procedures, materials to be submitted, fees and additional factors to be taken into consideration in connection with the approval of any proposed Improvement to Property (as defined in the Covenants); and

WHEREAS, pursuant to the authority set forth in the Covenants, the Board adopted the Carriage Hills Design Guidelines (the “**Guidelines**”); and

WHEREAS, on May 17, 2023, the Governor of the State of Colorado, signed legislation (the “**New Legislation**”) amending § 37-60-126, C.R.S. which provides, among other things, that any rule or policy of a special district that prohibits or limits xeriscape, prohibits or limits the installation or use of drought-tolerant vegetative or nonvegetative landscapes, requires cultivated vegetation to consist wholly or partially of turf grass, or prohibits the use of non-vegetative turf grass in the backyard of a residential property is declared void as against public policy; and

WHEREAS, in order to bring the Guidelines into compliance with the New Legislation, the Board desires to adopt this Amendment to the Carriage Hills Design Guidelines (the “**Amendment**”), attached hereto as **Exhibit A** and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. Adoption of Amendment to the Carriage Hills Design Guidelines. The Amendment to the Carriage Hills Design Guidelines attached as Exhibit A, is hereby adopted.
2. Prior Provisions Effective. Except as amended herein, the Guidelines shall remain in full force and effect without limitation.
3. Contradicting Provisions. Any provision of any governing document of the District, including, without limit, rules and regulations, policies and the like, which contradict the Amendment and/or New Legislation shall automatically become null and void and unenforceable.
4. Effective Date. The First Amendment shall be effective as of August 9, 2023.


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RESOLVED AND ADOPTED this 9th day of August, 2023.

**CARRIAGE HILLS METROPOLITAN
DISTRICT**

By: Jesse Hansel
Officer of the District

Attest:

By: 
Matt Hickman (Aug 21, 2023 12:20 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON

Eve Velasco
General Counsel to the District

EXHIBIT A
AMENDMENT
TO
CARRIAGE HILLS DESIGN GUIDELINES
(Water-Wise Landscaping – 2023)

1. Provision Repealed and Restated. Section 5.6 of the Guidelines is hereby repealed in its entirety and the following is substituted as Section 5.6 of the Guidelines:

5.6 ARTIFICIAL TURF

Artificial turf may be installed in the rear yard of a Lot only, with the prior approval of the DRC. The color must be similar to the turf grass in the geographical area, preferably a blended, multi-color monofilament fiber, with a blade height of at least 1½” (or ½” for a putting green). Installation must include a weed barrier and a properly prepared and leveled aggregate base for drainage. Proper infill, which is not toxic to humans or pets, for residential application must be used. A weed suppressor must be used under seams, and the seams properly secured. ~~The use of artificial turf is prohibited unless expressly approved by the DRC.~~

2. Provision Repealed and Restated. The first paragraph of Section 6.5 of the Guidelines is hereby repealed in its entirety the following is substituted as the first paragraph of Section 6.5 of the Guidelines:

6.5 CONCEPTUAL LANDSCAPE DIAGRAMS

Conceptual ~~Landscaping~~ landscape diagrams must be submitted by each builder for approval and conform to the standards listed herein. These diagrams will represent the use of the recommended 2,500 square feet of spray-irrigated landscape, as well as other landscape elements. The diagrams show that a cohesive sustainable landscape is achievable within the guidelines criteria. Each Lot may be landscaped with up to 80% drought-tolerant plantings.