

Pagosa Lakes Property Owners Association
IMPROVEMENT DESIGN STANDARDS
&
PROJECT PERMIT PROCESS

SECTION 3: ARCHITECTURAL AND ENVIRONMENTAL STANDARDS

3.1 Architectural Requirements and Standards

3.1.1 **Setbacks:** All Structures and potential future Improvements must be designed and located to meet the setback requirements outlined in the respective Declaration of Restrictions as summarized in *Section 10*.

3.1.1.1 A Driveway or walkway constructed at finished grade is excepted from the setback requirements.

3.1.1.2 A parking area or Parking Pad used for parking or storage of Vehicles, other equipment or material must comply with setback requirements.

3.1.1.3 The side Property line setback distance for eave or roof overhang is in some cases less than the setback for the Building or Structure. Verify specific setback requirements with the Department of Community Standards (DCS).

3.1.1.4 A Colorado registered professional land surveyor shall conduct an “As Formed” survey that verifies the approved Site Plan if the proposed construction is within three (3) feet of a setback line, or if a setback variance is granted. An “As Formed” survey may be required on any other project deemed necessary by the Environmental Control Committee (ECC). Review and approval of a required survey must be completed by the ECC prior to constructing the foundation. For “As Formed” (or ILC to verify site location) requirements of a Mobile/Manufactured Home on a MH50 lot in the Pagosa Vista subdivision see Section 4-8 note 4.

3.1.1.4 The required 50-foot setback requirement on lots adjacent to the golf course are measured from the property line adjacent to the golf course property.

3.1.2 **Building Code Compliance:** It is the Property Owner’s responsibility to ensure that all Structures built or placed on a Lot or tract including MH50 lots in Vista Subdivision are approved by the Archuleta County Building Inspector as complying with the most recent applicable edition of the Archuleta County building code.

3.1.3 **Modular Home:** Plans and specifications for Modular Homes and similar types of Improvements may be approved unless prohibited by specific Subdivision Declaration of Restrictions. Modular Homes and similar types of Improvements must meet the same requirements as other new major construction, e.g. exterior design, exterior finish, changes in elevation or roofline appearances, door/window and corner trim, garage, etc. and as determined by the ECC to be attractive and compatible with the neighborhood and the character of each Subdivision.

3.1.4 **Mobile/Manufactured Home on a MH50 Lot in the Pagosa Vista Subdivision**

3.1.4.1 The home must be inspected by the DCS and certified as in “acceptable condition” if it is a used home, per Section 2.1, prior to placing it on a MH50 lot in Pagosa Vista.

3.1.4.2 The home must comply with the Federal Housing and Urban Development (HUD) Manufactured Home standards (constructed after 1976), including 65 pounds per square foot live snow load for new homes. Used homes must meet the Colorado Coded requirements, (See County website for details moving used homes here from elsewhere) See Section 2.1 for used home requirements.

3.1.4.3 The home foundation plan must meet the state or manufactures set requirements and be capable of meeting “purging” requirements. The home must be “purged”.

3.1.4.4 A 32 square foot covered entry.

3.1.4.5 A 60 square foot minimum sized free-standing storage building, preferably 6’ X 10’, with siding and roof materials in colors identical, or in the judgment of the Committee, compatible to the home *must be installed on the property*.

3.1.5 **Modular Home on a MH50 Lot in Pagosa Vista Subdivision**

3.1.5.1 The home must be installed on a permanent foundation, as approved by Archuleta County Building Department. Plans need to comply with the “typical foundation plans” available on their website <http://www.archuletacounty.org/186/Typicals-for-Construction> and plans must be stamped by the State HUD office.

3.1.5.2 The home must be attached to a full foundation.

3.1.5.3 A 32 square foot covered entry is required.

3.1.5.4 A minimum size of 60 square foot freestanding storage building, with siding and roof materials in color identical or in the judgment of the Committee, compatible to the home must be installed on the property.

3.1.6 Commercial or Multi-Occupancy (4 or more) Residential Building: Due to significant visual impact of commercial or multi-occupancy Structures, the Owner or their authorized agent(s) shall arrange a review with the ECC of preliminary plans prior to initiating any final design. Design guidelines as developed as a result of the review session shall be used as a basis for all plan preparation.

3.1.7 Model or Exhibit Homes: Unless otherwise specified in the governing documents of a subdivision, the master Declaration of Restrictions Section 7, K. states “no owner of any lot shall build or permit the building thereon of any dwelling house that is to be used as a model house or exhibit unless prior written permission to do so shall have been obtained from the Committee.”

3.1.8 Plans for major projects shall consist of:

3.1.8.1 A foundation plan, including supports for Deck or porches.

3.1.8.2 A floor plan for each level, which includes a compass north.

3.1.8.3 A north, south, east, and west elevation.

3.1.8.3.1 On at least one elevation, the following shall be identified:

- Exterior siding or surface treatment i.e., 1x8 cedar, “D” log, stucco, cedar shakes, etc.
- Trim e.g. 1x4 cedar, etc.
- Fascia e.g. 1x6 cedar, etc.
- Roof material e.g. architectural grade shingles, metal, etc.
- Roof slope e.g. 5 in 12, etc.
- Deck or porch surface e.g. redwood, composite material such as Trex®, concrete, etc.
- Wainscot/skirting material e.g. natural stone, cultured rock, etc.
- Path of travel to front door with no snow shedding/ accumulation issues
- Drainage plan
- Location of Propane tank shown, and type of screening described
- Fully shielded outdoor lighting required to meet section 3.1.16
- Archuleta County Road and Bridge right-of-way access permit

3.1.8.3.2 The ground floor surface level and exterior grade shall be identified on each elevation.

3.1.8.4 An exterior wall section.

3.1.8.5 A Proposed Landscape Planting plan showing the type of hardscape, vegetation, nonvegetative grass turf, drought tolerant vegetation and xeriscape the location of same on a plot plan or improvement location certificate of the Lot which shows the location of existing or proposed Buildings or Structures, easements and setbacks. Submit Landscaping form.

3.1.8.6 Other requirements for each plan:

3.1.8.6.1 Subdivision name, lot number and street address

3.1.8.6.2 Functional title e.g. FLOOR PLAN, ELEVATION, FOUNDATION PLAN, etc.

3.1.8.6.3 An individual page number.

3.1.8.6.4 Each plan should be drawn to scale which must be clearly identified.

3.1.9 **Site Plan** is required for initial construction. It shall show Structure locations, Trees, drainage and other physical features such as Driveways and Parking Pads, front entry and other walkways, mechanical equipment, propane tanks, retaining walls, etc. For subsequent constructions, a revised or “marked up” Site Plan or a dimensioned site plan, showing adequate information, may be substituted.
(Section 4.8)

3.1.10 **Buildings and Structures**

3.1.10.1 Any Building in excess of 200 square feet will require the same plans as for a Major Project per *Section 3.1.8 and 3.1.9*.

3.1.10.2 Any free standing or other outbuilding of 200 square feet or less in area can be proposed with adequate two *dimensioned* drawings or sketches showing location on the Property *and details per Section 4.9*.

3.1.10.3 All Buildings and Structures shall have an architectural design, color treatment and materials that are identical or, in the judgment of the ECC architecturally compatible with the main house.

- 3.1.10.4 Construction of any Building (e.g. workshop, storage building etc.) may not be started until a residence is Substantially Complete on the Property.
- 3.1.10.5 Construction of any Building(s) or Structure(s) on a consolidated, unimproved originally platted vacant Lot must also be consistent with and integral to the design and development of the main house and Lot.
- 3.1.11 **Roofs:** Roofs potentially have the greatest impact upon the overall image of Pagosa Lakes from many public viewpoints, community spaces and individual Lots. For that reason, roof design will be one of the most carefully considered elements by the ECC.
- 3.1.11.1 The roof pitches, forms, color, texture and reflectivity are all key design considerations to ensure minimal visual impact. The design of Roofs should give consideration to snow accumulation and shedding. Designs should prevent snow shedding and accumulation in front of garage doors, in front of entry doors or on the walkway to the front door. The walkway to the front door shall be clearly shown on the PILC or plot plan confirming the lack of snow shedding and accumulation issues.
- 3.1.11.2 Wooden shake Roofs are prohibited.
- 3.1.11.3 If asphalt shingles are used, only architectural grade will be approved, except for re-roofing of a Mobile/Manufactured Home in the Pagosa Vista subdivision on a MH50 lot when equal or greater quality shingles shall be used.
- 3.1.11.4 Roofs of single or duplex residences, commercial, and multi-occupancy residential buildings shall be multi-leveled, have a stepped ridge line or contain other architectural features to preclude a straight, box-like appearance except for a Mobile/Manufactured Home in the Pagosa Vista subdivision on a MH50 lot.
- 3.1.11.5 A simple pattern of primary and secondary Roof forms, relatively steep pitches, and a limited palette of materials and colors are the primary characteristics of acceptable Roof forms for residential units.
- 3.1.11.6 Flat Roofs on Santa Fe pueblo-style Structures with adequate drainage are acceptable.
- 3.1.11.7 Commercial Buildings utilizing a flat or low-pitched Roof shall be required to incorporate other design elements or secondary Roofs to

avoid a straight, box-like appearance. Roof mounted equipment must be adequately screened from view from the street and other Lots.

3.1.11.8 Eaves shall overhang a minimum of 12 inches beyond the outside vertical plane of exterior walls except for a Mobile/Manufactured Home in the Pagosa Vista subdivision on a MH50 lot.

3.1.11.9 All extensions from the Roof such as chimneys, flues, vents, gutters, skylights, etc. shall be located and finished to complement other elements of the design and shall be shown on plans.

3.1.12 Foundations and concrete walls:

3.1.12.1 A home shall be supported and attached to an approved perimeter foundation (or other County approved foundation) except for a mobile/manufactured home on an MH50 lot in the Pagosa Vista subdivision, which can have a state approved non-perimeter foundation and adequate non-structural perimeter skirting.

3.1.12.2 Foundations and/or skirting more than 6" above grade and all raw concrete walls shall be colored to blend with the rest of the Structure or environment. Texturing or other surface treatment is allowed.

3.1.13 Exteriors

3.1.13.1 Wooden shingles and vinyl materials are allowed as siding if they provide visual relief and shadow patterns.

3.1.13.2 Fascia and trim is required and shall be a minimum of ¾ inch thick to provide visual relief and shadow patterns. Fascia and trim is required to be ¾ inch thick on a Mobile/Manufactured Home in the Pagosa Vista subdivision on a MH50 lot only when replaced.

3.1.13.3 Metal treatments on a home or used for skirting having a "Rust" color or finish must be pre-rusted before delivery to the property for health and safety reasons.

3.1.14 **Entries:** The first-floor front or street view entryway to the residence shall have a minimum of thirty-two (32) square feet in area and covered entry. Covered entries shall be designed to avoid snow dump and/or ice build-up on walking surfaces.

3.1.15 **Colors:** A proposed color scheme, for any residence or Structure, shall be subject to an on-site evaluation by the ECC and/or DCS to ensure its harmony with the immediate neighborhood – all Lots and Structures within 300’ of the Property in question. Green and brown, or otherwise earth tone colors that “blend into the surroundings” are strongly preferred.

3.1.15.1 Changes to existing colors must be proposed by a written request for project approval, with no fee, identifying the color(s) placement and finish.

3.1.16 **Outdoor Lighting Standards:** The intent of these standards is to provide outdoor lighting parameters which will minimize light pollution, glare and light trespass, while maintaining night-time pedestrian, vehicular and property, safety and security. All proposed, new or replacement exterior light fixture shall conform to these standards.

3.1.16.1 **General Requirements** - All exterior lights (new or replacement fixtures) shall be fully shielded, including motion detection security, walkway, building entry, architectural, landscape, parking, flag and all other exterior lighting. Bulbs or light sources that are visible from the street or adjacent properties mean that the fixture is not fully shielded and are not allowed.

3.1.16.1.1 Light trespass to adjacent properties is not allowed. Maximum light level of one-half (0.5) foot-candle at any property line. Additionally, bulb or light sources shall not be visible when viewed from 5 feet high at the property line.

3.1.16.1.2 Decorative lighting for landscape or structures shall not be faced upward and must be fully shielded.

3.1.16.1.3 No clear or translucent diffusers allowed on the sides, front, top or below the light fixture, including amber or other colors.

3.1.16.1.4 Light Fixtures equipped with motion detector devices shall not stay illuminated for longer than 5 minutes and shall be fully shielded.

3.1.16.1.5 Lighting attached to single-family home or installed on a residential lot shall not exceed the height of the eaves or 12 feet, whichever is less.

3.1.16.2 Technical Requirements

- 3.1.16.2.1 Incandescent light sources not allowed.
- 3.1.16.2.2 High Intensity Discharge light sources require ECC approval and shall only be considered for non-residential applications.
- 3.1.16.2.3 Intermittent blinking, fading, flashing, changing intensity, rotating or strobe light illumination is not allowed, except as required by governmental authority or as approved by the ECC for non-residential applications (Holiday lights excluded).

3.1.16.3 Commercial

- 3.1.16.3.1 External Sign Illumination may be approved by the ECC for commercial property only
- 3.1.16.3.2 Internal Sign Illumination may be approved by the ECC for commercial property only.
- 3.1.16.3.3 Temporary Special Event Lighting, approval on case by case basis by the ECC.
- 3.1.16.3.4 Parking Lot and Commercial Property Lighting, Pole mounted light fixtures shall not exceed 15 feet in height and require a photometric design that meets the 0.5 foot candle maximum at the property perimeter with a maintained foot candle range of 0.5 to 3 foot candles*on the property.
- 3.1.16.3.5 Canopy and Service Lighting - All lighting from the canopy must be substantially confined to the ground area directly beneath the perimeter of the canopy with a foot candle range of 5-10 foot candles*.
- 3.1.16.3.6 Building Entry Lighting - Shall comply with lighting standards and a 2-5 foot candle* light level

*Recommended Source – Illuminating Engineering Society of North America (IES or IESNA)

3.1.16.4 Submittals and Approvals

- 3.1.16.4.1 All exterior light fixture selections and subsequent changes must be submitted to ECC or PLPOA Administrative Office for approval prior to purchase and installation.

3.1.16.5 Definitions

- 3.1.16.5.1 External Sign Illumination: A source of external illumination located away from the sign or structure.
- 3.1.16.5.2 Fully Shielded: A light fixture constructed and mounted such that light emitted by the light fixture, either directly from the light source or a diffusing element, or indirectly by reflection or refraction from any part of the light fixture, is not visible at the property line.
- 3.1.16.5.3 High Intensity Discharge Lighting: High Pressure Sodium Lighting, Low Pressure Sodium Lighting, Mercury Vapor Lighting and Metal Halide Lighting.
- 3.1.16.5.4 Internal Sign Illumination: A source of illumination contained entirely within the sign that makes the contents of the sign visible at night by means of light being transmitted through a translucent material. The source of the light shall not be directly visible through the translucent material.
- 3.1.16.5.5 Light Trespass: Light falling across property boundaries, on adjacent properties or roadways at greater than one-half (0.5) foot-candle at the property lines, or visible light bulbs at the property line.
- 3.1.16.5.6 Lumen: The unit used to measure the actual amount of light which is produced by a light source.

3.1.17 Acreage Lot Use:

- 3.1.17.1 For Pagosa Meadows II, III, and IV, and Martinez Mountain Estates I (lots 1 through 59 and lots 102 through 136) and Martinez Mountain Estates II, a maximum of five (5) Structures of the following can occupy one Lot:
 - 3.1.17.1.1 One Single-Family Dwelling

3.1.17.1.2 One Guest House (No full kitchens allowed) may have a 12” X 12” sink, 6 Cubic Foot or smaller refrigerator, and no cooking appliance or stovetop.

3.1.17.1.3 Additional Structures such as: storage Building, detached garage/workshop, or barn.

3.1.17.2 The Environmental Control Committee may grant a Variance to build additional Buildings in accordance with the Declaration of Restrictions.

3.1.18 **Garages:**

3.1.18.1 Plans and specifications for new residential construction including multi-occupancy residential Buildings must include at least a 12’ x 20’ single-car, fully enclosed garage for each living unit, except for a Mobile/Manufactured Home in the Pagosa Vista subdivision on a MH50 lot.

3.1.18.2 Garage conversions – A new garage must be completed prior to an existing garage being converted into living space or any other use.

3.1.18.3 Garages may be designed for storage of boats, trailers, motor homes, campers or commercial type trucks, but must still accommodate at least one (1) passenger Vehicle.

3.1.19 **Outdoor clothes drying** must be so placed or screened to be as least visible as possible from any street, waterway or golf course within or adjacent to the Development.

3.1.20 **Residential Dumpsters** must be screened from view or so placed to not be visible from any street, residential property, waterway or golf course. Non-temporary installation of trash dumpsters is permitted provided that dumpsters are located on a pad of all-weather materials (gravel, asphalt or concrete) and are screened, on at least two (2) sides. Screening shall be opaque and of sufficient height to conceal dumpster unit(s) from visibility as described herein. Permit requirements for the installation of such enclosures shall be the same as for fencing.

3.1.21 **Street Address Numbers:** At the time of Substantial Completion of the primary Structure on a Lot, the county specified address number shall be installed by the builder where it will be easily read from the road. These numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of ½ inch (12.7mm), in a contrasting color to the house or background. A County issued reflective address number will also meet these requirements. Where access is

by means of a private road and the building address cannot be viewed from the public road, the address number shall be installed at a height of 5 feet from the ground, on a post or other means, placed by the private road entrance and located so that snow plowed off the road does not bury it.

3.1.22 **Privacy screening:** A Deck or patio can be screened up to 6 feet in height above the surface of the Deck or patio. Such screening should be immediately adjacent to the Deck or patio.

3.1.23 **Commercial Property Storage and Equipment Yards** shall provide an attractive appearance along public streets and by screening from view those uses which may be unattractive to the public eye. Screening shall be opaque fencing or walls up to eight (8) feet in height. Fencing may be chain link, with Committee approved vinyl slats, picket style fencing, or other approved materials painted or with integral color per Committee requirements. Landscaping may be used to create an attractive appearance as long as it is well maintained and blends with the surrounding landscape and architecture. Species shall conform to native and/or those recommended for existing soil and elevation conditions.

3.1.24 **Identical Structures** in which structural features and Roof configurations have the same or substantially similar elevations to other Properties in close proximity are prohibited. Prior to Committee approval, significant exterior features and Roof modifications are required to make them no longer identical.

3.1.24.1 Identical residences shall not be located side-by-side or directly across the street from each other.

3.1.24.2 Making one of the side-by-side or directly across the street houses opposite handed or a mirror image does not remove the identical designation.

3.1.25 **Driveways/Parking Pads:**

3.1.25.1 A Driveway is an access point to a Lot from a maintained road. (An Archuleta County “Right of Way” permit is required for all accesses off a County maintained road, onto private property.)

3.1.25.1.1 The width of a driveway entrance where it meets the road shall not exceed 30 feet.

3.1.25.2 A Parking Pad is an off-street parking area designed, used, required or intended to be used for parking, storage, maintenance, service, repair,

display or operation of motor Vehicles, and may include Driveways or access ways in and to such areas.

- 3.1.25.3 A Driveway or Parking Pad must be of “all weather construction” using concrete, asphalt, gravel, pavers and/or stone.
- 3.1.25.4 A Driveway or Parking Pad may not be constructed on a vacant Lot. Larger (over 3 acres) lots may apply for a driveway.
- 3.1.25.5 A “Hammerhead” is an extension to one side of a driveway that Provides space for a vehicle to back in and out. It shall not be part of the driveway entrance and must be within all property lines. The size is subject to approval by the ECC on a case-by-case basis.
- 3.1.25.6 A minimum of two (2) off-street parking spaces shall be provided for each residential Lot except where noted in the following land use Districts (R-I-P, R-I-T, R-3, R-4). The minimum size of each off-street parking space shall be one hundred eighty (180) square feet and measuring nine (9) feet wide and twenty (20) feet long. Parking shall either be accommodated on a Driveway, or on Parking Pads which shall not encroach into setbacks. For duplexes, parking may be accommodated with tandem spaces. The Committee will consider aesthetics in regard to the total amount of allowed parking area coverage.
- 3.1.25.7 Parking spaces for Vehicles or storage of boats, trailers, motor homes, and campers must be provided within an approved Driveway, Parking Pad or in an enclosed Structure. A parking area or Parking Pad must comply with setback requirements. The use of a Driveway or Parking Pad may be further restricted by a subdivision’s Declaration of Restrictions.

3.1.26 Guest House:

- 3.1.26.1 Construction of a Guest House must be specifically allowed by the subdivision Declaration of Restrictions.
- 3.1.26.2 A Guest House must meet all the standards for a single-family residence *except it **shall not** have a kitchen (Ref. section 2.25).*
 - 3.1.26.2.1 Guest House construction shall only be allowed after the main residence is completed.

3.1.26.2.2 A Guest House has no minimum living area requirements.

3.1.27 **Solar Panels:** Solar energy collectors and other renewable energy generation devices shall be installed in accordance with manufacturer's standards and State Electrical and Plumbing Board regulations. The ECC reserves its right to control placement of such devices as Colorado Law provides (*Permitting Section 12*)

3.1.28 **Retaining Walls:**

3.1.28.1 All retaining walls shall provide adequate drainage of ground water that collects on its high side.

3.1.28.2 An application for a retaining wall, 36 inches high or less, will require a sketch showing the location on the property with length and width dimensions and cross sections through the wall with dimensions shown.

3.1.28.3 Retaining walls, taller than 36 inches, will require designs and drawings produced by a professional engineer registered in the State of Colorado.

3.1.28.4 The Property Owner is responsible for notifying and obtaining a release from utility companies, for any retaining wall proposed for installation in a utility easement area.

3.1.29 **Growing Domes and Greenhouses** - Growing Domes and greenhouses of any size shall be permanently anchored according to manufacturer's specification.

3.1.30 **Children's Play Equipment**

3.1.30.1 Swing sets, playhouses (65 square feet or less), trampolines, portable wading pools and other similar children's play equipment DO NOT REQUIRE written approval UNLESS they have members anchored in the ground with CONCRETE.

3.1.30.2 A written request application must be submitted to the ECC for approval, with no fee, for any playhouse with an area over 65 square feet and/or permanently anchored in the ground. The request shall indicate the *structure's* location with *respect* to setbacks and explain how it will be compatible with the neighborhood and surrounding area.

3.1.30.3 A written request application must be submitted to ECC for approval, with no fee, for any Tree house.

3.1.30.4 Tree house and playhouse colors and materials shall be in harmony with the main structure on the lot, the neighborhood and surrounding area.

3.1.31 Temporary/ Seasonal Structures:

Temporary is defined as an item or structure put up on a “temporary” basis to last no longer than 6 months, until a permanent structure can be erected and takes its place.

Seasonal is defined as an item or structure that is put up for a specific purpose for a 6-month time frame, usually for the summer or winter, that can be recurring every year for that same 6 month “seasonal” period.

3.1.31.1 Temporary/ Seasonal Items or Structures shall consist of tents, canopies, sunshades and frames covered with flexible, weather-resistant materials including those used for gardening or storage.

3.1.31.2 All Temporary /Seasonal Items or Structures shall require written approval of the ECC, except camping tents or temporary structures for shade purposes that are 12’ X 12’ or smaller, or triangles no greater than 18’ per side. Poly tarps will not be allowed as a temporary, seasonal, or shade structure. Those Temporary/ Seasonal Structures requiring ECC approval must have a roof covering compatible in color/material with the surrounding neighborhood.

3.1.31.3 Seasonal Items or Structures can be erected annually for the same 6-month period. Owner may put item or structure up each year at this same time but must inform PLPOA Department of Community Standards that you are doing so every subsequent year for 3 years. The fourth year a new permit application must be submitted. If the owner makes any changes to the item or structure, a new permit will need to be submitted. Temporary / Seasonal Items or Structures that are essentially hidden from view of the neighbors may have their supporting frames remain in place all year. Temporary/ Seasonal Items or Structures that are not hidden from view of the neighbors must have their frames removed when not in use. The ECC may approve a frame to remain up year-round at their discretion.

3.1.31.4 Temporary/ Seasonal Items or Structures shall not be supported on a permanent foundation unless a Project Permit is obtained for a permanent foundation.

- 3.1.31.5 All Temporary/ Seasonal Items or Structures and coverings must be maintained in good condition, meeting the aesthetic requirements of the Rules and Regulations of the PLPOA.

3.1.32 Portable Agricultural Structures

- 3.1.32.1 Portable Agricultural Structures include, but are not limited to, livestock housing, grain & feed storage, hay storage, livestock facilities, compost buildings and other modular prefabricated buildings.
- 3.1.32.2 Portable Agricultural Structures may be permitted only in Meadows II, Meadows III, Meadows IV, Martinez I (excluding lots 60-101) and Martinez II.
- 3.1.32.3 Portable Agricultural Structures require written approval by the ECC, with a fee equal to the total fee for a minor project permit and inspection.
- 3.1.32.4 Such Structures shall be subject to all applicable Architectural Requirements and Standards for the subdivision in which it is located.
- 3.1.32.5 No structure of any kind for the housing of animals or fowl shall be Located closer than one hundred (100) feet from any parcel boundary line; no structure of any kind for the housing of animals or fowl shall be located closer than twenty-five (25) feet to any residential dwelling, even though a residential dwelling shall be located upon the same parcel and under the same ownership as a structure for the housing or animals or fowl (Declaration of Restrictions, Meadows II-IV and Martinez I and II, Paragraph 4D, Book 126, Page 98, 9/9/1971).

3.1.33 Special Event Structures

- 3.1.33.1 Special event Structures shall be those Structures erected for events including, but not limited to anniversary parties, wedding receptions, graduation parties, birthday parties, and may not be in place more than eight (8) consecutive days without written approval.
- 3.1.33.2 Special event Structures may be completely enclosed for privacy.
- 3.1.33.3 Special event Structures may encroach upon setback areas.

3.1.33.4 Camping tents shall not be considered special event Structures. Please refer to the Neighborhood Rules and Regulations for further restrictions on this use.

3.1.34 Exterior Mechanical Equipment

3.1.34.1 Exterior Mechanical Equipment shall include, but is not limited to pad mounted equipment such as generators, HVAC (Heating, Ventilation, and Air conditioning) units, and equipment required for pools and spas.

3.1.34.2 Exterior Mechanical Equipment installations require written approval by the ECC and must be located on a Site Plan. A specification sheet with clearance allowance from the manufacturer must be submitted with the application.

3.1.34.3 Such equipment must be integrated into the building design through the use of walled or fenced enclosures that integrate sound mitigation. The equipment must be completely screened from the off-site views and placed on a concrete pad that is at a minimum, 6 inches larger, on all sides, than the equipment footprint. When locating equipment, consider avoiding areas under eaves where snow and rain water would runoff onto equipment. Storm drainage must also be considered when choosing an installation site. Generators may not be installed inside a structure.

3.1.34.4 Portable generators will not be permitted for permanent hardwired installations.

3.1.34.5 Placement of generators must be at least 5 feet from openings in walls (Such as windows, Doors, vents) and at least 5 feet from structures having combustible walls (including fences). Structures must have a fire resistance rating of 1 hour or more to place closer, with a minimum distance of 18 inches. **All** vegetation must be less than 8 inches tall within 15 feet of a mechanical installation. Clearance from the ends and front of the generator should be a minimum of 36" including vegetation. Weed barrier must be installed in the area 3 feet around equipment. The generator must have at least a 48-inch clearance from any structure, overhang, eave or projections from the wall. They must be placed in such a way that will NOT limit or contain air flow. If the manufacturer of your proposed generator allows clearances which are less than specified above,

it must be shown on the Manufacturer's specification sheet submitted with the application.

3.1.34.6 If fuel tanks are used to fuel the generator, the location of the supply tank must be shown on the Site Plan, showing if they are screened above ground or installed below ground.

3.1.34.7 Before purchasing a natural gas fueled generator, have Black Hills Energy confirm that they can supply the new generator.

3.1.34.8 Permits must be applied for through the State of Colorado for all permanent electrical, propane and natural gas connections and LPEA must be notified if an emergency generator is wired into the electrical system. Generators MUST be installed with a "double throw switch". Proof that the installation has passed all required inspections will need to be submitted before the permit can be considered "Substantially Complete" contingent upon a sound test conducted by the PLPOA.

3.1.34.9 The intensity of the sound emanating from Exterior Mechanical equipment shall not exceed 55db measured at the property line.

3.1.35 **Variances:** A property owner may pursue a variance per *Section 8*.

3.1.36 **Rainwater Collection:** Colorado House Bill 16-1005 allows the collection of rainwater at a maximum amount of 110 gallons for outdoor purposes. In order to preserve the aesthetics and values of the community, water storage containers cannot exceed 55 gallons each. Containers must be earth tone in color to blend into the outdoor landscape. All containers must be designed and marketed for rainwater collection with re-sealable lids. Unacceptable Examples are garbage cans, blue water barrels, large agriculture tanks, or rusted, partially painted stained drums.

3.1.37 Flag Poles:

3.1.37.1 The pole cannot be higher than the home and no higher than a maximum height of 20' and must be anchored in the ground per example in section 4.9.6

3.1.37.2 Flag size limit is 3' X 5' and no more than 2 flags can be flown on each pole.

3.1.37.3 Flag illumination must meet the Outdoor Lighting Standards (section 3.1.16.1)

3.2 Environmental Requirements and Standards

3.2.1 **Surface Restoration:** Upon completion of a project in which the surface area of the lot has been disturbed, Owners shall establish vegetation or other appropriate landscaping. This must be completed within nine (9) months of the project being complete or from changing grade on a property of less than one (1) foot. Owners may also desire to change the landscaping on their property not part of another project. In either situation, the Association does encourage landscaping requiring lower water use. This landscaping is important for water conservation, the aesthetics of the neighborhood, maintaining property values and erosion control. Landscaping can include planting of turf grass, native weed-free grass, native plants, hardscaping with stone/wood chips, nonvegetative turf grass, drought tolerant vegetation and xeriscape. Introduction of weeds listed as “noxious” by the State of Colorado and Archuleta County is prohibited in Pagosa Lakes.

3.2.1.1 **Drought Tolerant Landscapes:** The use of xeriscape, nonvegetative turf grass or drought tolerant or nonvegetative landscapes to provide ground covering to the owner’s property is acceptable. The following aesthetic guidelines exist:

- a. Nonvegetative turf grass must be natural green in color.
- b. Use of hardscape is encouraged on 20% of landscaping area but may be less.
- c. Installation of at least 80% of drought tolerant plants is allowable.
- d. When using hardscaping, a vegetative barrier must be used.
- e. Vegetable gardens meaning a plot of ground or an elevated soil bed for cultivating edible plants, flowers, herbs, fruit and leafy greens may be placed in the front, side or back yards of an owner’s property. Owners are encouraged to choose a location that will not intrude on the aesthetics of the property.
- f. An owner may choose from the three pre-planned water-wise garden designs already preapproved for front yards. These designs emphasize drought-tolerant and native plants. Reasonable substitute plants are allowed when a plant in the design is not available. A copy of these designs may be found in the Appendix of the Project Permit Process and on the website at plpoa.com.

3.2.2 **Silt fences:** Owners of lakefront Property, or Property determined by PLPOA staff to cause a potential impact to drainage into any lake and/or golf course, shall be required to install and maintain a silt fence during construction to deter surface

soil movement into the lakes and/or the golf course. Silt fences shall be required to be placed prior to initial excavation and remain until completion of surface restoration (re-vegetation). The PLPOA staff may specify the placement/location of the silt fence.

3.2.3 **Trees:** Trunks, cambium, or root system of all Trees within the Subdivisions must be protected. For additional information, see Tree care and protection *Section 11*.

3.2.3.1 **Tree Removal:** Trees (live or dead) shall not be cut down without prior written approval of the Committee. However, Trees may be trimmed, or live branches removed not to exceed twenty percent of Tree height from ground level without ECC approval. Thinning of excessive underbrush is recommended. A Tree Removal application must be submitted to ECC for approval, with no fee, to remove Trees. The request should include the reason for removal along with a site plan drawing or Site Plan showing the Tree location, number and species, and a Section 4.7 project agreement. The property owner/contractor will flag the proposed Trees to be removed. Staff may grant approval for Tree removal without prior ECC approval only in the event of danger to persons or Property due to dead, diseased, or otherwise hazardous conditions.

3.2.3.2 **Fire Mitigation:** If a written fire mitigation plan is proposed, it must be prepared by the Colorado Forest Service, an individual, organization, or company certified by a local government entity, Fire Chief, Fire Marshall, or Fire Protection District and submitted to and approved by the ECC.

There are three (3) safety zones in a fire mitigation plan:

ZONE 1

Zone 1 extends 30 feet from the Building or Structure on all sides. Think of this zone as the lean and green zone. Remove all flammable vegetation and mulch of any type. Plantings are limited to carefully space indigenous species. Trees are isolated (10 feet apart or more from branch tips of one Tree to another), set away from the Structure and trimmed up 10 feet off the ground. A fire free area extends 5 feet from the Building or Structure on all sides. This area should only contain nonflammable landscaping material, and/or high moisture perennial/annual plants or walkways.

ZONE 2

Zone 2 extends an additional 70 feet from Zone 1 for a total of 100 feet of modification. In this area, remove all stressed, diseased and dead Trees and shrubs. Thin and prune larger Trees and shrubs. Plantings are limited to low-growing plants and shrubs. Trees are well spaced.

ZONE 3

Zone 3 is an area beyond 100 feet from the Building or Structure. In this area, remove highly flammable vegetation such as dead or dying Trees or shrubs.

All of the above safety zones should be free from ladder fuels. Ladder fuels are any combustible material that acts to carry fire from the ground into the Tree canopy.

3.2.3.3 Tree Protection during Construction: In order to avoid root compaction, bark damage, and premature death of Trees, Owners and contractors shall be required to temporarily protect all Trees which could reasonably be damaged at their drip line until construction work has been completed. Tree protection will generally consist of temporary fences that follow the drip line or mechanical protection at the trunk such as 2 x 4 board wired to the trunk. Contractors shall not be allowed to store or stockpile construction material under the drip line of any tree to be saved. Contractors shall not be allowed to drive or park any vehicle or heavy equipment within the drip line.

3.2.4 Storm-water Runoff and Drainage Policy:

3.2.4.1 General Policy: When natural drainage patterns are disturbed or changed, the Property Owner changing the existing natural drainage is responsible for insuring that:

3.2.4.1.1 Flooding, erosion, sedimentation, and other drainage damage does not occur on adjacent lots from the discharge of storm water.

3.2.4.1.2 Existing shoulder drainage patterns are maintained when new driveways enter existing roads.

3.2.4.2 A Simple or Comprehensive Drainage Plan as defined below, which may be required by the ECC as part of the Project Permit Process, and in order to comply with the above policy, shall include but may not be limited to:

3.2.4.2.1 Measures proposed to prevent flooding, soil erosion and transportation of sediment off-site during construction and following Substantial Completion of a project.

3.2.4.2.2 Routing of flows coming onto and leaving the Lot.

3.2.4.2.3 Location of natural drainage courses and storm-water conveyances available due to existing Improvements adjacent to the Lot such as roadways or other drainage infrastructure.

3.2.4.3 A Simple Drainage Plan is required for any Major Construction Project in a single-family residential district and may be required by the ECC for any other project and shall include the following:

- A written narrative demonstrating prevention of flooding, soil erosion and sedimentation; and,
- A plot plan, Site Plan or other appropriate drawings showing routing of storm-water flows and the location of available drainage courses.

3.2.4.4 A Comprehensive Drainage Plan is required for any Major Construction Project in townhome, patio, duplex, multiple-family or commercial districts and may be required by the ECC for any other project and shall include the following:

- An in-depth storm-water drainage review by a professional engineer, registered in the State of Colorado, to include a drainage plan for the Lot and how it relates to the drainage of the surrounding area; and,
- Contain all of the elements required in a Simple Drainage Plan and is also compliant with this Storm-water Runoff and Drainage Policy.

3.2.5 **Goose Mitigation Buffer:** These buffers are to act as deterrents to geese in order to protect the lots adjacent to the lakes from the negative impacts they can have on properties.

Goose Mitigation Buffers may be placed a minimum of 10 feet, reviewed on a case-by-case basis, from the high-water mark of waterfront property. They must have closed ends to prevent geese from walking around the ends of the buffer.

POSTS:

- Post heights shall be a maximum of 22” or 2” above top wire height, whichever is shorter and consistent height for all posts.
- Post spacing shall be a maximum of 6’ apart.
- Post material shall be compatible with existing improvements.
- End posts shall be set securely in concrete or attached to an existing structure to hold wire tension.

WIRE:

- Four wires will be required, with wires attached at 4”, 8”, 14” and 20” off the ground.
- Various materials are acceptable for wire including fence wire (steel or galvanized), stranded wire (galvanized, stainless steel or coated), braided cable or suitable alternative approved by the ECC.
- Wire to be installed taut and maintained taut.