

ACC Rule - A Guide to Building in Los Caminitos

The Association's Board of Directors has adopted these guidelines to assist our members in planning their new homes, additions or subsequent exterior modifications here in Los Caminitos. Our hope is that this information will minimize the apprehension, confusion and frustration that can sometimes accompany the building process.

It may be helpful to first understand the history and intent of the policies outlined in the Restrictive Covenants and Architectural Control Rules, which are included in the Owner's Handbook and also posted on our website (<http://www.loscaminitos.com>). These guidelines are only a summary and are not intended to be exclusive or modify or supersede the provisions of the Restrictive Covenants or the Architectural Control Rules.

History

When the Los Caminitos Subdivision was created in the 1970's from 1,400 acres bordering the national forest, the developers, together with Santa Fe County, established standards to maintain the rural character of the land. These include large lot sizes, setbacks, prohibitions regarding use and strict limits on the visual impact of anything built or brought into the community. The result has been a mostly unspoiled landscape, still dominated by hills and trees, where we are fortunate to enjoy unparalleled privacy and direct access to nature just minutes from the city.

Over the years, the standards have been debated and tested as times change and new arrivals find their places in the community. Once in a while a prospective builder would want to recreate a former life in a city or suburb rather than unobtrusively adapt to the foothills of the rural Southwest. As a result, the rules have been rewritten or expanded from time to time.

Procedure

The Architectural Control Committee (ACC) is a committee of the Board of Directors charged with assessing matters related to required Architectural Approval under the Restrictive Covenants, including, among others, the visual impact of all new construction, additions or other outdoor changes within the Los Caminitos Subdivision. As part of this process, the ACC must approve the building site, architectural style, design, materials, exterior colors and finishes, outside lighting, reflectivity and the height of any proposed Structure before construction can begin.

The Association often retains the services of a professional architect to advise the ACC about proposed Structures. His or her time spent considering plans submitted to the ACC or consulting with an applicant is the financial responsibility of the Owner who wishes to build or remodel. While the professional architect or committee members may offer a variety of suggestions to improve proposed designs, their input is principally focused on compliance with the construction and Architectural Approval elements of the Restrictive Covenants and the Architectural Control Rules and matters that may affect appearance or community standards. The architect directly invoices the Owner for these services and, for budgeting purposes, can be asked to provide an estimate.

The ACC is composed of at least three members, at least two of whom must own Lots in the community. Typically, one or more committee members also serve on the Association's Board of Directors or attend that group's meetings so that the Board is kept informed about the proposals and projects underway. Any Owner who is not satisfied with a decision made by the ACC may appeal to the full Board, which has the ultimate authority.

Typical Progression and Timeline

Anyone considering building here should first review the community's Covenants and Architectural Control Rules. Once familiarized with these documents, a potential applicant (or representative, such as an architect) should contact a member of the ACC, preferably its Chairperson, to inform him or her of plans to build and seek answers to remaining questions. The current committee roster and contact information is listed on our website and is also available from any Board member.

Once acceptable plans (see Architectural Control Rules #10: Minimum Submittal) are prepared, the approval process typically goes through the following steps, which most often require between 2 and 6 months:

1. Plans go to the professional architect for review, which may take one month.
2. Committee then meets within 2 or 3 weeks to consider his or her comments and recommendations. They may need to gather additional information at this point to form their position on the submittal.
3. The committee gives feedback to the Owner very soon after agreeing among themselves on a response, including conditions of approval, if appropriate.
4. The Owner responds to the committee with an agreement to make requested changes, if any, or to offer alternative proposals for the committee's further consideration.
5. Written approval is given once all outstanding questions are resolved. In cases where the applicant still desires to build, but is unwilling to meet the committee's requirements, Owners may appeal to the Board of Directors in writing.
6. The Board's policy is to make every effort to respond to an applicant's written appeal within 30 days.
7. Once approval is granted, plans become actionable after the applicant pays a Construction Impact Fee as described in Architectural Control Rules #13.

We are gratified that you've chosen to invest in Los Caminitos, and wish you every success in building your dream home.

ACC Rule - Architectural Control Rules

All Association members are expected to be familiar with the Los Caminitos Restrictive Covenants and the Architectural Control Rules.

The Architectural Control Rules are intended to provide guidance to Owners with respect to obtaining Architectural Approval and to ensure that Los Caminitos will retain its high standards of excellence in the future. Owners are encouraged to approach the Architectural Control Committee at a very early stage in the planning process, to ensure that general approval for basic matters such as siting, size and overall layout will be attainable before detailed design is begun.

1. Siting

In order to minimize impacts on arroyos, neighboring properties and roads from erosion, the Restrictive Covenants require the Architectural Control Committee to examine proposed building sites for their impact on drainage patterns and for the amount of cutting and filling of earth that will be required. The Committee's experience is that these impacts require special attention when a proposed building site is located on ridges with an average slope on each side of greater than about 20%, or, away from ridges, on slopes with an average gradient of more than 25%. Consequently, the Committee will closely examine proposed building sites on such locations to determine that they do not unreasonably interfere with drainage patterns or result in excessive cutting and filling, and will normally, in such cases, require from the Owner a well-engineered drainage plan, designed to reduce erosion to acceptable levels.

2. Site Excavation

Excavation of drives, Structure sites, etc., must not be undertaken without prior approval by the Committee, and should normally be part of a full Structure construction proposal, to be carried out as an integral part of the total construction period.

3. Size

The siting of a large Structure tends to interfere unreasonably with drainage patterns and may result in excessive cutting and filling, which are grounds for withholding approval under the Los Caminitos Restrictive Covenants. Accordingly, prospective home-builders are advised that the Architectural Control Committee will not be inclined to consider favorably plans for a principal residence exceeding 5000 square feet (interior heated space). However, in considering residence size the Committee will take into account the Lot area and shape, and its type of terrain.

Other Structures shall not exceed in size the maximum permitted for guest houses under the Restrictive Covenants, i.e., 2000 square feet.

4. Culverts

No Owner shall divert the natural drainage in constructing access to his property to adversely affect the condition of the roads in the Los Caminitos Subdivision. Culverts should be installed at the Owner's expense to avoid this condition. At the junction of the driveway with a

road that entails the crossing of a significant bar-ditch the Owner shall install a culvert of at least 24 inches diameter.

5. Satellite Dishes, Antennae and Monumental Sculpture etc.

All should be shielded from any surrounding neighbor's view. Care should be exercised to ensure that placement is visibly inoffensive. Dishes, large outdoor monumental sculptures, tepees, yurts and similar Structures, and TV or radio antennae which would be Visible should be included on building plans, or, if to be added later, separately submitted to the Architectural Control Committee. For tepees and yurts, size (especially height), location and color are factors that will be taken into account before approval is granted. In accordance with the covenants on mobile homes etc., the use of tepees and yurts for residence purposes is not allowed.

6. Dumping of Cement and Construction Refuse

Prospective home builders are advised that the dumping of concrete and other refuse on public roads, culverts and arroyos within the boundaries of the Los Caminitos Subdivision is prohibited. During and after construction it shall be the contractor's responsibility to leave surrounding areas clean and free from debris. Violation will result in cleanup at the Owner's expense.

7. Landscape and Exterior Lighting

In keeping with the rural nature of the area, the driveway, walkway and exterior Structure illumination should be of a subdued nature. Architectural Approval shall be required for all exterior lighting, whether installed at the time of construction or subsequently added.

8. Structure, Trim and Roof Colors

Prior to application or installation, colors must be submitted for approval to the Architectural Control Committee. If ridge or significantly sloping roofs are of metal or plastic construction they should be of darker, matte colors, to be approved by the Committee.

9. Extensive Landscaping

If any extensive landscaping or planting is contemplated, plans showing extent and type of irrigation should be submitted. Such plans shall also describe and reflect what revegetation will be performed to mitigate areas damaged during construction.

10. Construction Application — Minimum Submittal

Before the Architectural Control Committee will consider an application for building, the following shall be submitted to the committee for approval:

- a. Site plan showing entire Lot, orientation, driveway, utility trenches or excavation, fences, well, septic tank, patio walls and patios, decks, gardens, and location of all Structures. The plans shall also reflect the location for the storage of construction

equipment, construction materials and trash, and the location for the concrete truck wash-down.

- b. Detailed site plan (which may be combined with floor plan) clearly indicating both natural and finish grades for at least 50 feet surrounding each Structure. Contours shall be shown at intervals not greater than 2 feet. All driveways, paths, garden walls and other altered exterior areas must be shown. Minimum scale: 1" = 10 feet.
- c. Floor plans of all levels with finish floor elevations relative to natural grade indicated. All rooms/spaces shall be clearly identified as to use; materials of construction shall be indicated and doors, windows, steps, plumbing fixtures and the like shall be accurately shown. Minimum scale: 1/8" = 1 foot; 1/4" = 1 foot preferred.
- d. Four exterior elevations of all Structures indicating finish materials. Both natural and finish grades at the perimeter of the Structures must be clearly shown. The scale used shall be the same as the floor plan.
- e. Two complete building cross-sections perpendicular to each other, with finish floor elevations relative to natural grade indicated, explaining the relationships of interior volumes (and therefore exterior massing) as clearly as possible. The scale used shall be the same as the floor plan.

11. **Height Computation**

For the purpose of compliance with Los Caminitos Restrictive Covenants, especially 4(B) thereof, the *average* natural grade shall be calculated by each of the following methods:

- a. A simple average of the highest and lowest natural grades where any wall of a Structure meets the ground.
- b. To offer consideration to unusual terrain, the "perimeter" method shall also be used. The high and low points of natural grade shall be established for each of the four facades and the simple average determined for each. The average for each facade shall be multiplied by the facade's length (measured horizontally); the resulting figures shall be added together and then divided by the total perimeter dimension.

Fifteen feet shall be added to the *lower* of the average grade figures, computed as above set forth, which shall constitute the maximum allowable height of the Structure.

The height of the Structure shall be measured as follows:

- a. To the highest point or top surface of a roof where no parapets exist.
- b. To a maximum of 1 foot 4 inches above the top surface of a roof where parapets are included, or to the top of the parapet itself, whichever is lower. In no event, however, shall any parapet exceed 36 inches.

- c. Chimneys and flues shall be constructed according to code and are not restricted by the covenants or these guidelines.

12. Architectural Assistance

Association members are reminded that the Architectural Control Committee retains the services of a professional architect to monitor the technical aspects of the plans. In accordance with Section 6(A) of the covenants, fees for such services shall be charged to the Owner.

13. New Construction Impact Fee

To correct the degradation of roads caused by heavy equipment during the construction of a new Structure, a road fee of \$1000 for a Structure of 3,000 heated square feet or less will be imposed. For a Structure over 3,000 square feet, that fee will increase in increments of \$0.50 per heated square foot above 3,000. The fee is due when plans are approved. The amounts of such fees are subject to modification as applicable to any particular calendar year by resolution adopted by the Board.

14. Line of Sight Considerations

As a safety precaution, vehicles leaving the building site must have clear and adequate visual access to vehicles on the road and vice versa. Accordingly, if any vegetation or other obstruction exists at or near the access point which obscures such access, such vegetation should be trimmed or other obstruction removed to the extent necessary so as to provide such access.

15. Outdoor Noise – Construction and Maintenance Activities

Construction, modification and repair activities (whether in conjunction with initial construction or subsequent modifications or repairs) and outdoor use of equipment such as lawnmowers, leaf-blowers, power tools, etc., in connection with such activities or related to maintenance activities shall be permitted from 7 a.m. (exterior noise not to begin prior to 8 a.m.) to 6 p.m. (exterior noise not to continue past 5 p.m.) on Monday through Saturday (except that work that is entirely indoor may occur on Sunday) and shall not occur on the following holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.