

TRACT GUIDELINES

1084826

FOR

CUMBRE VISTA

CONSISTING OF 18 LOTS

AT

ESTANCIA PRIMERA

A
SUPPLEMENT
TO

**ESTANCIA PRIMERA
ARCHITECTURAL GUIDELINES**

HANDBOOK OF DESIGN CONCEPTS

AND

REQUIREMENTS

FOR

OWNERS, ARCHITECTS, DESIGNERS AND BUILDERS

REVISED
August 1994

TRACT GUIDELINES
CUMBRE VISTA
ARCHITECTURAL REVIEW BOARD RULES

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The following Covenants and Restrictions include those originally adopted, 28 April 1981 Conditions of Ordinance 1981-3 and 8 January 1983 Declaration of Covenants and Restrictions for Estancia Primera Community Services Association and all Amendments, Changes and Supplements thereto, hereafter known as the "Master Restrictions" shall apply to that real property known as Cumbre Vista further described in attached plat and incorporated herein by reference.

These Rules, revised as of August, 1994, supplement the Master Restrictions and the Estancia Primera Architectural Guidelines and are adopted by the Cumbre Vista Board of Directors and the Cumbre Vista Architectural Review Board for the purpose of further enhancing and perfecting the value, desirability, and attractiveness of the Cumbre Vista Neighborhood.

Definitions contained in Article I of the Estancia Primera Master Restrictions are incorporated herein by reference.

Introduction:

Cumbre Vista at Estancia Primera provides 18 individual single family units on lot sizes ranging from 7,200 +/- square feet to 23,000 +/- square feet. They will be served off of Avenida Primera South and onto a private circulation road serving the lots. The views from all lots are very exciting. The CVARB will insist on conformity with all regulations, view corridors, landscaping and other design elements that may be necessary to insure the orderly and harmonious development of Cumbre Vista. The CV Guidelines apply to all new construction and remodeling commencing after the date of this revision. Existing buildings which complied with prior rules are exempt from these revisions.

Architectural Design Concept and Philosophy

The design concept and philosophy permits old pueblo and new pueblo style of architecture. It is very important that the scale and massing of the design be appropriate, not only to the site, but to the adjacent sites as well. Compliance with the EP Guidelines is required, provided, however, that in the event of a distinction between the EP Guidelines and the CV Guidelines then the CV Guidelines shall prevail. There is a restriction against the fencing or walling in of the entire property lines of the properties. This will maintain and create an open rural effect on the sites and keep the visual impact of its development to a minimum.

1. Prior to applying to the City of Santa Fe for a permit , any owner proposing to construct or reconstruct improvements or structures or to recolor, refinish or alter any part of the exterior of any improvement or to perform any work(whether or not it requires a building permit to be issued by the City of Santa Fe) including, but not limited to: walls, fencing, landscaping , landscaping construction ponds , retaining walls or other structural components , shall apply to the Cumbre Vista A.R.B. and the Estancia Primera A.R.B. for approval.

2. The owner or his/her appointed representative shall make application for any such construction to **Cumbre Vista A.R.B.** by submitting the Estancia Primera Architectural Review Board Application/Checklist , the architect's plans for the improvement and the required deposit check made payable to Estancia Primera ARB. After review and recommendations, the Cumbre Vista ARB (CVARB) will forward the application to the Estancia Primera ARB (EPARB) for final approval.

Architectural Design Standards:

1. Residential Units constructed in Cumbre Vista shall have a minimum of **1,800** square feet of living area. Living area shall include heated and/or air conditioned areas and shall exclude garages, porches/portals, patios, decks, breezeways etc.

2. **Height and topography restrictions.** The City of Santa Fe Escarpment Ordinance of February 26, 1992 shall be strictly adhered to.

A. Maximum Height of Buildings.

a. The finished floor elevation at any point shall not exceed five vertical feet above the original grade below that point.

b. The building roof line for each dwelling unit shall not exceed 15 vertical feet above the highest point of original ground surface on the building site.

c. The building roof line for each dwelling unit shall not exceed 20 vertical feet above the original ground surface of the building site. The highest point on the structure includes the top of parapets. Chimneys may exceed the maximum height by not more than three feet above the immediately adjacent roof.

d. Adding fill dirt beyond original grade is prohibited.

B. Topography. No portion of any building can extend more than 40 horizontal feet or to a point more than ten (10) vertical feet, whichever is more restrictive, beyond a point whose average natural slope is 20 percent. The slope analysis map submitted by NMRI and verified by the City Planning Department shall be the basis for this determination.

3. No structure or improvement shall be constructed within the areas designated as Non-Construction (NC) on the Cumbre Vista Subdivision Plat.
4. All fencing and walls and their materials must be approved by the CVARB and the EPARB prior to installation. Property lines can not be totally fenced or walled. The CVARB and the EPARB will review each request on a site by site basis to assure maintenance of an open rural visual appearance.
5. Every residential unit shall have a garage of at least a two (2) car capacity. Garage doors shall be of the overhead design or as approved by the CVARB & EPARB.
6. Each residential unit must have a minimum of two off-street parking spaces which may include the drive path from the street to the garage, in addition to garage.
7. No detached garages, sheds, guest houses or other buildings may be constructed on the lots.
8. The exterior appearance of the residence, and appurtenant structures and improvements, must be consistent with the high quality standards established for the Cumbre Vista Neighborhood and the appearance must be consistent, compatible and complimentary to existing construction on adjacent lots and must have a definite commonly recognized architectural style which is carried out through attention to detail, as determined by the CVARB & EPARB.
9. Exterior finishes of all residences, structures, or improvements on the lots shall be stucco. The color of any exterior finish shall be EL REY FAWN 117, EL REY BUCKSKIN 106, EL REY DRIFTWOOD 111, ORIENTAL TIERRA MOCHA OR ORIENTAL MESA. Color chip choices will be given to applicant with the application.

10. Only flat roofs shall be permitted (allowing slope for drainage). Shed roofs are allowed for portals.

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11. No reflective finishes (other than glass) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including but not limited to the exterior surfaces of any of the following: roofs, canals, all projections above roofs, retaining walls, doors, trim, fences, pipes, equipment. If any exposed metal surfaces are visible, they must be painted to match the stucco.

12. Trim may be of wood, painted or stained with approved colors, adobe, painted Mexican tiles, clay tiles all as approved by CVARB & EPARB.

13. Air conditioning, heating, and other machinery may be maintained in or on flat roof areas, provided they are screened by parapet walls and in such a manner that they are built into the basic lines of the parent structure to create an aesthetically pleasing appearance from adjoining properties, streets, and common areas and must be shown in detail on the plans submitted to CVARB & EPARB.

14. Solar energy collectors shall be allowed only if constructed in such a manner that they are built into the basic lines of the parent structure to create an aesthetically pleasing appearance from adjoining properties, streets, and common areas, and must comply with the requirements of paragraph 13 above.

15. TV antennas are prohibited. Any external dishes may not exceed 18" in diameter, must be hidden from view and only if approved by CVARB & EPARB.

16. A four inch (4") tolerance by reason of mechanical variance of construction is hereby automatically allowed for any distance requirements imposed by the CV Guidelines; HOWEVER NO TOLERANCES BY REASON OF MECHANICAL VARIANCE WILL BE ALLOWED CONCERNING THE CONSTRUCTION OF ANY PORTION OF A STRUCTURE OR IMPROVEMENT CONSTRUCTED ON ANY PROPERTY LINE.

17. Easements for the installation and maintenance of utilities and drainage facilities have been reserved as indicated on the subdivision plat map.

18. Runoff water shall be contained by the use of **FRENCH DRAINS, PONDS AND COLLECTION BASINS**. UNDER NO CIRCUMSTANCES SHALL RUNOFF FROM ANY ROOF AREAS and/or LANDSCAPING IRRIGATION SYSTEMS BE ALLOWED TO DRAIN ONTO ADJACENT LOTS and the runoff may not increase existing flow of water as from undeveloped land. Owner must comply with the most current drainage agreement between Estancia Primera and the City of Santa Fe.

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19. Outside clotheslines or other outside clothes drying or airing facilities, above ground trash and garbage receptacles, ground mounted solar energy collectors and equipment, ground mounted air conditioning units and equipment, and swimming pool mechanical equipment shall be enclosed within a walled or fenced service area or areas for which fencing or screening is harmonious with the overall design of the structures on the lot and which shield these structures in such a way as not to be visible from streets or common areas.

20. In order to maintain the lot during construction a dumpster or wire trash receptacle shall be placed on the lot and all debris easily displaced by wind shall be placed therein. The trash receptacle shall be emptied either weekly or when full, whichever shall first occur.

21. The provisions of Article 8, Exterior Maintenance, of the Declaration of Covenants and Restrictions for Cumbre Vista Subdivision shall be strictly enforced:

8.1 Owner's Responsibility. The Owner of each Lot shall maintain the facades and external aspects of all improvements on his/her Lot in first class order and repair and in substantially the same condition as prevailed when the improvements were newly completed. The Owner of each Lot shall maintain the landscaping and vegetation thereon in neat, orderly and healthy condition.

8.2 Maintenance by Association. In the event the Owner of a Lot fails to comply with the provisions of the preceding section 8.1, the Board, upon two-thirds vote, may give notice to the Owner, specifying the failure to comply and requiring the Owner to take such action as is necessary to cause the facades and external aspects of the improvements to be restored within sixty (60) days to first class order and repair, in substantially the same condition as prevailed when the improvements were newly completed, and to cause the landscaping and vegetation to be restored within sixty (60) days to a neat, orderly and healthy condition. Thereafter, if the Owner has not so restored the improvements, landscaping or vegetation, the Board, upon two-thirds vote, shall be entitled to enter upon the Lot and the improvements thereon and to take such

cost of such activity shall be assessed against the Lot and shall become a lien against the Lot, subject to enforcement in the same manner as the annual and special assessments. The remedy provided herein shall be in addition to and not exclusive of any other remedy which the Association may be entitled to at law or equity.

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22. Mail and street number signage: Central Service Mail boxes are located at the south intersection of Cumbre Vista and Avenida Primera. For safety and security, house numbers must be clearly visible from the street.

23. Exterior lighting shall not directly illuminate the surfaces of structures (excluding entries, garages and portals) or landscaping. The light source of any exterior indirect lighting shall be less than three feet (3') in height. Night lights shall be motion detectors only and must point in a downward angle that does not disturb neighbors.

24. Landscaping: The aim of landscaping is to maintain as close as possible the original natural condition of the foothills with indigenous pinon, juniper and aspen trees. Natural grasses (buffalo and blue-gramma), along with wild-flowers and native rocks (if desired). Xeroscaping and drip systems are encouraged; especially for the portions of lots visible from the street. All weeds, especially clover (alfalfa) and cottonwood sprouts, must be removed from the front of each lot as they appear.

25. Plans will not be considered for approval if any outstanding indebtedness exists against the subject lot. (ie Association Assessments)

26. Plans will not be considered for approval if the applicant is in violation of the CV Guidelines and/or the Master Restrictions.

27. The CVARB & EPARB must be notified when construction is complete so a certificate of compliance can be issued certifying that the construction has been completed in accordance with approved plans. Buyers of units in Cumbre Vista should be certain that this certificate has been issued, since construction which does not comply with approved plans may be subject to removal and/or fines in accordance with th Master Restrictions.

28. All Construction shall be completed within twelve (12) months once any phase is commenced. The EPARB shall have the final decision regarding any and all construction within Cumbre Vista.

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