

**8/3/23 DRAFT FOR
MEMBERSHIP
REVIEW**

GUIDELINES FOR PROTECTIVE COVENANTS AND BUILDING RESTRICTIONS FOR ELDORADO AT SANTA FE

These are the **Draft** Guidelines not yet approved by the ECIA Board of Directors
Proposed changes are shown as overstruck or underlined text

Revision History

Previous guidelines were revised on April 20, 2017
Previous guidelines were revised on October 16, 2014
Previous guidelines were revised on April 21, 2011
Previous guidelines were revised on October 20th, 2005
Previous guidelines were revised on February 19th, 2004
Previous guidelines were revised on October 19th, 2000
The current ECIA "Covenants" were last revised on October 1, 1996

DRAFT

CONTENTS

PREFACE	3
1 ARCHITECTURAL APPROVAL	5
2 LOT SIZE AND SETBACKS	7
3 ARCHITECTURAL STYLES OF SANTA FE	10
4 DESIGNS ADAPTED FOR ELDORADO USAGE	12
5 EXTERIOR LIGHTING	20
6 EXTERIOR COLORS	22
7 SHADE, PLAY, STORAGE AND SIMILAR STRUCTURES	24
8 LARGE ACCESSORY BUILDINGS <u>STRUCTURES</u>	26
9 SMALL ACCESSORY BUILDINGS <u>STRUCTURES</u>	27
10 FENCES AND <u>WALLS, AND RAILINGS</u>	29
11 PRIVACY SCREENING FENCES	31
12 SCREENING WITH BERMS AND VEGETATION	33
13 GARDEN FENCES	35
14 CISTERNS <u>AND RAIN BARRELS</u>	36
15 STORM WATER MANAGEMENT AREAS	37
16 COMMERCIAL NAMEPLATES ON RESIDENTIAL LOTS	39
17 ANTENNAS FOR VIDEO PROGRAMMING SERVICES	40
18 RECREATIONAL VEHICLES, MOVABLE STORAGE CONTAINERS AND OTHER EQUIPMENT SCREENING	41
19 NUISANCES	44
20 SOLAR COLLECTORS	46
21 WIND TURBINES	49
 APPENDICES	
1 HEIGHT RESTRICTIONS REFERENCE TABLE	50
<u>2 DEFINITIONS</u>	<u>51</u>

PREFACE

Eldorado's Governing Documents include the Declaration Of Covenants for the Association dated July 10, 1972, (the "1972 Declaration"), the Amended and Restated Protective Covenants and Building Restrictions For Eldorado At Santa Fe, recorded April 24, 1996 (the "Restated Declaration"). Together these documents comprise what we refer to herein as the "Covenants"

These guidelines are intended to provide further explanation and additional understanding of the Protective Covenants for Eldorado, which are detailed in Exhibit A of the Covenants as follows:

This Amended and Restated Declaration, (hereafter "Restated Declaration") is made by the Eldorado Community Improvement Association, Inc., a New Mexico non-profit corporation, (hereafter "the Association" or "ECIA") for the express purposes of protecting the natural beauty and environment of the community of Eldorado at Santa Fe, providing an attractive rural setting for residential neighborhoods and home sites and preserving property values. This Restated Declaration seeks to maintain the unique natural character of the community for all who acquire property therein, while encouraging individual expression consistent with the historical traditions of the region.

Further, they are intended to reduce misunderstanding and conflict which may arise in a community like ours with diverse perspectives.

Some of the underlying principles which were followed in the development of these guidelines include:

- maintaining a consistent application of the Covenants
- treating all residents with a strong sense of fairness in decisions arising from the Covenants
- fair and consistent enforcement of the Covenants
- maintaining a community of quality which stresses an attractive semi-rural setting with natural beauty
- respecting our neighbors
- preserving property values

Any previously approved building or structure shall not be affected by these new guidelines and revisions. Variances may be requested of the ECIA Board of Directors, through the Architecture Committee, for site-specific issues that fall outside of the guidelines.

The ECIA Board may approve non-compliant conditions that have existed over an extended period of time if such conditions were acceptable under former versions of the guidelines.

Such issues would be reviewed on a case-by-case basis.

At times when a prohibition against planting (during water restrictions) is in effect, residents may be required to submit alternative screening plans to the ECIA for review.

All projects approved under these Guidelines must also comply with applicable County, State and Federal rules and regulations. Additional homeowner's association covenants and guidelines may be applicable to some ECIA properties located in the following associations: *Avila, "The Island" and Ladera*, but are not enforced by the ECIA.

~~Lastly, i~~In an attempt to lessen the impact of any home construction project on our local, as well as the global environments, the ECIA encourages all residents to utilize green building practices whenever possible.

NOTE: Words in ***bold-italics*** are defined in Appendix 2.

1. ARCHITECTURAL APPROVAL

Covenant Reference: (Article II, Section 5) "Architectural Approval.

a) Construction of a building on a lot in Eldorado shall not commence until its siting, design, exterior colors and building materials have been approved in writing by the E.C.E.A. Board of directors it tis designee(s), nor shall construction commence until water is available for immediate use at the lot from either an individual well or public utility water system.

b) No additions or exterior alterations above natural grade shall be made to an existing building until the design, location, exterior colors and building materials for such additions and alterations have been approved in writing by the E.C.I.A Board of Directors or its designee(s).

c) A swimming pool shall not be installed on any residential lot without the prior written approval of the E.C.I.A. Board of Directors or its Designee(s). . ."

- 1.1. Applicability. These Guidelines apply to construction or installation of structures, equipment, berms, or placement of vehicles or equipment on lots that are subject to the Covenants. Landscape features that do not involve above-ground installations including driveways, patios, plantings, and the like are not subject to these Guidelines.

1.2. Submittal procedures

- 1.1.1. Submissions for architectural approval shall accurately represent that which the applicant intends to construct.
- 1.1.2. Drawings and written description of proposed construction shall be in accordance with accepted construction convention and be understood by lay persons.
- 1.1.3. Plans and elevations shall be produced accurately and to scale ~~and in with~~ sufficient detail to describe the proposed construction and shall include the natural grade showing the relationship of the proposed maximum building height to the adjacent, or nearest point of the natural grade and the proposed finished grade, if different than the natural grade. -The drawing should reasonably depict the architectural style.

- 1.1.4. All submissions shall ~~be accompanied by~~include an accurate, scaled site plan, or survey, which shows all relevant conditions including existing structures, dimensions, setbacks and distance of the project from the property lines, and where appropriate, to the main dwelling. (Satellite -based imagery maps, such as Google maps or Santa Fe County Assessor Maps alone are not acceptable as site plans.-)

- 1.1.4.1 Submissions should include any required photos or satellite imagery, if

needed for clarification of plans to show impact on neighbors from proposed project.

1.1.4.1.1.5. Submissions, which do not meet the above criteria, may be required to resubmit.

1.1.5.1.1.6. If a submission is approved, residents have 60 days from approval to begin a project and 6 months from start of project to complete it. If required, a six month extension may be requested, in writing, to the ECIA, for review by the ECIA or its designees.

1.1.6.1.1.7. For application procedures refer to the ECIA offices or website.

2. LOT SIZE AND SETBACKS

Covenants Reference: (Article I, Definitions: Section 7) *"Structure" shall mean and refer to anything constructed or erected at a more or less permanent location on a lot."*

- 2.1. Covenants Reference: (Article II, Section 3) *"No buildings or other types of structures, nor portions thereof, shall be located nearer than 50 feet to the front lot line, nearer than 20 feet to the rear lot line or nearer than 10 feet to any drainage easement (whichever is greater), or nearer than 20 feet from a side lot line, except that variances may be made by the ECIA Board of Directors or its designees."* *

"On corner lots, the front lot line shall be deemed to be the narrower frontage facing a street and the 50 foot setback shall apply to all adjoining streets. Access to the main residential structures located on corner lots shall be from the secondary street as determined by the Architecture Committee."

NOTE: *Effective January 15th, 2015, Santa Fe County adopted the new Sustainable Land Development Code which implemented a new 25 foot Side and Rear and 10 foot front Setbacks for the Eldorado Area. Residents should contact Santa Fe County for more information on their requirements.

- 2.2. Any structure intentionally or inadvertently placed within a utility easement or right-of-way may be subject to removal by the appropriate authority, i.e. a utility company or the County Road Department. Costs of removal and/or damage to these structures are solely the responsibility of the lot owner.
- 2.3. Variances to setback guidelines may be granted for the following structures:
- 2.3.1. Structures such as berms, swales, loose low-lain stone walls, etc., which are used primarily for erosion control.
- 2.3.2. Driveway Monuments ~~which shall~~that comply with the following:
- 2.3.2.1. Solidly constructed of materials such as finished stucco, fitted stone or exposed adobe.
- 2.3.2.2. No more than four feet in height and ten feet in total length on one or both sides of the driveway.

~~2.3.2.3. Located on the property, but outside the ten (10) foot utility easement and no farther than twenty (20) feet from the property line common with dedicated roadway.*~~

2.4.2.4 For all new construction residents should contact Santa Fe County for their setback requirements.

~~*Effective January 15th, 2015, Santa Fe County adopted the new Sustainable Land Development Code which implemented a new 25 foot Side and Rear and 10 foot front Setbacks for the Eldorado Area. Residents should contact Santa Fe County for more information on their requirements.~~

2.3.3. Decorative *Driveway Liners* which shall be:

2.3.3.1. No more than four feet in height, if of open design like split rail.

2.3.3.2. No more than two ties high if constructed of railroad ties.

2.3.3.3. No more than two feet in height if constructed of stone.

2.3.4. Security Gates which are allowed for the express purpose of preventing access to the property by unauthorized vehicles and persons, and which shall:

2.3.4.1. Be installed on the driveway of the property on the residence side of the property line, so that the gate(s), when fully opened, do not intrude into the utility easement.

2.3.4.2. Be supported by a vertical stuccoed ~~masonry pier~~column, or by a minimum 4 - inch painted steel post, on each side. The piers shall not exceed four (4) feet in height or sixteen inches in width or length. The posts and gate shall match the color of the residence.

2.3.4.3. Be fabricated of hollow metal piping or tubing.

2.3.4.4. Be electronically operated and locked, provided that all wiring can be concealed in the piping and tubes.

2.3.4.5. Have an electronic operating system registered with the Eldorado Fire and Rescue Department which shall be a *Knox Lock Box Rapid Entry Design*. Should the security gate have a manual lock, it shall use a *Knox Padlock* so as to allow easy access to rescue personnel in the event of an emergency.

- 2.3.4.6. Be the owners' responsibility to inform the Santa Fe County Sheriff's Department of this procedure and to provide all utility companies serving the property with the same ability to access their equipment, meters, etc.

DRAFT

3. ARCHITECTURAL STYLES OF SANTA FE

Covenants Reference: (Article I, Section 1) *“Architectural Styles of Santa Fe” shall mean and refer to the design motifs of Santa Fe, New Mexico, characterized by stucco or adobe walls, flat or pitched roofs, red tile or metal roofs, earth colors, vigas, portals, verandas, courtyards, patios and walkways, occasionally incorporating design elements of metal, stone, brick, wood and stained glass.”*

Covenants Reference: (Article II, Section 5d) *“All buildings, additions and exterior alterations thereto shall be characterized by the Architectural Styles of Santa Fe.”*

~~3.1.1.—The architectural styles and design motifs for Eldorado are, for the most part, a continuation of the architectural heritage of Santa Fe.~~

~~3.1.2.—Architectural approval of styles and design motifs in Eldorado is intended to preserve the predominant characteristics of this heritage.~~

~~3.2.3.1.~~ To ~~maintain~~ preserve the this architectural heritage of Santa Fe, the following guidelines will govern the design of homes in Eldorado.

~~3.2.1.1.3.1.1.1.~~ Each dwelling shall be designed and constructed to meet the requirements of one of the approved architectural styles.

~~3.2.1.2.3.1.1.2.~~ ~~Only minor e~~Elements of ~~one~~ another approved style may be included within a single home design but shall be limited in size to the greater of 16 feet or 30% of any elevation, which ever is greater, so that the integrity of the dwellings specific architectural style is maintained. A minor element of a different approved architectural style shall be limited in size, shape, material and/or color so as not to become an overly prominent architectural feature on any façade or elevation. ~~For example: Portals of a design of an approved style not consistent with the architectural design of the basic dwelling shall not comprise more than 30% or 16 feet of the length of the façade to which they are attached, whichever is greater, and shall not be erected on more than two facades and not on adjacent facades.~~

~~3.2.1.3.3.1.1.3.~~ Alternative building materials may be used that give the same appearance as those listed in the Architectural Styles, but shall require approval by the Architecture Committee.

3.1.1.4. The Guidelines on colors as defined in Section 6 of this document shall be applied so as to avoid substantial contrasts with the environment or the

basic dwelling.

DRAFT

4. DESIGNS AS ADAPTED FOR ELDORADO USAGE

Covenants Reference: (Article I, Section 1) “*Architectural Styles of Santa Fe*” shall mean and refer to the design motifs of Santa Fe, New Mexico, characterized by stucco or adobe walls, flat or pitched roofs, red tile or metal roofs, earth colors, vigas, portals, verandas, courtyards, patios and walkways, occasionally incorporating design elements of metal, stone, brick, wood and stained glass.”

4.1. Spanish Pueblo Revival Style

4.1.1. Essential elements:

- 4.1.1.1. Simple, unadorned stuccoed walls extending as *parapets* above the roof and finished in earth tones from the approved list of colors and with rounded edges.
- 4.1.1.2. Flat roofs drained via *canales* that penetrate the *parapet* walls. For roofing colors refer to Section 8, Exterior Colors.
- 4.1.1.3. Modest size rectangular windows and doors recessed from the exterior wall surface to provide protection from sun and weather.

4.1.2. Additional frequently used elements:

- 4.1.2.1. *Vigas* that penetrate the walls.
- 4.1.2.2. *Buttresses* at the corners or main supports.

~~4.1.2.3. Porches (portals) framed with round roughhewn posts and beams (vigas) carved corbels and with parapets above flat roofs, drained by canales.~~

~~4.1.2.4.~~ 4.1.2.3. *Portal* ceilings consisting of beams, *vigas* or *latillas*.

4.2. Territorial Style

4.2.1. Essential elements:

- 4.2.1.1. Exterior stuccoed walls in earth tones extending as parapets above a flat roof.
- 4.2.1.2. Parapets covered by brick copings.

4.2.1.3. Victorian style windows set near the face of the exterior walls.

4.2.1.4. Windows and doors have wide wood jambs and *pedimented lintels* usually painted white.

4.2.1.5. Windows have small panes separated by white ~~munitions~~*muntins*.

4.2.1.6. ~~Portal posts and beams to be rectilinear.~~Squared or rectangular wood columns and beams supporting the *portal*.

4.2.1.7. For roofing colors refer to Section 8, Exterior Colors.

4.2.2. For exterior colors refer to the list of approved colors at the ECIA offices or on the Eldorado web site.

4.3. Mexican Colonial Style

4.3.1. Essential elements

4.3.1.1. A central enclosed courtyard (or walled patio) surrounded by a columned ~~galleria~~*portal* (roofed walkway).

4.3.1.2. Most windows of the dwelling facing onto the courtyard.

4.3.1.3. Masonry walls on exterior side broken only by a main entrance and a few small windows.

4.3.1.4. Iron grillwork at doors, windows and gates.

4.3.1.5. Flat roof with red tile accents and red *copings* on top of *parapets*.

4.3.1.6. Exterior colors shall be from the approved list of colors.

4.3.2. Additional frequently used elements:

4.3.2.1. Arched doors and windows and open archways.

4.3.2.2. Elaborate iron grill work at entrances, and fences ~~and columns of galleries~~.

4.3.3. Roofs: Mexican Colonial

4.3.3.1. Cementitious or clay tiles on tiled portion over galleria/long portal. For roof colors, refer to section 8, exterior colors.

4.3.3.2. Maximum allowable pitch not to exceed 5" in 12".

4.4. Northern New Mexico Style

4.4.1. Essential elements:

4.4.1.1. Exterior stuccoed walls of approved colors.

4.4.1.2. Steep pitched gable metal roofs, extending over a portal with a minimum of 10 feet in width (where it attaches to the residence). ~~running the entire length of at least one side.~~

4.4.1.3. Square or rectangular wood columns and beams supporting the portal.

~~4.4.1.4. Long windows.~~

4.4.2. Additional frequently used elements:

4.4.2.1. *Dormers* with metal roofs.

4.4.2.2. Wooded shutters at windows.

4.4.2.3. Gutters and downspouts.

4.4.2.4. Floor plans include "T", "L", "H", and "U" shapes.

4.4.3. Roofs: Northern New Mexico

4.4.3.1. Metal Roofs shall be in the style of standing seam or "propanel style" (but not corrugated). They shall have a low reflective finish, with a maximum "light reflective value (LRV) of 40 or less. For approved metal roof colors, refer to Section 6 of this document, Exterior Colors.

- 4.4.3.2. Asphalt shingles and tile-like materials are not acceptable.
- 4.4.3.3. Maximum pitch over main dwelling shall not exceed 12" in 12" and minimum pitch shall be 8" in 12".
- 4.4.3.4. Roofs over portals must match the primary roof, but may be a lower pitch.
- 4.4.3.5. Roofs covering large accessory structures must have a similar pitch and be of the same material and color as the primary roof.
- 4.4.3.6. All roofs shall be *gabled; hip roofs* or other shapes are not permitted.

4.5. Mission Style

4.5.1. Essential elements:

- 4.5.1.1. Exterior walls are stuccoed ~~and tend toward lighter colors.~~
- 4.5.1.2. Roofs are tiled and low pitched with curvilinear gables.
- 4.5.1.3. Arches are usually semicircular and free of ornament.

4.5.2. Mission Style Roofs shall be of the following construction:

- 4.5.2.1. Cementitious or clay tiles.
- 4.5.2.2. Metal panels and asphalt shingles are not permitted. A sample of proposed roofing material must be submitted with house plans
- 4.5.2.3. Approved roof colors are: dark green, charcoal and earth tone browns, grays, and tans. Sample must be submitted with house plans.
- 4.5.2.4. Maximum allowable pitch is 5" in 12".

4.6. Clerestory (clerestory windows with pitched roof)

4.6.1. Essential elements:

- 4.6.1.1. Similar in design to Spanish Pueblo Revival style.

- 4.6.1.2. Use of large windows on the south facing façade.
- 4.6.1.3. A steeply pitched roof over the main solar energy collecting area of the dwelling where the glassed clerestory occurs. All other roofs shall be flat and enclosed by parapets and drained by canals.
- 4.6.1.4. Roofing material may be shingles or metal panels as described under roof materials of these guidelines.

4.6.2. Pitched Roofs - *Clerestory*

- 4.6.2.1. Shingles or standing seam or “propanel style” metal roofs are allowed, but not corrugated metal roofs. Metal roofing shall have a low reflective finish with a maximum “light reflective value” (LRV) of 40 or less. For asphalt and metal roofing colors, refer to section 8, exterior colors.
- 4.6.2.2. Cementitious tiles are allowed. For tile roofing colors, refer to Section 8 Asphalt, Exterior Colors.
- 4.6.2.3. Maximum pitch over living space not to exceed 6" in 12".
- 4.6.2.4. Pitched roofs shall not be constructed of highly reflective or glare producing materials, but may include skylights, solar panels and clerestories.

4.7. General Notes for Designs Adapted for use in Eldorado:

- 4.7.1. In recognition of the history of Eldorado as “the solar community”, passive solar design elements incorporated into any of the approved architectural styles, will be allowed and encouraged by these guidelines. Accordingly, the use of a maximum amount of *fenestration* devices on the south wall of a structure (*trombe walls* and/or direct gain windows, etc.), solar panels (both for solar hot water systems and for photovoltaic cells), *clerestories*, and the like, will be considered “minor architectural elements” in the plan review and approval process.

4.7.1.1. Additions and/or alterations to existing residences shall match the existing architectural style, or shall result in the residence being in keeping with the architectural character of an approved style. Additions and accessory structures such as *sunrooms*, *Ramada's*, *gazebos*, *pergolas*, *portals* and the like shall be of similar design of such structures when used historically with the principal residence and be compatible with the existing structure. All

windows and doors shall have the same color casements on all structures on the property.

4.7.1.1.4.7.1.2. Portals that contain the following elements are compatible with all architectural styles: 1. *Roughhewn* heavy timber posts or vegas; 2. *Corbels*; and 3. *Parapets* or low-sloped compliant metal roofs.

4.7.1.2.4.7.1.3. Passive solar features such as south facing glass on the main floor or in clerestories are encouraged. However, their use shall be compatible with one of the architectural styles of the principal structure listed above. Active solar components (hot water or photovoltaic panels) are also encouraged, but shall be optimally concealed from view behind parapets when located on a roof, or screened with a wall, or fence, or vegetation, when located on the ground. (Such ground screening shall comply with Sections 11 and 12 of these guidelines.)

4.7.1.3.4.7.1.4. Prefabricated structures shall comply with all requirements for site built structures.

4.8. Limitations on Permitted Design Features

4.8.1. While certain design features may be desirable, their incorporation into a structure may be disruptive to adjacent property owners. Accordingly:

4.8.1.1. *Flagpoles* shall be no higher than ~~20-12~~ feet tall and shall respect all setbacks, ~~and as well as~~ drainage and utility easements.

4.8.1.2. Unless it can be demonstrated that it will interfere with their operation, rooftop and ground based heating, ventilation and cooling units (exclusive of solar systems) and their associated ductwork, as well as other visible equipment and associated covers, should be earth toned in color, similar to the approved stucco colors of Eldorado

4.8.1.3. Any spas or hot tubs installed in Eldorado shall not exceed a surface area of 65 square feet. Should such a spa or hot tub exceed the 65 square foot surface area size, it shall be considered a swimming pool and shall not be installed without the prior written approval of the ECIA Board of Directors or its designees, as noted in Article II, Section 5 (c) of the Eldorado Covenants.

4.8.1.4. All exterior shade screening devices, permanently attached to the primary structure, shall require approval of the ECIA, and shall be of a color that blends well with the colors of the local environment, or similar to the approved stucco colors.

4.8.1.5. Garages must have an interior measurement of at least 10 feet x 20 feet to accommodate a car, and shall have an operable garage door.

4.9. ~~Non-approved~~Incompatible Design Features

4.9.1. Section 4 and 5 of these guidelines list five styles of architecture to be used throughout Eldorado. Certain design features and structures are incompatible with those styles without ECIA approval. To preserve the intent and continuity of those styles, the following features and structures are not considered compatible and are, therefore, not permitted. The list is not ~~to be considered as inclusive~~exhaustive, but rather examples of non-approved designs.

4.9.1.1. *Metal gravel stops and edging* unless pre-finished to be consistent with the dwelling stucco color.

4.9.1.2. Exposed corrugated fiberglass or plastic roof and wall panels unless blended with the existing structure.

4.9.1.3. *Eyebrows* unless they blend with the style of the principal dwelling.

4.9.1.4. Bay windows can be utilized if in keeping with the architectural style of the home.

4.9.1.5. Exposed wrought iron, steel or other metallic materials are permitted only on Mexican Colonial Style homes in Eldorado, with the exception of metal, ~~(other than chain link fence material)~~, used to construct gates in walls or fences. Metal gates shall be of a design appropriate to the architectural style of the home and all such gates shall require review by the ECIA Architecture Committee. Metal security screen doors and entry doors may be used if they are colored or painted to match the stucco color of the home, color of the window casings, or color of other doors or accent trims.

~~4.9.1.5.~~4.9.1.6. Chain link fence material is not allowed.

~~4.9.1.6.4.9.1.7.~~ Lattice work used as a construction material that is mounted vertically, diagonally or horizontally. (Lattice may be used, however, in gardens as a trellis for plants to grow on.)

~~4.9.1.7.4.9.1.8.~~ Shutters except utilized in Territorial Style dwelling.

~~4.9.1.8.4.9.1.9.~~ ~~Awnings of a color not compatible with the dwelling.~~ Roofs or awnings of these structures shall match the color of the primary residence, or be earth toned (browns and greens) or sky blue, and must be made of non-reflective material.

~~4.9.1.9.4.9.1.10.~~ Glass block as a major design component.

~~4.9.1.11.~~ Due to the fact that Article II, Sections 1 and 3 of the Covenants clearly states that- that only one single family residences ~~are-is~~ allowed on a lot in Eldorado, no home in Eldorado shall have two separate kitchens, nor shall any accessory structure on the lot be allowed to have a kitchen. A kitchen is defined as a room that has cooking appliances and therefore no room shall be allowed to have any cooking appliances or other kitchen appliances such as a full sized refrigerator, dishwasher or oven, but may have a single bay sink and micro-fridge with no larger than 4 cubic feet of storage space.

~~4.9.1.10.4.9.1.12.~~ Garage doors shall not have more than 25% of the surface area that is transparent or translucent.

5. EXTERIOR LIGHTING

Covenants Reference: (Article II, Section 10) *“Exterior lights are prohibited unless they are 75 watts or less and are properly shielded so as to direct light downward. The lighting of signs on a lot is prohibited.”*

- 5.1. ~~The 75-watt incandescent standard applies to all types of exterior lighting including LED, LCD or other types of lighting. Exterior lighting shall be measured in lumens. According to the Energy.gov website the equivalent of a 75-watt incandescent bulb should be approximately 1100 lumens, regardless of the type of lighting. LED lighting is allowed with the “warm white” or “soft white” color hue. The allowable color temperature range for exterior lighting is 2700K to 3000K. The maximum brightness for outdoor lighting is 1100 lumens for floodlights (equivalent to 75 watts incandescent), 400 lumens for spotlights (pointed on house or structure), and 100 lumens for path lights. Fluorescent lights or “bright white” bulbs are not allowed on the exterior of the home or structure.~~
- 5.2. “Exterior” includes all outdoor lighting such as ~~building structure-, wall-, or pole-~~ mounted lighting, lighting under portals or ramadas, landscape, walkway, monument or driveway lighting.
- 5.3. All exterior lighting shall comply with the following guidelines:
 - 5.3.1. A fully shielded light fixture must use opaque material.
 - 5.3.2. The light bulb (luminary) shall not be visible through any openings in the fixture other than the lowest point of the fixture (the bottom) and small decorative openings on the front.
 - 5.3.3. There shall be no upward component of any exterior lighting.
 - 5.3.4. Security lighting, if it is switched by photo sensors or motion detectors, must be adjusted to the least sensitive setting and timed to shut-off in 2 minutes or less. Additionally, all security lighting shall be properly shielded so as to direct light downward.
 - 5.3.5. Landscape lighting shall illuminate only the ground below (adjacent) to the fixture.

- 5.3.6. Landscape, walkway, monument or driveway lighting shall not be mounted higher than twenty-four (24) inches above the ground or exceed 20 watts per luminary and made of a non-reflective finish.
- 5.3.7. ~~The minimum spacing of~~ Lighting fixtures for driveways and walkways visible from neighboring property shall ~~be~~ have a minimum spacing of 20 feet for driveways less than 120 feet long and 30 feet for driveways longer than 120 feet. Walkway lighting may be spaced closer together for safety.
- 5.3.8. Any and all types of string, or rope, or other similar lighting, with the exception of Holiday Lighting, must be installed under a solid cover such as a portal or other structure with a solid roof so that all lights are shielded in a way to prevent any upward light transmission.
- 5.3.9. The ECIA Board of Directors will determine the length of time when Holiday Lighting may be displayed. Note: Christmas lighting may be displayed from Thanksgiving through January 15th.

6. EXTERIOR COLORS

Covenants Reference: (Article I, Section 1) “*Architectural Styles of Santa Fe*” shall mean and refer to the design motifs of Santa Fe, New Mexico, characterized by stucco or adobe walls, flat or pitched roofs, red tile or metal roofs, earth colors, vigas, portals, verandas, courtyards, patios and walkways, occasionally incorporating design elements of metal, stone, brick, wood and stained glass.”

- 6.1. Approved home exterior stucco and paint colors may be from any manufacturer but shall be ~~comparable to~~ consistent with the ~~reference~~ list of approved stucco colors which is found on the Eldorado Website, as well as at the ECIA offices. The earth tone ~~(neutral)~~ color range has been selected to ensure that the ~~houses structures more nearly reflect~~ blend with the natural environment and do not significantly stand out from the landscape. (It should be noted that window and door trims, as well as entry doors and garage doors may be of other contrasting colors than the approved color list).
- 6.1.1. Building walls, other structures, free standing walls and fences: Must be chosen from the approved color list which is found on the Eldorado Website, as well as at the ECIA office. For colors that are not on the approved ECIA list, lot owners are required to submit a request for such non-approved colors to the ECIA Architecture Committee for review. Basic white may be used under any portal with Architecture Committee approval. No more than two compliant stucco colors may be used on a home and any combination of compliant colors will require ECIA approval. Note: Re-stuccoing or painting of any exterior wall(s) should be reviewed by ECIA to ensure a compliant color is being used.
- 6.1.2. Cementitious or Clay Roof Colors: Must be chosen from the approved tile color list, which is found on the Eldorado Website, as well as at the ECIA office. For colors that are not on the approved ECIA list, lot owners are required to submit a request for such non-approved colors to the ECIA Architecture Committee for review. All tile roofs are required to have a low reflective light value (LRV) of 40 or less and should be solid in color.
- 6.1.3. Metal Roof Colors: Must be chosen from the approved metal roof color list, which is found on the Eldorado Website, as well as at the ECIA office. For colors that are not on the approved ECIA list, lot owners are required to submit a request for such non-approved colors to the ECIA Architecture Committee for review. All metal roofs are required to have a low reflective light value (LRV) of 40 or less and should be solid in color.

6.1.4. Flat Roof Colors: Can be of any acceptable roofing materials. Flat roof sections of any house shall not be constructed of any highly reflective or glare producing materials. Parapets and any vertical roofing sections, which might be visible to neighbors and from roadways, shall match or complement the primary house color.

6.1.4.1. White roofing products shall require completion and submission of the Architecture Plan form to the ECIA for review. The ECIA will then schedule a time to ~~come~~ meet with the homeowner on their lot to determine if the horizontal surfaces of the roof will be visible to any neighbors. If there is no visibility, the application will be approved with the stipulation that on any ~~vertical-non-horizontal~~ surfaces of the roof, such as the inside of the parapets and the canales, the tan version of the product or paint that matches the home's stucco color shall be used. If these products are applied on the top or outside parapet walls or anywhere it would be visible to neighbors, they shall be stuccoed to match the structure. When using any bright white roofing product for a roof repair it shall only be used where it is not visible to your neighbors. The tan color of the product shall be used on any vertical surfaces, parapets or canales.

6.1.5. Asphalt Shingle Colors: Approved asphalt shingle colors are available on the Eldorado web site as well as at the ECIA Offices. For colors that are not on the approved ECIA list, lot owners are required to submit a request for such non-approved colors to the ECIA Architecture Committee for review.

6.1.6. Doors and Trim: The ECIA does not regulate the colors of doors, window casings and trim or other non-stuccoed areas of the home, but encourages residents to use colors that complement the design and architectural style of their home. Traditional colors often used in Northern New Mexico homes include Turquoise and red.

~~6.1.6-6.1.7.~~ A single trim color shall be used throughout the property.

7. PERMANENT SHADE, PLAY, SMALL STORAGE, AND SIMILAR STRUCTURES

Covenant Reference: (Article II, Section 2) *“Placement of Accessory Building “Small accessory structures, such as storage sheds and green houses, shall be located so as to minimize their visual impact on the surrounding neighborhood, and shall be obscured by screening in some reasonable manner, for example by the dwelling house and/or with plantings or fencing.”*

7.1. The design of all **decks and** permanent shade structures (such as **Ramada’s, Pergolas** and **Portals**) shall be compatible with the principal residence and shall be made of wood or other material of similar appearance. Their construction shall be with posts, beams spanning between posts with lighter cross members. Carved wood **capitalscorbels**, beam ends and the like may be incorporated when desirable and shall be finished with a clear or semi opaque natural finish of a color to blend with the principal residence.

7.1.1. Railings shall be consistent with Section 10, Fences and Walls, of these Guidelines.

7.2. Play Structures:

7.2.1. All play structures, that are permanent in design, shall require ECIA approval. A play structure is determined permanent in design when it has footings into the ground, has a poured foundation or footings, cannot be easily moved by the resident, and will be in the same location for more than 1 year. Such play structures can include the following: play forts, play houses, play structures, climbing walls, fixed skateboard ramps, permanent basketball hoops, other non-portable play structures.

7.2.2. Guidelines for these structures are as follows:

7.2.2.1. Play structures should be located to maximize the safety of children and, when possible, be located in the back yards of homes, or inside of courtyards, or fenced in areas.

7.2.2.2. Play structures shall respect all property setbacks and utility and drainage easements.

7.2.2.3. Play structures shall not exceed a height of 12 feet above grade.

7.2.2.4. Play Structures shall not exceed a square footage of over 200 square feet.

7.2.2.5. Wooden play structures shall be stained/painted to match the home or be in an earth toned color similar to the approved ECIA stucco colors.

7.2.2.6. Roofs or awnings of these structures shall match the color of the primary house, or be earth toned (browns and greens) or sky blue and must be made of a non-reflective material.

~~7.2.2.6~~7.2.2.7. Play structures shall be maintained in good condition and removed when no longer safe or functional.

~~7.2.2.7~~7.2.2.8. Non-permanent structures, without a permanent footing (such as Tee-pees or seasonal screen houses), are exempt from these guideline requirements.

7.3. Small Storage Structures, less than 75 sq. ft. in size and 8 ft. in height, may be made of resin, metal or wood and shall be earth toned in color (similar to the homes stucco color) and shall be adequately screened by a fence, wall, vegetation or the home and located within 15 feet of the home. Structures larger than 75 sq. ft. in size shall be classified as a small or large accessory building structure and subject to the requirements in Section 8 and 9 of these Guidelines.

8. LARGE ACCESSORY ~~BUILDINGS~~STRUCTURES

Covenants Reference (Article II, Section 2) “Large accessory buildings*, such as studios and garages, shall be located close to the dwelling house, and shall be architecturally integrated therewith. No large accessory buildings shall be erected or installed on any lot without the prior written approval of the ECIA Board of Directors or its designee(s).” *those that exceed 128 sq. ft. in size

8.1. The guidelines for all large accessory ~~buildings~~structures are as follows:

8.1.1. Shall be sited within fifteen (15) feet of the dwelling ~~house~~.

8.1.2. Shall be ~~designed in the~~ architecturally ~~designed in~~ style of the dwelling and constructed with approved materials to match the dwelling ~~house~~. The height shall not exceed the maximum height of the ~~primary~~ dwelling (excluding the chimney or other rooftop appurtenances).

8.1.3. Shall be visually integrated with the dwelling ~~house~~ using one or more of the following design elements: Ramada, wall, gate, breezeway or similar integrating structure (walls and gate shall have a minimum height of four (4) feet).

8.1.4. Shall be of an approved color matching the dwelling ~~house~~.

8.1.5. Shall respect all property line setbacks, (except in the case of plantings used for screening these large accessory ~~buildings~~structures).

8.1.6. ~~Total square footage of a l~~arge accessory ~~building~~structures shall not exceed ~~60% of the heated square footage of the principal dwelling or a maximum of 800~~1000 square feet, ~~whichever is more restrictive.~~

8.1.7. All residential properties in the ECIA are zoned as single family residential. Due to this requirement large accessory ~~buildings~~structures can never be converted to become a livable or rentable structure. Santa Fe County defines a livable space as having more kitchen equipment or appliances than a single bay sink or mini-fridge.

9. SMALL ACCESSORY ~~BUILDINGS~~STRUCTURES

Covenants Reference: (Article II, Section 2) *“Placement of Accessory Building “Small accessory structures, such as storage sheds and green houses, shall be located so as to minimize their visual impact on the surrounding neighborhood, and shall be obscured by screening in some reasonable manner, for example by the dwelling house and/or with plantings or fencing.”*

9.1. No small accessory ~~buildings~~structure shall be erected or installed on any lot without the prior written approval of the ECIA Board of Directors or its designee(s).

9.2. Limitations and Requirements:

9.2.1. Shall be sited within fifteen (15) feet of the dwelling ~~house~~.

9.2.2. Shall be no larger than 128 square feet and shall not exceed nine (9) feet in height.

9.2.3. Shall be screened from all directions utilizing one or more of the following: dwelling ~~house~~, fencing and/or vegetation. Recommended plantings for screening shall be a drought resistant evergreen species and should be a minimum of five (5) feet high at the time of installation and must be maintained for the life of the small accessory ~~building~~structure.

9.2.4. Such screening must be specified on the site plan at the time of application and completed within six months. Water restrictions and seasonal limitations may limit the ability to install vegetative screening. (Note: An ECIA site inspection may be necessary prior to AC review.)

9.2.5. Color of walls shall match the color of the walls of the principal dwelling. Color of roof shall match the color of the walls of principal dwelling shall be of a color similar to the approved ECIA stucco colors, or of a color that blends in with the surrounding environment.

9.2.6. All property line setbacks must be observed, (except in the case of plantings used for screening).

9.2.7. Greenhouses and hoop house structures that are permanent structures (e.g. not removed after the growing season) shall incorporate building materials that are in keeping with the architectural style of the home, i.e., opaque portions of these structures shall not have reflective metal or plastic frames. Non-opaque portions shall be earth toned in color (similar to approved ECIA stucco colors), or shall be

of a color that blends well with the colors of the local environment. Such structures shall respect all setbacks and utility easements and shall not exceed nine (9) feet in height, or be larger than 128 sq. feet in size.

9.2.8. No lot shall have more than 3 small accessory buildingstructures. The total cumulative square footage of these structures shall not exceed 384 Sq. Ft.

9.2.9. Small accessory buildingsstructures, such as prefabricated storage sheds and greenhouses, may be constructed of materials such as wood, metal, resin or glass.

9.3. Small Accessory Exceptions:

9.3.1. A small accessory building-structure matching the color, style and material of the residence is not subject to the screening requirement and is not to exceed ten (10) feet in height. The elevation of the accessory building-structure shall not be higher than the adjacent part of principal dwelling; shall not be more than 15' from the principal dwelling.

10. FENCES, ~~AND WALLS~~ IN GENERAL AND RAILINGS

Covenants Reference (Article II, Section 8) *"Fences and Walls. No fences or walls shall be erected or installed on any lot without the prior written approval of the ECIA Board of Directors or its designee(s). No perimeter plantings extending along more than 50% of the aggregate boundary lines of a lot shall be installed."*

10.1. Fences and Walls Height:

10.1.1. The maximum height of a fence or wall shall be six feet.

10.1.2. Where a courtyard wall or fence includes a gate, the maximum height allowed shall be eight feet at the area for the jambs and head of the gate only.

10.1.3. Where a wall or fence is to be utilized as screening for an RV, the maximum height allowed shall be eight feet.

10.1.4. The following is an approved list of materials for fences and walls.

10.1.4.1. Masonry or framed walls and pilasters, if stuccoed with a color to match the existing house

10.1.4.2. Coyote or latilla fence (stringers and other supports on inside)

10.1.4.3. Cedar /pine slats (stringers on inside) and or first cut or tailing wood slats

10.1.4.4. Rock or stone

10.1.4.5. Wood post and wire

10.1.4.6. Split rail

10.1.4.7. Exposed stabilized or stuccoed adobe brick

10.2. Fences and Walls Limitations:

10.2.1. The total area enclosed by all solid fences and/or walls on an individual lot shall not exceed 4500 square feet. 4,000 square feet. An additional area may be enclosed by wood post and wire or split rail fencing or similar material that is mostly transparent up to a total of fenced areas of up to 10% of the lot area.

10.2.2. Not more than two approved fence or wall materials shall be used in a single enclosure.

10.2.3. All property line setbacks specified in the covenants shall be observed for fences and walls (including 'invisible' fencing). The exceptions include trees, hedges, or other plantings on or near the property line.

10.2.4. For wood (material #2 and #3) fencing, no gaps greater than one (1) inch between adjacent pieces. Example: No picket style fencing is allowed.

10.2.5. Wire shall ~~be~~have a rectangular pattern ~~oriented vertically and horizontally with a~~ (maximum of 4 in. by 4 in. and minimum of 2 in. by 2 in.). Additionally, field fence wire may be used that has openings ranging from 3 in. by 6 in. at the bottom to 8 in. by 6 in. at the top.

10.2.5.1. No barbed wire ~~nor chain link fencing is allowed.~~

10.2.5.2. No brightly color coated wire.

10.2.6. All fences may be either painted or stained a natural wood or earth-toned color, similar to the chosen Stucco Colors, or left as natural wood without any painting or staining.

10.2.7. All fence and wall gates shall be of wood construction unless, otherwise approved by the ECIA.

10.3. Railings may be constructed of any material allowed for fences. In addition, cable-style railings are allowed if the structural members are made from an approved fence material.

11. PRIVACY SCREENING FENCES

Covenants Reference (Article II, Section 8) *“Fences and Walls. No (privacy) fences or walls shall be erected or installed on any lot without the written approval of the ECIA Board or its designee(s).”*

11.1. A privacy screening fence shall mean a visual barrier constructed for the purpose of providing privacy, without resulting in a completely enclosed space.

11.2. Location:

11.2.1. Privacy screening fences shall comply with the setback requirements of Article II, Section 3 of the Covenants.

11.2.2. Privacy screening fences shall not be located so as to obstruct the view of the distant landscape from either the road or adjacent properties.

11.2.3. Submissions for privacy fences shall indicate the approximate site elevations where fences are to be located in addition to those of adjacent properties where views might be obstructed.

11.2.4. Where one or more privacy screening fences are located so as to effectively enclose a space, that space shall comply with the guidelines for fences and walls with regard to the maximum allowable total area that can be enclosed.

11.3. Design and Construction:

Privacy screening fences shall comply with the guidelines for fences and walls (Section 10 above) with regard to height, materials and construction.

11.4. Length:

11.4.1. No single privacy screening fence shall exceed fifty (50) feet in length. (With the exception of where a screening fence is being used to screen an RV, Solar Array or other structure that would benefit from having a longer continuous screen.)

11.4.2. The separation between adjacent privacy screening fences shall not be less than twenty-five (25) per cent of the length of the larger screen.

11.4.3. The total length of all privacy screening fences shall not exceed one hundred (100) feet. (Unless having more than 100 feet of fencing is required to adequately screen an RV, Solar Array or other structure.)

- 11.4.4. Properties with existing fences or walls enclosing a total of four thousand (4,000) shall not be allowed to have privacy screening fences added. (Unless the screening fence is required to adequately screen an RV, Solar Array or other items requiring screening.)

DRAFT

12. SCREENING WITH EARTHEN BERMS OR VEGETATION

Covenants Reference:- (Article II, Section 13)- *Recreational vehicles, such as motor homes, RVs, campers, camper shells, vehicle accessories, trailers, horse trailers, airplanes, boats and the like, when stored on a lot shall be located so as to minimize their visual impact on the surrounding neighborhood and roads, and shall be obscured by screening in a reasonable manner, for example by the dwelling house and/or with plantings or fencing.*

12.1. In order to protect the natural appearance of the landscape in Eldorado, use of berms or vegetation for the purposes of required screening requires the approval of the ECIA Architecture Committee.

12.2. Screening with Earthen Berm Only:

12.2.1. The total height of the berm shall not exceed 6 feet above the natural grade.

12.2.2. Berms should be gently sloped on the side facing away from the house. For example, if a 4 foot berm is desired, the distance from the top of the slope to the natural grade on the side facing away from the house should be approximately 16 feet.

12.2.3. Steeper grades or retaining walls may be used on the side of the berm facing the house.

12.2.4. Berms must be graded and landscaped to blend in with the natural surroundings, and to prevent erosion and windblown dust. Mulching and seeding with native grasses or other drought tolerant plants is recommended. Refer to the xeric plants link at eldoradosf.org for examples of drought tolerant plants.

12.2.5. A vegetation plan must be submitted as part of the application, and implementation should occur within 30 days of the creation of the berm, or as soon as possible, dependent on seasonal planting schedules and water restrictions.

12.2.6. Berms may extend into the 10 foot utility easement but residents shall be aware that any berms in the utility easement may be subject to removal by any utility, should they need to access this easement for any required work, and resident may be required to pay the expense of such berm removal.

12.2.7. Berms shall not exceed 50 feet in length for any single berm.

12.2.8. The total linear footage of berms on a lot shall not exceed 100 feet, with the exception of where a berm is being used to screen an RV, Solar Array or other structure that would benefit from having a longer continuous screen.

12.2.9. Berms shall not impede surface water flow.

12.3. Screening with Vegetation:

12.3.1. Spacing between the trees or shrubs used for screening should be no less than the mature width typical for that species.

12.3.2. Trees should not be planted in the 10 foot utility easement. Other vegetation planted in the utility easement is at the risk of removal by any utility, should they need to access the easement.

12.3.3. Native, or drought-tolerant plants, are recommended for all vegetation screens. Refer to the xeric plants link at eldoradosf.org for examples of drought tolerant plants.

12.3.4. Planting should not occur when water restrictions are in effect.

12.3.5. Trees and shrubs submitted as a screening plan shall be maintained and, should they die, the resident will be required to replace them.

13. GARDEN FENCES

Covenants Reference (Article II, Section 8) *“Fences and Walls. No fences or walls shall be erected or installed on any lot without the prior written approval of the ECIA Board of Directors or its designee(s). No perimeter plantings extending along more than 50% of the aggregate boundary lines of a lot shall be installed.”*

13.1. A blanket approval is given to these types of enclosures provided they meet the following requirements:

13.1.1. Garden enclosures are not to be higher than three feet enclosing only the garden area.

13.1.2. Garden enclosures are not to exceed 1000 square feet.

13.1.3. Garden enclosures are considered to be temporary in nature.

13.1.4. Materials shall be wood post and wire. The wire can include “chicken wire” or “hardware cloth”.

13.1.5. All property line setbacks specified in the covenants shall be observed for fences and walls. The exceptions include trees, hedges, or other plantings on or near the property line.

14. CISTERNS- AND RAIN BARRELS

14.1. *Cisterns* are containers (greater than 120 gallons) of any material or fabrication, shape or size installed for the purpose of catching and storing water from the roof.

14.2. Requirements for *Cisterns*:

14.2.1. The above ground portion of the cistern shall not exceed 6 feet in height and the color shall match the dwelling.

14.2.2. *Cisterns* shall not be located so that the cistern or the required screening (except for plantings) project into the setbacks.

14.2.3. *Cisterns* shall be completely screened from neighbors and rights-of-way (roads and greenbelts) by stucco walls, wood fences or screening composed of suitable xeric evergreen plantings.— Where a wall or fence is used to screen a cistern it shall be of an approved style, as described in Sections 12 and 13 above. Height shall be sufficient to ~~optimally~~ conceal the cistern. If other fences or walls exist or are proposed on the property, limitations on number of types and locations as listed in that section apply. Where only the access hatch and/or overflow discharge is exposed, do not require screening.—~~Screening other than plantings is to be within four (4) feet of the cistern.~~

14.2.4. In-ground cisterns are encouraged due to their greater capacity. Any portion higher than eighteen (18) inches above grade level shall be painted to match the color of the structure.

14.2.5. All exterior down spouts and/or piping from the roof or canals to the cistern shall be installed within six (6) inches from the structure wall, or as close as practical, ~~of the house for the vertical run and~~ Exposed piping shall be finished to match blend with the house adjacent surfaces.

14.3. Rain barrels with a capacity of up to 120 gallons do not have to be screened but must match the color of the adjacent structure.

15. STORM WATER MANAGEMENT AREAS

15.1. Storm water management areas are natural or manmade depressions ~~in~~ or structures on the land for the purposes of controlling erosion and runoff and shall infiltrate within 72 hours after rainfall.

15.2. Requirements for Storm Water Management Areas:

15.2.1. Storm water management areas shall not exceed 6 inches in depth, unless there is a perc test, or an engineered design, verifying that it will drain within 24 hours.

15.2.2. All storm water management areas shall not be lined with a rubber barrier but shall be made of natural earthen material to allow for water recharge into the ground.

~~15.2.2.~~ 15.2.3. Where stone walls or earthen structures are used to divert surface water or to prevent erosion and there are no footing or concrete used, they may encroach into the setbacks. However, any structure located within the 10 foot utility easement may be subject to removal by utilities.

~~15.2.3.~~ 15.2.4. All storm water management areas shall comply with both Santa Fe County and State of New Mexico requirements for construction design and materials as well as water rights requirements.

16. ~~COMMERCIAL NAMEPLATES~~SIGNS AND BANNERS ON RESIDENTIAL PROPE-ON RESIDENTIAL PROPERTY IN ELDORADO

Covenant Reference: (Article II, Section 9) “**Signs.** Except as specifically set forth below, no sign of any kind shall be erected or maintained on any lot, nor on any common area, without the prior written approval of the ECIA Board of Directors or its designee(s). The following signs do not require approval under this section when erected on a lot:”

- 16.1. Community interest signs, such as neighborhood watch signs, beware of dog signs, no trespassing signs, no solicitation signs, security company warning signs, or other security signs. Such signs shall not exceed 216 sq. inches in size and shall be professionally constructed. Any signs not professionally constructed shall require prior written approval of the ECIA Board of Directors or its designee(s). No trespassing signs shall not exceed State of New Mexico minimum requirement for distance between signs.

~~16.1.1. One nameplate sign is allowed per lot but shall not exceed 216 sq. inches in size.~~

~~16.1.2.~~16.1.1. One time only event signs or banners such as ~~signs~~ for garage sales, birthdays, open houses, and the like, which shall be removed after the event, but in no case shall remain for more than 72 hours.

~~16.1.3.~~16.1.2. Only one sign, which shall not exceed 2ft x 3ft in size, is allowed for the following: For Sale, For Rent, real estate or builder/construction signs. No builder/contractor signs shall be placed on a lot until project approval has been granted by the ECIA, and shall be removed at the completion of the project. Such signs, if not professionally constructed, shall require prior written approval of the ECIA Board of Directors or its designee(s).

~~16.1.4.~~16.1.3. Only one open house sign which shall be removed daily.

~~16.1.5.~~16.1.4. Public election signs are allowed on a lot 14 days prior to early voting or election day (whichever comes first) for local elections where Eldorado residents are eligible to vote -early voting and shall be removed within 72 hours after the election. Election signs shall not exceed the size of 2 ft. by 3 ft. in size and shall not be reflective or lit. Residents shall have no more than one sign per candidate or issue on their lot.

- 16.2. Home-~~based business-occupation name-plate~~ signs are allowed provided the ~~home occupation~~ sign has received approval by the ECIA Board who will verify that it is in

compliance with Section 12 of the Covenants. Details of the requirements for this type of sign are as follows:

16.2.1. Does not exceed 216 sq. inches in size.

16.2.2. Shall not be mounted so that the top of the sign is higher than 4 feet above the natural grade.

16.2.3. Does not violate the limitation of free speech per Federal law.

16.2.4. One nameplate is allowed at the entry to the dwelling or large accessory buildingstructure.

16.2.5. One nameplate is allowed to be attached to the mail box post, mail box or driveway monument.

16.2.6. Shall meet any additional state or county sign requirements.

16.3. Signs Not Allowed:

16.3.1. Any lighted or neon signs.

Any kind of advertising signs.

16.3.2. Signs using any reflective materials

17. Antennas for Video Programming Services

Covenants Reference (Article II, Section 13 c) *“No more than one satellite dish shall be permitted on a lot without prior written approval of the ECIA Board of Directors or its designees. All satellite dishes shall be located so as to minimize their visual impact of the surrounding neighborhood and roads, and shall be obscured by screening in some reasonable manner, for example by the dwelling house and/or with plantings or fencing”.*

17.1. Under current FCC Over the Air Reception Device Rules, however, such screening, shall not affect the resident’s reception and residents can have more than 1 satellite dish on their roof, and up to one meter (39.27 inches) in diameter, so long as it is for a desired service and is actively receiving broadcast signals. Any inactive satellite dishes shall be removed from the roof.

17.2. Antennas for video programming reception, television broadcast reception as well as reception of fixed wireless services shall comply with all state and federal regulations. There are three (3) common mounting methods for these antennas.

17.2.1. A fairly short (5’ to 6’) pole that is set in the ground.

17.2.2. A wall mount fixture that attaches to the side of a building or structure.

17.2.3. A roof mount fixture with overall antenna and dish height not to exceed 12 feet above the roofline.

17.2.4. The roof mount is the most common application on flat roof houses such as the popular pueblo style homes commonly built in the Santa Fe area.

All antenna systems that do not meet the above requirements must obtain formal approval before installation. Additional information regarding Antennas for Video Programming Services can be found in Part I of Title 47 of the Code of Federal Regulations.

18. RECREATIONAL VEHICLES, MOVABLE STORAGE CONTAINERS, (SUCH AS PODS), AND OTHER EQUIPMENT SCREENING

Covenant Reference (Article II, Section 13) *"Storage and Screening of Vehicles and their Accessories.*

a) Recreational vehicles, such as motor homes, RVs, campers, camper shells, vehicle accessories, trailers, horse trailers, airplanes, boats and the like, when stored on a lot shall be located so as to minimize their visual impact on the surrounding neighborhood and roads, and shall be obscured by screening in a reasonable manner, for example by the dwelling house and/or with plantings or fencing."

Covenant Reference (Article II, Section 1) ". . . No trailer, mobile home, tent, shack, garage, barn or other outbuilding, or any temporary structure erected on any residential lot, shall be used at any time as a residence, either temporarily or permanently."

~~18.1.1. — This Guideline was adopted by the Board on February 19, 2004 and became effective on September 1, 2004.~~

~~18.2.18.1. ManyAll recreational vehicles (RVs), by virtue shall be screened regardless of their color, size or placement on the lot, may be inconsistent with the design requirements of the community that create our unique Eldorado living environment.~~

~~18.2.18.1.1. Homeowners are required to contact the ECIA to determine if their RV screening plans meet these Guideline requirements.~~

~~18.2.2.18.1.2. All parked Recreational VehiclesRVs, trailers, and other vehicles that require vehicle registration for road use being stored on a lot shall be covered or screened at all time except for ,such as motor homes, campers, camper shells, vehicle accessories, trailers, horse trailers, airplanes, boats, ATV's, Jet Skis, Snowmobiles and all utility trailers (that require vehicle registration for road use), when stored on a lot, shall be located so as to minimize their visual impact on the surrounding neighborhood and roads and shall be obscured by screening in a reasonable manner, for example by the dwelling house and/or plantings or fencing. All parked recreational vehicles, that use covers as a method of screening, shall be covered at all times, except before and after a trip off site when they may be left uncovered a maximum of 7 days before and 7 days after such a trip or for more than 15 days in a calendar month. In addition, no recreational vehicles shall be left uncovered for more than seven (7) consecutive days when on a lot.~~

~~18.2.3.18.1.3. This Guideline recognizes that many screening methods are lot specific; some lots may require only one of the options listed below, while others may~~

require several in combination. The overall objective of this Guideline is to obscure RVs by screening to make them less conspicuous and more congruous with the environment. Obscure means to make inconspicuous or unnoticeable, or to conceal physically, hide or cover, and the following options are considered reasonable for such screening.

18.2.4.18.1.4. Some common methods of screening RV's, which require ECIA approval before implantation, are as follows:

18.2.4.1.18.1.4.1. Option 1: RV Garage or Carport - An RV garage or carport may be constructed, provided the structure meets ECIA Covenants and Guidelines and is approved by the Architecture Committee. Please note that a carport alone is unlikely to provide the required screening.

18.2.4.2.18.1.4.2. Option 2: Trees and/or Plantings – Drought Resistant Evergreen trees and other similar types of plantings are an approved screening method, when sufficiently dense and/or used in conjunction with existing structures on the property. Trees and/or plantings must be sufficiently dense and numerous that the RV is obscured.

18.2.4.3.18.1.4.3. Option 3: RV Covers — A solid-colored, approved earth tone cover (~~as exemplified by~~ See ECIA approved stucco colors) may be used to complement a visual barrier provided that the RV is located on the lot so that buildings-structures and other visual barriers on the existing landscape are used to maximum advantage and the outline of the vehicle is least visible. (When an RV is partly screened by much mature green vegetation, a dark green or dark gray cover may be an acceptable alternative, if approved by the ECIA.)

18.2.4.4.18.1.4.4. Option 4: RV Screening Fences - The Architecture Committee may approve screening fences, up to 8 feet in height, for RV's, although additional screening methods may be needed for large vehicles.

18.1.4.5. Option 5: Berms - Earth berms may be allowed, although, berms alone will normally not be sufficient as a sole method of screening RVs. However, earth berms used with other options, such as trees and/or plantings, may provide sufficient screening. Total height of berm and fence shall not be greater than six feet above the natural grade. (Refer to Section 12, Screening with Berms or Vegetation for more information.)

~~18.2.5~~18.1.5. Visiting RVs shall not be on the lot for more than 7 days and unscreened without the approval of the ECIA

~~18.3~~18.2. Movable Storage Containers (such as PODS), dumpsters, portable or mobile toilets, or RVs being used as temporary bathroom and/or kitchen facilities during bathroom and/or kitchen remodels/repair:

~~18.3.1~~18.2.1. Should a Movable Storage Containers (MSC) be on a lot when a resident is moving into or out of a home, the ECIA requires that the MSC shall not be on the lot for more than 14 days. This requirement is in keeping with Article II, Section 13, Paragraph B of the covenants.

~~18.3.2~~18.2.2. Should, however, a MSC be brought onto a lot due to an issue such as a home renovation, water leak or fire damage, and items are needed to be stored inside the MSC for a limited time basis, including during the time that a construction permit is active or, for projects that do not require a construction permit, the MSC can be on a lot for up to 60 days, provided the resident contacts the ECIA to inform us the reason why it is on the lot and the anticipated date that it will be removed from the lot. When this occurs we do ask that the residents place the MSC on the lot, where it is accessible, but in the most screened location possible

18.2.3. Should a resident find that they cannot remove the MSC within the required 60 day time period, the ECIA will require that they send a written request to the ECIA to keep the MSC on the lot longer and any such requests will be handled on a case by case basis.

~~18.3.3~~18.2.4. MSCs may require screening depending upon size, siting, and duration of project.

19. NUISANCES

Covenants Reference (Article II, Section 14) *“Nuisances-Clause. No lot shall be used in any way for the storage or dumping of trash or debris, nor for any purpose which may endanger the health of, or unreasonably disturb, other lot owners, or which creates or constitutes a nuisance. No unsightly or offensive objects shall be erected, placed, stored or permitted to remain on any lot, nor shall any lot be permitted to appear in an unclean or untidy condition.”*

19.1. Nuisance Guidelines: Section 14 of the Covenants forbids unsightly or offensive conditions which can be deemed nuisances when exposed to view. Precise definition of that condition can be difficult. Therefore, below are described a number of conditions which are considered to meet that criteria. Concealment from view from roadways and adjacent properties is required. The list is not to be considered as all inclusive, but rather examples of nuisance conditions to serve as a guide. Other nuisance conditions can also meet these criteria and some can be site specific.

- 19.1.1. Abandoned, unregistered or partially repaired vehicles or devices or parts of vehicles and other devices.
- 19.1.2. Abandoned or not in use electrical, solar, or other equipment either on the house or lot.
- 19.1.3. Shade structures, plays structures, trampolines and other structures that are in disrepair and no longer in use.
- 19.1.4. Miscellaneous household items including household appliances, old bikes, equipment and similar devices.
- 19.1.5. Trash cans left beside the road for more than 24 hours, or trash blowing out of the trash receptacle.
- 19.1.6. Exterior metal or chain link dog kennels, unless screened from neighbors, and public right of ways, by a wall, fence, vegetation or other methods.
- 19.1.7. Business and household construction and landscaping devices and machinery such as: scaffolding, tractors, backhoes, large landscaping equipment, lawn and garden equipment, and the like.

19.1.8. All construction material unless temporarily stored for timely incorporation in an approved construction project for this specific property. Construction material shall not be stored on one property for incorporation in construction taking place on another property.

19.1.9. All structures, including fences and accessory structures, that have not been maintained in good condition. Examples of such disrepair include, but are not limited to, stucco in poor condition, wood and trim in poor condition, fences that are falling down or missing latillas or slats, lighting in disrepair, and roofs in disrepair.

~~19.1.8.~~19.1.10. Commercial vehicles that require a commercial driver's license (CDL) to drive shall not be left on any lot for more than 24 hours.

20. SOLAR COLLECTORS

Covenants Reference: (Article II, Section 5) *“Roofs shall not be constructed of highly reflective or glare producing materials, but may include skylights, solar panels and clerestories.”*

Eldorado has a history as a solar energy-friendly community. The Eldorado Community Improvement Association (ECIA) continues to encourage the use of solar energy systems by residents in Eldorado and recognizes that solar collectors help to reduce carbon emissions and other impacts on the environment, as opposed to traditional energy generation. The purpose of this section is to provide guidance for the installation of such solar energy systems, in a way that protects the natural beauty of Eldorado as well as the health of the environment. It should be noted that the first step in the professional practice of solar energy system installations is to reduce the demand through efficiency so the size of the system is no larger than it needs to be.

20.1 Applicants of solar energy systems shall refer to the Solar Installation Review Procedures that are located on the Eldorado Web-site ~~at this link:~~
<http://www.eldoradosf.org/images/document/Solar%20Procedures%20Revised%205-28-14.pdf>
~~This link~~ which provides all required information for ~~their each specific~~ type of solar energy system. Applications for solar energy systems shall be approved if such installations conform to all property setbacks, easements and the following guidelines:

20.1.1 Lot owners submitting applications for solar energy systems shall post public notice of their intent to a Solar Energy System on their lot, using signage provided by the ECIA, at least 14 days in advance of review by the ECIA Architecture Committee. Such signage shall be located on the driveway side of the lot and must be prominently visible to the general public. Where a lot fronts on one or more roads, the notice must be visible from all road frontages. This may require the posting of more than one notification sign. This public notice signage must include the date, time and place of the applicants' Architectural Review hearing for proposed solar energy system. (These signs are available at the ECIA and there is a \$50.00 refundable deposit for each sign.)

20.1.2 As well, the lot owner shall notify all neighboring property owners, within 300 feet of his lot, (excluding the greenbelt, right of ways and roads) of the proposed solar energy system review date. The names and addresses of these neighbors will be provided by the ECIA to the applicant. These notifications may be mailed via certified mail, or hand delivered, but must be received by all such neighboring property owners, at least 14 days in advance of the review by the ECIA Architecture Committee. Confirmation of mailings or in person hand delivery signatures shall be submitted to the ECIA Covenants Compliance Representative prior to the meeting.

20.1.3 Certified mailings are not required for ballasted, low angle, rooftop installations where the highest point on the solar panels is lower than the roof parapets.

20.2 Variances to these guidelines may be granted by the ECIA Board of Directors, if the justification for the variance request includes any of the factors below:

20.2.1 Variance is needed in order for resident to take advantage of the natural screening on a lot, in order to minimize the equipment's impact on the viewscales of other residents.

20.2.2 Variance is needed in order to maximize system performance.

20.3 Roof Mount Solar Energy Systems

20.3.1 Solar systems may be located on the flat roofs of dwellings, provided that maximum advantage is taken of existing conditions such as parapets, set back from the roof edge, ground topography and other methods of reducing visibility from ground level so as to minimize the equipment's impact on the viewscales of residents.

20.3.2 Solar collectors may be located on the pitched roof of dwellings and shall be mounted flush with the roof.

20.3.3 Solar panels should be mounted with a horizontal orientation mounting (long axis parallel to the roof), if feasible, when a vertical orientation mounting (short axis parallel to the roof), would be visually obtrusive.

20.4 Ground Mount Solar Energy Systems (Including Tracking Arrays)

20.5.1 Solar energy systems may be located at ground level or on a Solar Tracking Array, and should be sited on the lot so as to utilize existing natural screening features (such as topography and vegetation) in order to minimize the visual impact on neighbors, without impeding solar energy system performance. Where there is inadequate natural screening features on the lot, the lot owner shall be required to reduce the visual impact from such collection equipment, by submitting a screening plan, using any one, or combination of, screening methods such as fences, walls, vegetation, or by topography of sufficient height so as to obscure the equipment and make it less visible from view. (Should vegetation be used for screening, the ECIA encourages the use of drought resistant, native xeric plants that shall be maintained for the life of the solar energy system.)

20.4.2 Solar energy systems often need to be located more than 15 feet from the primary dwelling to perform optimally. In such cases additional screening may be required.

20.4.3 Solar panels should be mounted with a horizontal orientation mounting (long axis parallel to the ground), if feasible, when a vertical orientation mounting (short axis parallel to the ground), would be visually obtrusive.

20.4.4 The location of the ground mount array, or tracking array, shall respect all property line setbacks, as well as the 10 foot utility easement. The array shall be sited as close as possible to the primary dwelling, while still maintaining functional efficiencies and minimizing any visual impacts.

20.4.5 The maximum height of any ground based array shall be 8 feet above the natural grade and tracking arrays shall not exceed a height of 14 feet above the natural grade. When the terrain allows, the base of the tracking array, when in its most vertical position, should not exceed 24" in height off the natural grade. Any requests for a tracking array over the height of 14 feet shall require a variance.

21. WIND TURBINES

Covenants Reference: (Article II, Section 13) *“d) No radio antenna or similar tower-like structure shall be erected, installed or maintained on any lot without the prior written approval of the E.C.I.A. Board of Directors or its designees.”*

All wind turbines, or other wind driven structures, require approval from the ECIA Board of Directors or its designees, before they are installed. Specific guidelines for such wind turbines are as follows:

21.1.1 The maximum height of any wind structure shall not exceed 24 feet. The ECIA interprets the height of the structure to be the height above ground of the tallest portion, including any blades or rotating apparatus at the maximum height of rotation.

21.1.2 The wind turbine apparatus shall be located as to minimize the impact, visual and otherwise, upon neighbors and upon the larger community, consistent with proper functioning.

21.1.3 The design of the wind turbine shall permit it to operate silently. Noise sufficient to deprive any neighbors of the quiet enjoyment of their property shall be grounds for the Board to revoke the permit for the structure.

21.1.4 The colors and materials of the wind structure shall be designed to blend with the neighboring structures and landscape.

APPENDIX 1
HEIGHT RESTRICTIONS: REFERENCE TABLE

Reference: Elevation / Height Chart for Structures			
<i>Structure</i>	<i>Dimension</i>	<i>Measured From</i>	<i>Comments</i>
<i>Antenna / Dish (roof)</i>	<i>12 Feet above</i>	<i>Roof Line</i>	<i>Dish 1 meter in diameter</i>
<i>Antenna / Dish (ground)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Screen ground installations</i>
<i>Cistern (water catchment)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Top of cistern screening required</i>
<i>Driveway Liner (solid)</i>	<i>2 Feet above</i>	<i>Natural Grade</i>	<i>Solid (stone or wood)</i>
<i>Driveway Liner (open)</i>	<i>4 Feet above</i>	<i>Natural Grade</i>	<i>Open (split rail)</i>
<i>Driveway Monument(s)</i>	<i>4 Feet above</i>	<i>Natural Grade</i>	<i>10 Ft long; 10 Ft from property line</i>
<u><i>Flagpoles</i></u>	<u><i>12 Feet above</i></u>	<u><i>Natural Grade</i></u>	<u><i>shall respect all setbacks and</i></u> <u><i>image and utility easements</i></u>
<i>Fence (Enclosing Space)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Top of fence; enclose up to 4000 SF</i>
<i>Fence (Privacy screen)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Top of fence; two 50 ft. sections max.</i>
<i>Fence (RV screen)</i>	<i>8 Feet above</i>	<i>Natural Grade</i>	<i>Top of fence; only to screen RV</i>
<i>Gate</i>	<i>8 Feet above</i>	<i>Natural Grade</i>	<i>Top of gate structure (adjacent)</i>
<i>Garden Enclosure</i>	<i>3 Feet above</i>	<i>Natural Grade</i>	<i>Enclose "garden area" only</i>
<i>Large Accessory</i>	<i>0 Inches above</i>	<i>Roof Line</i>	<i>Not to exceed height of house</i>
<i>Propane Tank (screen)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Enclose / Screen 100%</i>
<i>Residence</i>	<i>18 Feet above</i>	<i>Natural Grade</i>	<i>Board Approval to exceed 18 feet</i>
<i>Small Accessory</i>	<i>9 Feet above</i>	<i>Natural Grade</i>	<i>Additional Screening required</i>
<i>Wall (enclosed)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Top of wall; enclose up to 4000 SF</i>
<i>Wall (screen)</i>	<i>6 Feet above</i>	<i>Natural Grade</i>	<i>Top of wall; two 50 ft. sections max.</i>
<i>All height dimensions shall be measured from the lowest point where the natural grade of the lot meets the structure to the highest point of the structure. (unless measured from the roof line)</i>			

APPENDIX 2

DEFINITIONS

Banner:

Berms:

Buttress:

Cable-style railings:

Canale:

Chicken wire:

Cistern:

Clerestory:

Coping:

Corbels:

Dormers:

Driveway Liner:

Eyebrow (on a building): A flat, normally concrete, projection which protrudes horizontally from a building wall; Eyebrows are generally located above windows.

Fenestration:

Flag:

Gabled roof:

Gazebo:

Hardware cloth:

Hip roof:

Knox Lock Box Rapid Entry Design:

Knox Padlock:

Latilla:

Loose low-lain stone walls:

Metal gravel stops and edging:

Natural Grade:

Parapet:

Pedimented lintel:

Pergola:

Portal:

Rain barrel:

Ramada:

Roughhewn:

Sign:

Sunroom:

Swales:

Trombe walls:

Viga:

Window casing:

Window trim:

DRAFT