

Pagosa Lakes Property Owners Association

BUILDING PERMIT PROCESS

SECTION 3: ARCHITECTURAL AND ENVIRONMENTAL STANDARDS

3.1 ARCHITECTURAL STANDARDS

- 3.1.1 **Setbacks:** All structures and potential future improvements must be designed and platted to meet the setback requirements outlined in the respective Declaration of Restrictions as summarized in *Section 11*.
- 3.1.1.1 A driveway or walkway constructed at finished grade is excepted from the setback requirement.
- 3.1.1.2 A pad of concrete or other material used to store an RV, camper, boat, snowmobile, ATV, trailer or other equipment or material must comply with setback requirements.
- 3.1.1.3 The side property line setback distance for eave or roof overhang is in some cases less than the setback for the building or structure. Verify specific setback requirements with the DCC.
- 3.1.1.4 A Colorado registered professional land surveyor shall conduct an “As Formed” foundation survey that verifies the approved PILC if the proposed construction is within three (3) feet of a setback line, or if a setback variance is granted. An “As Formed” foundation survey may be required on any other project deemed necessary by the Environmental Control Committee (ECC)/Department of Covenant Compliance (DCC). Review and approval of a required survey must be completed by the DCC prior to pouring the foundation.
- 3.1.2 **Building Code Compliance:** It is the property owners responsibility to ensure that all structures built or placed on a lot or tract including MH50 lots in Vista Subdivision are approved by the Archuleta County Building Inspector as complying with the most recent applicable edition of the International Residence Code (IRC) or other codes adopted by Archuleta County.
- 3.1.3 **Modular Home:** Plans and specifications for modular homes and similar types of improvements may only be approved if allowed by the applicable Declaration of Restrictions. Modular homes and similar types of improvements must meet the same requirements as other new major construction, i.e. exterior design, exterior finish, changes in elevation or roofline appearances, door/window and corner trim, and as determined by the ECC to be attractive and compatible with the neighborhood and the character of each subdivision. The owner must provide written evidence that the modular home complies with the IRC and local Archuleta County building requirements.

- 3.1.4 **Mobile/Manufactured Home:** Homes built to Federal HUD specifications are allowed on MH50 lots in Pagosa Vista Subdivision. MH50 mobile homes shall comply with local building codes and State of Colorado Certified Housing of Urban Development (HUD) codes. The owner of a mobile/manufactured home that is other than new must demonstrate acceptable condition of the home to the satisfaction of the DCC. Detailed pictures of all exteriors must be provided for preliminary evaluation. Final DCC approval of the home may be withheld until a physical inspection is conducted by the DCC. All ECC building guidelines apply unless otherwise specified.
- 3.1.5 **Commercial or Multi-Occupancy (4 or more) Residential Building:** Due to the significant visual impact of commercial and multi-occupancy structures, the owner or their authorized agent(s) shall arrange a review with the ECC of preliminary plans prior to initiating any final design. Design guidelines as developed as a result of the review session shall be used as a basis for all plan preparation.
- 3.1.6 **Component Construction:** Assemblies built off-site, such as panelized exterior wall sections and/or roof trusses.
- 3.1.7 **Plans for major construction projects shall consist of:**
- 3.1.7.1 A foundation plan, including supports for deck or porches.
- 3.1.7.2 A floor plan for each level which includes a compass north.
- 3.1.7.3 A north, south, east and west elevation .
- 3.1.7.3.1 On at least one elevation, the following shall be identified:
- exterior siding or surface treatment i.e. 1x8 cedar, “D” log; stucco; cedar shakes; etc.
 - trim i.e. 1x4 cedar; etc.
 - fascia i.e. 1x6 cedar; etc.
 - roof material i.e. architectural grade shingles, metal, etc.
 - roof slope, i.e. 5 in 12, etc.
 - deck or porch surface i.e. redwood, trex, concrete, etc.
 - wainscot/skirting material i.e. natural stone, cultured rock, etc.
- 3.1.7.3.2 The ground floor surface level shall be identified on each elevation.
- 3.1.7.4 A wall section.
- 3.1.7.5 Other requirements for each plan:
- 3.1.7.5.1 Subdivision name, lot number and street address.
- 3.1.7.5.2 Functional title i.e. FLOOR PLAN, ELEVATION, FOUNDATION PLAN, etc.

3.1.7.5.3 An individual page number.

3.1.7.5.4 Each plan should be drawn to a ¼"=1'0" scale.

3.1.8 **A Proposed Improvement Location Certificate (PILC)** is required for initial construction. For subsequent construction, a PILC based site plan showing structure locations, trees, drainage and other physical features such as drives, walkways, walls, etc. may be substituted for a new PILC.

3.1.9 **Outbuilding Plans:**

3.1.9.1 Any outbuilding in excess of 200 square feet will require the same plans as for Major Construction per *Section 3.1.7 and 3.1.8*.

3.1.9.2 Any outbuilding of 200 square feet or less in area can be proposed with adequate to scale drawings or sketches showing building elevations and location on the property.

3.1.9.3 All out buildings shall have an architectural design, color treatment and materials that are compatible with the main house.

3.1.9.4 Construction of any outbuilding (i.e. workshop, storage building) may not be started until a residence has been constructed on the property.

3.1.10 **Roofs:**

3.1.10.1 Wooden shake roofs are prohibited.

3.1.10.2 Galvalume, white and other light colored roofs will not be approved.

3.1.10.3 If asphalt shingles are used, only architectural grade will be approved. (re-roofing of a mobile/manufactured home shall be with equal or greater quality shingles).

3.1.10.4 Roofs of single or duplex residences, commercial, and multi-occupancy residential buildings shall be multi-leveled, have a stepped ridge line or contain other architectural features to preclude a straight, box-like appearance.

3.1.10.5 Roof pitches shall be at least 5 in 12 or steeper except for mobile/manufactured homes.

3.1.10.6 Santa Fe style flat roofs with adequate drainage are acceptable.

3.1.10.7 Eaves shall overhang a minimum of 12 inches beyond the outside vertical plane of exterior walls (mobile/manufactured homes are excepted).

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

3.1.11 Exteriors:

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

3.1.11.2 Plywood, masonite and similar products are not recommended as an exterior siding material.

3.1.11.3 Fascia and trim shall be a minimum of $\frac{3}{4}$ inch thick to provide visual relief and shadow patterns (required on mobile/manufactured home only when replaced).

3.1.11.4 Foundations and/or skirting extending more than six (6) inches above grade and all raw concrete walls shall be colored to blend with the rest of the structure or environment. Texturing or other surface treatment is allowed.

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

3.1.13 Colors:

3.1.13.1 Colors of structures exteriors, roof, trim, fascia, doors and exposed concrete foundation should be chosen to present a coordinated, complementary appearance which is compatible with existing structures and the natural surroundings.

3.1.13.2 Any shade of gray is not permitted as a finished color for stucco.

3.1.13.3 Samples of approved colors for exterior surfaces and for roofing are on display in the DCC office.

3.1.13.3.1 Exterior surfaces, metal roofing and asphalt shingles which are the exact displayed manufacturer's color as well as other manufacturer's colors "judged to be equal" by the DCC may be used without further action by the Committee. Other colors may be used subject to review and approval by the Committee.

3.1.13.3.2 Typically available vinyl and cement fiber siding, stucco and stained wood are also displayed and their approved matching color identified.

3.1.13.4 The approved colors are those identified by manufacturer number or name in the following sections. The Committee approves colors only and does not endorse any specific manufacturer.

3.1.13.4.1 Approved exterior colors

Source: Devoe Paint Company Color Key Program international Color Reference

BROWN	2W7-X	thru 2W19-X	X= 3 thru 6
GRAY	2W20-X	thru 2W23-X	X= 3 thru 6
BROWN	3W7-X	thru 3W15-X	X= 3 thru 6
GREEN	3W16-X	thru 3W20-X	X= 3 thru 6
BROWN	3W21-X	thru 3W24-X	X= 3 thru 6
BROWN/YELLOW	4W9-X	thru 4W12-X	X= 3 thru 6
GOLD/BROWN	4W16-X	thru 4W17-X	X= 3 thru 6
BROWN/ORANGE	4WA22-X	thru 4WA23-X	X= 3 thru 6

3.1.13.4.2 Approved Metal Roof Colors

Source: Fabral – Super Alurite 25 Paint System

Antique Bronze 554	Classic Burgundy 553	Evergreen 574
Black 580	Cocoa Brown 556	Hickory Moss 572
Brick Red 598	Copper DCC # 1	Light Gray 589
Caribbean Blue 584	Dark Blue 558	Pantina Green 593
Charcoal Gray 551	Dark Brown 559	Tan 555

3.1.13.4.3 Approved Asphalt Shingle Colors

Source: Owens Corning – Architectural series/Oakridge Series 25, 30, 40

Brownwood	Driftwood	Teak
Chateau Green	Estate Gray	
Desert Tan	Onyx Black	

3.1.14 **Lighting:** The Archuleta County Outdoor Lighting Regulations are hereby incorporated as *Section 15*.

3.1.15 **Acreage Lot Use:**

3.1.15.1 For Pagosa Meadows II, III, and IV, and Martinez Mountain Estates I (lots 1 through 59 and lots 102 through 136) and Martinez Mountain Estates II, a maximum of five structures of the following can occupy one lot:

3.1.15.1.1 One single-family residence

3.1.15.1.2 One guest house

3.1.15.1.3 Additional structures such as: storage building, detached garage/workshop, or barn.

3.1.15.2 The use of the guest house is restricted to:

- 3.1.15.2.1 Residence for members of the immediate family of the Property Owner
- 3.1.15.2.2 Temporary occupancy by guest of the Property Owner for period of sixty (60) day or less.
- 3.1.15.2.3 If the guesthouse is constructed on property prior to the main residence, it must meet all the standards for a single-family residence.
- 3.1.15.2.4 The guesthouse cannot be used as a rental unit.
- 3.1.15.3 The Environmental Control Committee may grant a variance to build additional buildings in accordance with Item 5 of the Declaration of Restrictions.
- 3.1.16 **Garages:**
 - 3.1.16.1 Plans and specifications for new residential construction including multi-occupancy residential buildings must include at least a single-car, fully enclosed garage for each living unit, except for MH 50 lots in Vista.
 - 3.1.16.2 Garage conversions – A new garage must be completed prior to an existing garage being converted into living space or any other use.
- 3.1.17 **Outdoor clothes drying** is acceptable in the rear yard as a reaction to energy costs and the need for energy conservation.
- 3.1.18 **Street Address Numbers:** At the time of substantial completion of the primary structure on a lot, the county specified address number shall be installed by the builder where it will be readable from the street.
- 3.1.19 **Privacy screening:** A deck or patio can be screened up to 5 feet in height above the surface of the deck or patio.

3.2 ARCHITECTURAL HARMONY PROCESS

- 3.2.1 The Declaration of Restrictions states that the Committee shall have the right to disapprove plans, specifications or details submitted to it in the event the proposed building or structure is not in architectural harmony with the general surroundings of such lot or with adjacent buildings or structures. When the ECC determines an application may not be in architectural harmony with surrounding properties, it must go through a hearing process before a final decision. The *Presiding Officer* at a meeting will announce that an issue of architectural harmony is raised. [Ref. PLPOA Board Resolution 2005-19]
- 3.2.2 If a property owner, or their representative, modifies their application, the ECC can approve that change if it finds an issue of architectural harmony has been removed, thereby eliminating the need for the hearing process.

3.2.3 In the event an architectural harmony hearing is deemed necessary, the adjacent neighbors are to be informed of the design issue and invited to respond. The ECC will give serious consideration to the adjacent neighbors' responses received before reaching a final decision. Their comments and those of the neighbors will be made part of the meeting minutes, and furnished to the property owner.

3.3 ENVIRONMENTAL STANDARDS

3.3.1 **Surface Restoration:** Owners shall re-seed with weed-free seed, or other appropriate treatment, all disturbed soil within one year of disturbance. Introduction of weeds listed as "noxious" by the State of Colorado and Archuleta County is prohibited in Pagosa Lakes.

3.3.2 **Silt fences:** Owners of lakefront property, or property determined by PLPOA staff to cause a potential impact to drainage into any lake, shall be required to install and maintain a silt fence during construction to deter surface soil movement into the lakes. Silt fences shall be required to be placed prior to initial excavation and remain until completion of surface restoration (revegetation). The PLPOA staff may specify the placement/location of the silt fence.

3.3.3 **Trees:** Trunks, cambium, or root system of all trees within the Subdivisions must be protected. For additional information, see tree care and protection *Section 12*.

3.3.3.1 **Tree Removal:** Trees (live or dead) shall not be cut down without prior written approval of the PLPOA. However, trees may be trimmed or live branches removed not to exceed twenty percent of tree height from ground level without ECC approval. Thinning of excessive underbrush is recommended.

3.3.3.1.1 **Fire Mitigation:** If a written fire mitigation plan is proposed, it must be prepared by the Colorado Forest Service, an individual or company certified by a local government entity, Fire Chief, Fire Marshall, or Fire Protection District and submitted to and approved by the Department of Covenant Compliance. [Reference PLPOA Board Resolution 2005-04]

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

3.3.4 Storm-water Runoff and Drainage Policy:

3.3.4.1 **General Policy:** The protection of properties, both private and public, against flooding, erosion, sedimentation, and other encroachment due to storm-water runoff and drainage

is a prime concern of the community and the ECC. When new development occurs, land is cleared, and buildings are constructed. This disturbs the natural environment. In most cases topsoil is removed and large excavations occur. When natural drainage-ways and adjacent control measures are not taken into consideration during design and construction, new and existing roadways can become collection points for storm runoff and associated sediments; therefore, protection of the commonly owned lakes, surrounding properties, and the roadways' ability to resist the above forces is of great concern.

NOTE: The objective of this policy therefore, is to present standards and specifications for the Project Engineer to follow.

3.3.4.2 Drainage issues apply to all property where there are additions of impervious surface area and where that increase will adversely impact the quality of water flowing into the lakes, rivers and tributaries. The purpose is to assure that run off and/or storm water drainage from parking lots or driveways, etc. flowing into lakes, rivers, and tributaries has been suitably filtered or cleaned by a structural control method.

3.3.4.3 Drainage Study: An assessment of the area to be developed and the adjacent areas that will be affected by the development. The drainage study report shall be included with the building plan submittal.

3.3.4.4 The drainage plan shall cover:

3.3.4.4.1 Offsite Flows – Describe the effect of offsite flow on the development and how they are affected by the development. What control measures will be necessary for their proper conveyance?

3.3.4.4.2 On-site Flows – Both historic and developed. Define the system that will convey the onsite flows throughout the development and how they will be dispersed offsite. The methodology shown in the Urban Drainage Flood Control District (UDFCD.org) drainage criteria manual or other methodology as approved by the Environmental Control Committee is recommended in the sizing of pipes, inlets, and channels.

3.3.4.4.3 On-site Detention – When onsite detention or retention facilities will be provided, they will store the difference between the 100 year historic* and developed runoff, and shall limit the rate of runoff from the site to the 100 year historic flow rate. Onsite detention or retention facilities will be constructed with no greater than a 2:1 side slope. Volumes for the detention facilities can be determined from the criteria found in the “Urban Drainage Flood Control District Guidelines”. These volumes are minimum requirements. On site detention facilities shall be constructed such that it will hold drainage waters for a period of no more than 24 hours. Relief of the facility shall be provided either through a seeping design, an outflow drainage design, orifice and weir control, or pumping. On site retention facilities shall be constructed so that it will hold drainage waters for no more than 48 hours.

*Footnote: The analysis of storm runoff shall be based on rainfall data taken from the National Oceanic and Atmospheric Administration. (U.S. Department of Commerce) (NOAA) Atlas 2, "Precipitation - Frequency Atlas of the Western United States, Volume III – Colorado".

3.3.4.4.4 Storm Drain System – the design of the interior storm drain system shall follow the standards set forth in the UDFCD Drainage Criteria Manual.

3.3.4.4.5 Other acceptable storm water mitigation designs: one or more of the following may apply:

- a) A storm water wetland or swale filtration design.
- b) A multiple pond system.
- c) Infiltration trenches or basins.
- d) Filter strips.
- e) Sand Filters.
- f) Porous pavements.

3.3.4.5 Re-vegetation: Where applicable, the property owner or developer will be responsible for the re-vegetation of disturbed areas with vegetation acceptable to the ECC, and as described in Environmental Standards, Surface Restoration, referenced in *Section 3.3.1*.

3.3.4.6 Erosion control: The prevention of soil erosion and transport of sediments during the construction is of paramount importance. Carefully thought out procedures and methods, implemented into a well-laid out plan will provide the controls necessary to accomplish the above. The plan will be submitted on a 24" x 36" plan drawing sheet. It will define the measures to be implemented during construction of the project; notes prescribing the scheduling and implementation of these measures shall be shown on the plan drawing. The plan will include streets, drainage appurtenances, over-lot grading, etc. The Colorado Department of Transportation "Erosion Control Manual" outlines the procedures to be followed in the installation of structures to control erosion and sedimentation during construction. We recommend these procedures be followed along with those in the Soil Conservation Services "Erosion Control Manual". Chapter 70 of the Uniform Building Code shall control excavation and grading work.

3.3.4.7 The Property owner or developer will be responsible for the maintenance and upkeep of the control method. If the site is not maintained, the County does have the right to enter the site and do whatever is necessary to maintain storm-water flows during flooding or run off emergencies.

3.3.4.8 A professional engineer registered in the State of Colorado shall design all plans and place their registration stamp with their signature and date across it on all drawings. In the sole determination of the PLPOA, a drainage plan may be required to be submitted as part of the construction application process. The PLPOA will accept a drainage plan based solely on the fact it was designed by a professional engineer certified by the state of Colorado, who has received a copy of this drainage policy and by stamping it assures the PLPOA of compliance with the policy. A Certification will be required of the owner/builder's engineer stating that the proposed construction will in no way negatively impact the adjacent or nearby properties and is adequate to provide positive drainage for

the subject, nearby and adjacent properties. Any deficiencies or failures of the design are not the responsibility of the PLPOA. Such responsibility shall fall on the owner or developer to correct.

3.3.4.9 The drainage plan may be subject to approval by the Archuleta County Planning Department and/or the Archuleta County Engineer or other governmental agency. In the event that Archuleta County or any other governmental agency imposes additional requirements, the property owner or developer agrees to hold the PLPOA harmless from any responsibility for implementing such requirements.

3.4 MAINTENANCE STANDARDS

3.4.1 The Rules and Regulations of the Pagosa Lakes Property Owners Association stipulate that properties must be maintained in a manner complementary to the surrounding neighborhood, creating a general appearance of harmony with surrounding properties.

3.4.1.1 Unsightly or detrimental conditions generally include, but are not limited to, such things as faded, chipped and/or otherwise unsightly paint and/or finishes; damaged and/or loose siding, trim, fascia, sills and/or gutters; loose and/or missing shingles; excessively rusted roofing; broken and/or missing window panes and/or frames; broken and/or damaged fences; scrap metals, other trash and/or rubbish piles and/or accumulations.

3.4.1.2 The Board of Directors has resolved that lot premises, and improvements thereon, shall be maintained in conditions and appearances which are not considered unsightly or detrimental. As specified in the Declaration of Restrictions, if two-thirds of the Association Board of Directors votes to do so, the Association may enter upon the lot and restore and repair the premises and/or improvements. The Declarations for the Association specifically state; "In the event an owner of any lot in the Subdivision shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors of the Association, the Association shall have the right to enter upon said lot and repair and restore the lot and the exterior of any improvements erected thereon. Such right shall not be exercised unless two-thirds (2/3) of the Board of Directors shall have voted in favor of such action. The cost of such exterior restoration and maintenance shall be added to and become part of the annual charge to which each lot is subject. The Association shall not be liable for any damage which may result from any maintenance work performed hereunder."

3.4.2 Repair of existing improvements does not require ECC approval unless painting with a non-original color. See Section 1.2.1 for alteration, revision and/or changes which need ECC review and approval.