



**PINON HILLS RANCH
PROPERTY OWNERS ASSOCIATION, INC.
ENVIRONMENTAL CONTROL COMMITTEE
BUILDING & CONSTRUCTION GUIDELINES**

A. BUILDING GUIDELINES

1. **Building Envelope.** The Building Envelope defines the recommended location for all buildings and improvements on a Parcel. The Building Envelope will be determined by the Owner with the approval of the Environmental Control Committee (ECC), such approval not being unreasonably withheld. The Owner with ECC approval may design "split" Building Envelopes on a Parcel. The intention of the Building Envelope is that all structures and site improvements, such as patios, pools, accessory buildings, corrals or pens and landscape features be located within the Building Envelope. The Environmental Control Committee (ECC) has the discretion to approve deviations for improvements outside the Building Envelope.
2. **Dwellings.** All primary dwellings shall consist of not less than 1000 square feet plus an attached garage or 1500 square feet with a detached garage. This refers to minimum residential floor area (exclusive of porch, garage, covered decks, cabanas or similar structures).
3. **Setbacks.** No structure may be constructed within one hundred feet of the right-of-way line of any road within Pinon Hills Ranch, nor within one hundred feet of any side or rear line of any Parcel unless approved by the ECC.
4. **Ridgetop Building Restrictions.** No permanent structure including a primary dwelling or guesthouse may be constructed on a ridgetop. A primary dwelling or guesthouse constructed near the top of a ridge may extend a maximum of ten (10) feet above the ridgeline if the location, height, design and exterior color of such structure is approved in writing by the ECC.
5. **Planting and Noxious Weed Control.** In landscaping their parcels, Owners are encouraged to utilize plant species currently found in the local plant community. Planting non-native plants and trees is not prohibited, but the goal is to integrate your overall landscape plan with the natural surrounding landscape and local plant communities.



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Every Owner, whether or not his or her parcel contains any improvements, shall take all action necessary to restrict the growth of and remove noxious weeds and grasses, as identified by Archuleta County, in accordance with all applicable local, state, and federal requirements, including the Colorado Noxious Weed Act. The control of noxious weeds using chemical control methods shall be in accordance with U.S. EPA label restrictions and shall be applied by an individual experienced in chemical application and safety requirements.

6. Uniform Building Code. All buildings and improvements shall meet all of the requirements of the Uniform Building Code, including fire protection standards, and any other building code or fire code of Archuleta County, Colorado then in effect.
7. Height. The maximum height of any building shall be thirty-five (35) feet. The height of a building for the purpose of this requirement shall be measured and determined in the manner provided by the Uniform Building Code.
8. Engineered Foundations. Residences and guesthouses on all parcels will require a foundation designed by a Colorado licensed engineer.
9. Roofs. All roofs must be constructed of a non-combustible material. All roofs must have a color finish approved by the ECC.
10. Garages and Parking. Each parcel shall include at least two (2) parking spaces, and a minimum one car garage (attached or detached).
11. Exterior Building Material & Style. Geo-dome, A-frame, and similar styles shall not be allowed. All buildings shall be built in an exterior style and with colors and materials harmonious to the area. No exterior walls shall consist of metal, sheet metal or any similar material, composition shingles or unplastered cement or similar type block. All exterior colors of walls and roofs will be natural or earth tones to blend with the natural surroundings except that colored trim may be allowed upon approval of the ECC.
12. Fences, Walls and Gates. If an Owner's entire parcel is fenced, all such fences including the location and style of fence must be approved by the ECC. Fences along parcel lines subject to an easement for pedestrian, bicycle or



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equestrian use must be ten (10) feet inside the parcel line to accommodate such easement. Boundary fences may be built to a maximum height that conforms to the Division of Wildlife Guidelines for fences and has been found to be adequate for livestock. Fences must be constructed of wood, fiberglass, smooth wire or plastic. No chain link or barbwire fencing material will be allowed for boundary fencing. Chain link fencing is permissible for dog runs. All fencing must conform to Division of Wildlife Guidelines. Before you construct a wall on your Parcel the location, material, style and height of the wall must be approved by the ECC. The size of all gates or entrances to a Parcel including width and vertical clearance must be approved by the ECC.

13. Antennae. No exterior radio, television, microwave, or other antenna, signal capture or distribution device may extend more than six (6) feet above the house or garage to which it is attached. Free standing devices shall not be higher than the house. All such antennae or signal capture or distribution devices except satellite TV services must be approved in writing by the ECC before installation.
14. Trees. Trees over three (3) inches in diameter measured at four-and-one-half feet from the highest ground level at the base of the tree, may not be cut down or removed from a parcel, except upon application to and written permission from the ECC. Oak brush (*Querus gambelii*) is not considered to be a tree unless it measures six (6) inches in diameter at four and one-half (4.5) feet above the highest ground level at the base of the brush. Notwithstanding the foregoing, trees may be removed from a parcel for home construction, defensible fire zones and limited view enhancement, but only upon ECC written approval.
15. Utility Lines. All electric, telephone, or other utility lines shall be placed underground when extended from the property line to any dwelling or other improvement on the parcel. Utility easements are located along all property boundaries as per the recorded plat.
16. Window Glass. The use of colored, reflective or mirrored glass in windows is not permitted. Stained glass may be used for accent or decoration with the written approval of the ECC.
17. **APPLICATION PROCESS.**

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- a. Any parcel owner wishing to build on their parcel shall submit a building application on forms approved by the ECC together with two complete sets of plans, elevations, site location plan for improvements, and a grading/drainage plan. The site plan shall include plot plans showing the location on the parcel of the building, wall, fence, or any other improvement proposed to be constructed, altered, or placed on the parcel. This submittal shall include color schemes and types of materials for roofs and exterior and proposed landscaping plantings. All exterior colors of walls and roofs should be natural or earth tones to blend with the natural surroundings except that colored trim may be allowed upon approval of the ECC.
- b. A filing fee in the amount of \$75.00, shall accompany the submission of the plans to defray ECC expenses. No additional fees shall be required for subsequent submissions or resubmission of plans revised in accordance with ECC requirements.
- c. No structures or improvements of any kind shall be erected, altered, placed or maintained upon the parcel unless and until the final plans, elevations and specifications have received the written approval of the ECC. Any three members of the ECC may review and approve such final plans, elevations and specifications.
- d. The ECC shall have the right to disapprove any plans, specifications or details submitted to it in the event the same are not in accordance with all the provisions of the recorded Declaration and the Pinon Hills Ranch Documents as defined therein, if the design, materials or color scheme of the proposed building or other structure is not in harmony with the general surroundings or with the adjacent buildings or structures, if the plans and specifications submitted are incomplete, or in the event the ECC deems the plans, specifications or details, or any part thereof, to be contrary to the interest, welfare or rights of all or any part of the property comprising Pinon Hills Ranch, or the owners thereof.
- e. The ECC will not arbitrarily or unreasonably withhold approval of plans and specifications, and if plans are disapproved, disapproval will be accompanied by suggested changes, which if adopted, would result in approval.

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- f. The following time limit policy shall apply to the approval process: A building application will be approved, approved with conditions, or disapproved within seven (7) business days after submission of application and all materials required by subparagraph (a) of this Rule 17.
- g. The ECC may allow reasonable variances and adjustments of the restrictions contained in the Declaration and these Guidelines, subject to the limitations contained in paragraph 5.8 of the Declaration. Any variance so granted is not effective until signed by the Chairperson and Secretary of the ECC and the parcel owner.
- h. Approval of a building application by the ECC shall not be deemed to constitute compliance with the requirements of any local building codes, and it shall be the responsibility of the Owner submitting his/her plans to comply with all applicable rules, regulations, and building codes of Archuleta County and any other applicable state or federal agencies.

B. CONSTRUCTION GUIDELINES.

In order to insure a safe, neat and orderly construction site, Pinon Hills Ranch has established certain construction and safety regulations for the benefit of all Owners and residents. It is of the utmost importance that anyone conducting construction activities use extreme care in preventing conditions that are unsafe or could contribute to fire, negative impact to the overall Ranch, to other neighbors or to other hazards.

- 18. Construction Trailer, Portable Field Offices, etc. An owner, or contractor, who desires to bring a construction trailer, field office or the like to a site shall first apply for and obtain a written approval from the ECC. Such temporary structures shall be placed only in an approved location, which will be identified on the plot plan, and shall be removed upon completion of construction. Reasonable appearance of office or trailer must be maintained.
- 19. Storage of Materials and Equipment. Owners and contractors are permitted to store construction materials and equipment only on the construction site (owner's or builder's parcel) during the construction period.



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Materials shall be neatly stacked, properly covered and secured. Any storage of materials or equipment shall be the owner or contractor's responsibility; no security is provided.

20. **Damage or Trespassing.** Vehicles and delivery trucks shall not disturb or trespass on other parcels. Concrete suppliers shall clean their equipment on the construction parcel and not on other parcels or any other part of the Ranch. The owner shall be responsible for any necessary removal and clean up by his contractor.

Owners and contractors shall not damage, trespass or disturb other property, including but not limited to, other parcels, open spaces (greenbelts), Common areas, roads, and culverts, driveways and/or other improvements. If any damage occurs, it will be repaired and/or restored promptly to the satisfaction of the ECC and at the expense of the owner.

Removing any rocks, plant material, topsoil or similar items from other parcels, Common areas or open spaces (greenbelts) within the Ranch is prohibited.

21. **Debris and Trash Removal.** A trash receptacle of sufficient size must be maintained on construction site. Trash and debris shall be removed as necessary. Trash and debris shall be covered or weighted down to prevent blowing off the construction site. Dirt, mud or debris resulting from construction activity on any construction site shall be promptly removed from public or private roads, open spaces (greenbelts), Common areas or other portions of the Ranch. If not removed the owner will be charged for its removal. Owners and contractors are prohibited from dumping, burying or burning anywhere in the subdivision during construction.
22. **Construction Hours.** All construction activity shall be limited to the following hours: 7 A.M. –9 P.M. No outside noise shall impact any homeowner during weekends. Interior work may proceed at any time if not producing noise which would disturb neighbors. All parcel owners will be responsible for the conduct and behavior of their representatives, builders, contractors and subcontractors.



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23. Parking. Construction crews will not park on or otherwise use other parcels or open spaces (greenbelts), or Common areas. Private or construction vehicles or machinery shall not block roads at any time.
24. Trees. Any trees approved for removal during site excavation must be promptly cleaned up, cut and stacked as firewood, or removed from the site.
25. Excavation Materials. Excess excavation material must be hauled off the project and the Ranch.
26. Blasting. If blasting is to occur the contractor must inform residents in the area.
27. Portable Toilets. Portable toilets are required at each construction site. Such facilities will be located only on the construction site and installed prior to work commencing on the foundation.
28. Building Permits. Building permits are issued by the ECC for a period of nine months. Applicant may request an extension of six months to complete work. No building may be occupied during original construction. Construction of new building and re-modeling must be pursued with reasonable diligence continuously from the time of commencement until fully completed. Any agent or member of the ECC may at any reasonable hour during construction enter and inspect any construction or improvement project to ensure that it complies with the plans submitted. Approvals by the ECC and issuance of an ECC building permit, as well as a county building permit, are required to start construction or site preparation. Requests for authorization to start site preparation before the issuance of an ECC building permit must be made to the ECC.

An applicant is encouraged to arrange a conceptual plan review with a member of the ECC or staff to help the Owner develop the best possible site plan for his/her parcel. This preliminary review may clarify any questions about covenants and use of the property. The review is not a requirement for approval of the building application or issuance of an ECC building permit.

29. Temporary Residences. Recreational vehicles, trailers or camper units may

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be used as a temporary residence while the Owner's personal residence is under construction subject to approval in writing by the ECC. Tepees are prohibited anywhere on the Ranch.

C. Miscellaneous ECC Rules and Regulations.

30. Modular Homes. Modular homes are not permitted on any Parcel within the Ranch without the prior written approval of the ECC.
31. For Sale Signs. Only one "For Sale" sign shall be permitted on any Parcel and such sign will be approximately eighteen inches in width and twenty inches in length. Family name or ranch name signs are allowed subject to the approval of the ECC as to style, color and size.
32. Reseeding or Planting. Following construction in all areas including sloping terrain, bare soil shall be reseeded or planted by the Owner to prevent erosion and dust. Reseeding should be with grasses, wild flowers or plants native to the area. Colorado State University extension office will advise the Owner on suitable seed and plant varieties for this area.
33. Repairs. Repair of existing improvements does not require ECC approval. Painting an existing structure a different color is not deemed a repair and requires prior written approval of the ECC.
34. Complaints. A member, agent or employee of the ECC may at any reasonable hour upon prior notice to the Owner inspect any Parcel to determine if there are any violations of the Declaration, Property Owners Association Bylaws, Association Rules and Regulations or ECC Rules and Regulations and, in addition, such persons may investigate complaints filed by Parcel Owners within Pinon Hills Ranch or reported by the Association's Board or Declarant.
35. Enforcement Procedures. All complaints or alleged violations under Rule 34, above, will be handled as follows:
 - a. A member, agent or employee of the ECC will endeavor to resolve any complaint or alleged violation informally. In most cases a notice will be sent to the Owner setting forth the nature of the complaint or alleged



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violation. The notice will state a specific time period for the Owner to contact a member of the ECC with a reply stating the Owner's intent and methods proposed to resolve the complaint.

- b. If the subject of the complaint or alleged violation is not resolved informally under subparagraph (a), above, the matter will be referred to the Board of the Property Owners Association for resolution in accordance with the Association Bylaws. This will involve a formal written notice and a hearing before the Board or a hearing panel selected by it in accordance with the Bylaws.
- c. These enforcement procedures are authorized under Sections 5.19 and 6.14 of the recorded Declaration of Covenants, Conditions and Restrictions for Pinon Hills Ranch.

These Building and Construction Guidelines and other Rules and Regulations were adopted by the Environmental Control Committee to be effective June 1, 2003.