

SOUTHERN BLUFFS HOA DEVELOPMENT AND CONSTRUCTION STANDARDS

INTRODUCTION

The Development and Construction Standards are part of the restrictions governing the development of Southern Bluffs. The Homeowners Association expressly reserve the right to modify or amend the guidelines. Re-evaluation and updating will occur as deemed necessary.

These Guidelines deal with both site and development concepts. As necessary, certain details of construction and landscaping are discussed to enhance the architectural quality and aesthetic value of Southern Bluffs. To ensure compliance with these guidelines a review process has been included to guide development and construction.

ARCHITECTURAL REVIEW COMMITTEE (ARC)

The Architectural Review Committee, also known as the ARC, has been formed to promulgate the Development and Construction standards. This includes the review procedures for design of the home and landscaping. The members of this committee shall consist of 3 – 5 members appointed by the Board of Directors of Southern Bluffs. Each member of the committee shall have an equal vote, and the majority of all members shall constitute a decision for approval or denial of an application. The ARC shall meet as needed to review applications.

DESIGN REVIEW PROCESS

The purpose of the Design Review Process is to assure the protection of covenants, the environment, and individual property values. The review process will consider the merits of home design and landscaping that will provide benefits to the community as a whole. The process may also consider the lack of conformity of design as objectionable to the community as a whole.

1. **Application for home construction.** Each lot owner desiring to build a new single-family residence within Southern Bluffs must submit a completed application along with the application fee **BEFORE** construction begins on any lot. A building permit from the City of Cortez is required for all construction.

2. **Application for Addition, Improvement, Alteration or Modification.** Each owner who plans to add to or modify the exterior of a structure or any other change to the property must first submit an Application for Addition, Improvement, Alteration or Modification. A

building permit may be required by the City of Cortez. The primary goal of this design review procedure is to determine whether the proposed addition or modification conforms to the development standards and architectural criteria adopted by the Homeowners Association and is in harmony with the overall design of the community. Planting of plants, trees, bushes and/or flowers will not require written permission as long as the plantings are not a nuisance to neighbors or the neighborhood.

3. **Commencement of Construction.** The builder must begin construction within 90 days of approval of the Builders Application. For purposes of definition, construction commencement shall mean the placing of footings, or in the event of an addition, improvement, alteration or modification determined by the ARC. If construction has not started within the 90 days, the application will have to be resubmitted along with additional fees. In addition, construction must be completed and a Certificate of Occupancy obtained within 365 days of the commencement of construction.
4. **VARIANCES.** All variance requests shall be made in writing. Any variance granted shall be considered unique and will not set a precedent for future decisions.

CONSTRUCTION STANDARDS AND GUIDELINES

1. **START OF CONSTRUCTION.** No lot clearing may be started until all government permits are approved and formal written approval from the ARC has been granted.
2. **CONSTRUCTION HOURS AND NOISE.** Construction hours shall not start before 6:30 am and will terminate no later than 8 pm. Loud radios/music is not permitted on the construction site.
3. **SITE CLEAN UP.** All construction sites must be maintained in a neat and orderly manner. Trash shall be contained in a covered dumpster. The builder is responsible for trash that blows off the site and shall retrieve such trash immediately. There will be no stockpiling of materials on the streets. Mud/dirt must be removed from the streets that is attributed to the construction of the property. Site clean up will be billed back to the builder if not taken care of in an orderly and prompt manner.
4. **CONSTRUCTION DAMAGE.** Any damage to the community's infrastructure or other property by a builder will be repaired by the builder in an orderly and prompt manner. If not repaired it will be repaired by the HOA and billed back to the builder.

ARCHITECTURAL CONTROL STANDARDS

All building and improvements to the exterior of homes including color choices, additions of patios, fencing, and storage units will require review and approval by the Architectural Review Committee (ARC). An application form and guidelines will be made available by any ARC or board member.

All construction and installation of any improvements shall comply with city, state, and federal building and land use regulations. Compliance with these regulations is the responsibility of the homeowner. ARC review and approval is not a review, nor an approval, for compliance with any local, state, or federal building or land use regulation.

Building, electrical, or plumbing permits may be required. The determination of the necessity of any permits is the responsibility of the homeowner. The acquisition of any necessary permits is the responsibility of the homeowner.

Changes to the proposed plan necessitated by permits or compliance with local, state, or federal building or land use codes are subject to additional review by ARC.

It is the strong desire of the Board of Directors of Southern Bluffs that homeowners with concerns regarding their neighbor's property first discuss with their neighbor and try to resolve the issue and/or concerns. Many times, a friendly discussion can bring an awareness of an issue and an easy solution to a concern.

If this does not resolve the concern, or if you desire some guidance/help setting up a discussion, then please contact an ARC member or Board of Directors.

Awning and Patio Covers: The ARC must approve any exterior permanent and/or retractable awning. This restriction does not apply to table mounted umbrellas in the backyard. The awning shall be clearly compatible with the architectural design and qualities of the home.

Building and Site Compliance: No exterior construction work will begin before 7:00 am or continue after 6:00 pm Mon – Sat and 10:00 am to 6:00 pm on Sundays. Loud music will not be allowed at any time. The construction area shall be kept free of litter and debris daily. The street will be cleaned from dirt, gravel, mud, etc. Portable toilet(s) will be in place prior to construction beginning.

Exterior Air Conditioners: Exterior air conditioning units or heat pumps may be located or added provided there is no adverse visual impact to adjoining properties. New individual air conditioning units extending from front or visible windows are prohibited except for a medical necessity.

Exterior Lighting: Exterior lighting should not cause glare on adjacent properties. Maintenance and replacement of existing exterior lighting does not require ARC approval. Floodlights and spotlights mounted on poles above 24' are prohibited. All holiday lights must be removed from the exterior of the house no later than thirty (30) days following the holiday. Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of the house.

Exterior Paint Colors: Applications are not required for any repainting which does not change the material or color of the existing paint.

An application for changing the color scheme of the home is required before beginning to paint. Homeowners should include with the application the specific color(s), description of application and any other information deemed pertinent.

Fences: Rear and side yard fences do not require ARC approval. Fences can be used for the following purposes: to visually define the property lines; to provide security; as an architectural feature intended to enhance the physical appearance of the house or property.

Chain Link Fences: Chain link fences are not permitted under any circumstances.

Vinyl Fences: Vinyl Fences will be permitted and shall not exceed 6 feet in height.

Wood Fences: Wood fences may be permitted with ARC approval.

Garbage, yard waste and recyclables: No lot, vacant lot, open space, common property, or street shall be used as a dumping ground for trash or rubbish of any kind. All garbage, yard waste and recyclables shall be kept in appropriate sanitary containers for proper disposal. Containers should be kept in the garage, behind a fence in the side yard of the home, or next to the garage. Containers should be put out no earlier than the night before collection; then put stored appropriately by the next night. Usually this is a 24-hour period.

Garden Architecture: ARC approval is not required for the installation of gardening structures. Owner is encouraged to discuss with immediate neighbors the installation of gardening structures that exceed fence height.

Grandfather Clause: The restrictions outlined in this standard shall apply to all homeowners after February 2020. These restrictions shall not be applied to existing properties provided safety is not an issue.

Hot Tubs/Spas: Exterior hot tubs or spas must be located in the rear yard. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which it is attached or closely related. The installation of Hot Tubs/Spas requires notification to the ARC.

House Numbers: House numbers within Southern Bluffs are required for reasons of security and public safety as well as for aesthetic appearance and community standards.

House Numbers painted on the curb immediately in front of the house are encouraged for several reasons including emergency vehicles.

Landscaping: Ongoing improvements to and maintenance of existing landscaping for individual homes is required. All new homes are required to have landscaping done within 12 months from the Certificate of Occupancy being issued regardless if the home is being occupied or not. Weeds and untrimmed trees, shrubs, etc. will not be permitted. If yards are not cleaned within two weeks then the ARC will give written notice to the homeowner. The Association reserves the right and authority to provide maintenance as is necessary and charge the Owner a Default Assessment in accordance with the CC&Rs if Owner fails to perform the maintenance within the time period specified in the letter.

It is not required but strongly encouraged that the front yard has at least one tree or shrub. Zeriscaping or Xeriscaping is acceptable. Zeriscaping is defined as a yard filled predominately with gravel and other homogenous landscape materials containing few or no plants. Xeriscaping is defined as a landscape design that uses low-water-use or drought-tolerant or resistant plants that require little to no supplemental irrigation.

Southern Bluffs is owned by the homeowners and the appearance of each and every home within its boundaries affects not only the overall look of the community but the individual property values within it.

Lawn mowing should be confined to the following hours: Mon –Sat 8 am to 8 pm and Sun 10 am to 8 pm.

On-Street Parking: On-street parking is allowed within the Lot's frontage extents (i.e. no vehicle parking in front of other Owner's Lots); however, vehicles must be parked facing the direction of traffic flow and shall not be parked closer than 20 feet to a fire hydrant or an intersection, nor on Southern Bluffs Parkway where it is divided (Seventh Street to the clubhouse).

Recreational Equipment: Semi-permanent play equipment over 8 feet in height must be placed in rear yards. Examples include playhouses, swing sets, and trampolines.

Recreational Vehicles: Storage of full-size RV's, travel trailers, fifth wheels, motorhomes, and campers is not permitted on streets. The only outside storage permitted is defined as the driveway, side yard or backyard of the home. If a recreational vehicle is too large for the driveway, it can be parked at the curb for no longer than 48 hours for loading and unloading purposes.

Roofing: Cement or metal tile roofing, architectural asphalt shingle and standing seam metal roofing are the only acceptable types of roofing allowed. Colors must blend in with the surrounding homes. No propanel type roofing or wooden shingle roofing will be permitted.

Siding: Siding on new homes must have ARC approval prior to installation and should be included in the application form. Replacement siding on existing homes does not need ARC approval if the materials used are the same. If changing

to something new, ARC approval will be needed. Acceptable siding materials include cedar, stucco, fiber cement siding (i.e. hardiplank), or brick. Metal siding consistent with approved building styles can be used pending ARC approval. All homes shall have the main siding with an accent siding such as stone or brick. Siding shall not be overly reflective or brightly colored.

Sidewalks and Driveways: Sidewalks, driveways, and pathways located in front of the home and/or the side for a corner lot must have ARC approval prior to installation. Sidewalks and pathways located within the fenced area, rear or side, of the lot do not require ARC approval.

All lots with homes must have a sidewalk in the front. Homeowners that purchased an extra lot beside their existing home lot used to extend their yard space shall install a sidewalk in the front. This will keep the continuance of the sidewalk going for safety purposes.

Sidewalks adjacent to the street are public; yet the homeowner is responsible for maintenance.

Stonework or brickwork: ARC must approve any design change to the exterior of the home if it is changed from the original product used.

Solar Panels: Solar panels whether for heating, hot water, or electrical generation are permitted but must be approved by the ARC. Application for approval must include construction details, permits, etc. Solar panels should be mounted in the side or rear yard or roof to minimize visibility from street side unless such installation seriously impacts the performance of the unit(s).

Storage Sheds: All permanent and removable sheds require ARC approval and should be hidden from street view and conform to the architecture of the house.

Material and Finish: The exterior walls and doors of sheds must be constructed of either wood whose color and finish or of siding whose color, style and finish match that of the exterior materials of the house. Shed roofs must be similar in color and materials to that of the house.

Removable Storage Sheds: Heavy duty rubber or unbreakable plastic or composite storage sheds that are portable and temporary in nature, (i.e. not permanently attached to the house or a fence) may be approved providing that they are (1) minimally visible from street side; (2) minimally visible by neighbors; and (3) aesthetically harmonious with the home in terms of color and texture/finish.

SOUTHERN BLUFFS ARCHITECTURAL PLAN SUBMITTAL AND GENERAL INFORMATION

Welcome to Southern Bluffs. We hope you will enjoy our subdivision and take advantage of our friendly neighborhood setting with all it's amazing views. Included within this form is some general information we hope will be helpful and the materials we will need to approve your new home for construction.

General information The Southern Bluffs Subdivision is incorporated into the City of Cortez but it's streets are maintained by the homeowner's association. All building codes are enforced by the City of Cortez and design standards are enforced by the architectural committee. For general code information you may visit the city's website (cityofcortez.com) and for general information on the subdivision (southernbluffshoa.com).

Subdivision amenities include access to the clubhouse with an appointment. This is free of charge for residents but there is a charge for others who would like to use the facility. The park along 7th street is also available for residents. For new residents the mail is accessed at the mail box adjacent to the clubhouse. You will need to set up a box at the post office even though your street address is used for your return mail. Trash and recycling service are set up with the City of Cortez service center. Trash and recycle containers are provided by the City and trash is picked up on Monday mornings. Recycling is generally picked up on Tuesday mornings. Keep in mind that the containers are required to not be left on the street and must be put behind an enclosed area at the rear or side yard of the home by subdivision rules.

NEW HOME PLAN SUBMITTAL INFORMATION

Owners name		
Owners current address		
Owners phone number		
Owners email		
Lot number and address of proposed construction	Lot#	Address

Contractor name		
Contractor address		
Contractor phone number		
Contractor email		

Please provide the following information for plan approval

- One copy of the home plans including exterior drawings.
- Description of materials used for siding, roof, and colors used. Keep in mind that all homes are to be no more than one story in height. Maximum roof pitch is 5:12 with the peak of the roof not to exceed 20' above the foundation. Muted colors (mostly earth tone) are used within the subdivision. The exterior requires two different types of materials to be used.
- _____ Initial here showing you have reviewed the CCR's (covenants, conditions, restrictions).
- Attach a **\$500 check** for impact fee to the subdivision. This check will be returned if the plans submitted are denied. The plans **WILL NOT** be accepted, nor can construction begin, without the fee and plan approval. You will be notified by email or phone with plan acceptance or denial.
- Contractors are responsible for worksite maintenance including dust, mud, trash, and noise control.

Date submitted _____, 20__ Owner signature _____

PLAN (ACCEPTED) (DENIED) DATE _____, 20__ COMMENTS _____

<u>Ck'd</u>	<u>Detail of Construction</u>	<u>Information</u>
		Elevation / Picture submitted – one story only, max roof height above sill plate 20', minimum 3/12 pitch, maximum 5/12 pitch. Minimum square footage is 1,200 sf.
		Site plan – Show dimensions of home/garage including setbacks from property line. Attached garage minimum of 2 cars required. Sidewalks and concrete garage approach is required.
		Siding – stucco, masonry, wood/manufactured wood, horizontal concrete type. Provide sample colors.
		Siding color(s) – muted colors required. Earth tones preferred.
		Secondary siding required on front
		Roofing type – dimensional/architectural shingle
		Roofing color
		Windows – vinyl and wood acceptable. No unfinished aluminum. Windows should be in harmony with exterior coloring.
		Fencing – front yard fencing is not allowed. Side/rear yard fencing materials include vinyl, wood(no log or snow), and composite material. No chain link or other types of metal fencing is permitted.
		Exterior lighting – must conform to dark sky requirements.
		House numbers/mailboxes – house numbers are required for building permits. Mailboxes are located at the entrance to the community.
		Front yard landscaping – xeriscaping is allowed. One tree is required with a minimum of 2" caliper. Landscaping shall be finished in keeping with neighborhood standards.
		Antennas / solar panels – These must be placed behind the first half of the home's roof line. They should not be obvious from the street facing the home.
		Fireplaces – interior gas and pellet fireplaces are permitted. No wood burning interior fireplace is allowed. A <u>small</u> back yard wood burning firepit is allowed. Firewood must be placed behind the fence line and not visible from the street. Only cured firewood is allowed.

NON-PERMITTED USES

1. **Trailer/RV parking** in the front yard or street. The exception to this is a 48 hour window to load/unload a trailer.
2. **Trash and recycling containers** must be placed off the street in a non-conspicuous location on the property. The exception to this is they may be placed close to the street the night before pickup. They must be off the street area within 24 hours of scheduled pickup.

COMMENTS: