

MONTE SERENO DESIGN GUIDELINES

SANTA FE, NEW MEXICO

Please call or email Marci Riskin (contact information below) to make sure you have the most recent version of these Design Guidelines.

The Monte Sereno Master Design Guidelines apply to the development, design and construction of a residence and other improvements on home sites in Monte Sereno. The Developer of Monte Sereno is 21 Club Holdings, LLC and /or its successors or assigns. These Design Guidelines are intended to encourage harmonious residential design, to preserve the aspects of Santa Fe's unique architectural style and to maintain and enhance property values for the entire community.

The Declaration of Covenants, Conditions and Restrictions for Monte Sereno provides for the creation of these Design Guidelines. The Monte Sereno Master Plan also provides for the development of non-residential uses. That may include but not limited to: administrative facilities, clubhouse, resort hotel and casitas, spa and fitness center, maintenance facilities, commercial buildings and other uses allowed by the Monte Sereno Master Plan. These Design Guidelines do not apply to non-residential uses.

The Design Guidelines may periodically be revised or amended by the Architectural Control Committee (hereinafter ACC). Prior to commencing with the design phase of a residence, Owners should make certain their Architect/Designer and Builder have both received the most recent version of the Design Guidelines and any applicable supplements or exhibits and that the Architect/Designer/Builder are familiar with these documents.

When any member of the ACC or any consultant or employee of the ACC is representing or performing work for an Owner, said ACC member or consultant/employee shall be recused from all proceedings related to the relevant submittal. In such circumstance, the ACC will appoint a temporary member with the necessary expertise to replace any recused ACC member or consultant/employee.

To contact the ACC or to make a submittal:
Monte Sereno Subdivision ACC
C/o Marci Riskin
Riskin Associates Architects
227 East Palace Avenue, Suite C Santa Fe, New Mexico 87501
Office: 505-983-0722
www.riskinassociates.com marci@riskinassociates.com

MONTE SERENO DESIGN GUIDELINES

TABLE OF CONTENTS

GENERAL

I. STATEMENT OF DESIGN INTENT	5
II. THE ARCHITECTURAL CONTROL COMMITTEE	5

PROCESS OVERVIEW

III. THE DESIGN REVIEW AND PROJECT ACCEPTANCE PROCESS	6
Electronic Submittals	
Relevant Fees, Bonds and Potential Fines	
Variance Request by Owner	
Sale of Your Home	
IV. STEPS IN THE MONTE SERENO DESIGN REVIEW PROCESS	7
Pre-Submittal Review Conference	
Preliminary Submittal	
Drawing and Submittal Requirements for Preliminary and Final Review	
Final Submittal	
Combined Preliminary/Final Submittal	
Notification of Changes	
Pre-Construction Meeting	
Certification that House is within Building Site by Surveyor (as required)	
Certification of Top of Slab (T.O.S.)/Location of Slab and Top of Framing (T.O.F.) and Top of Parapet (T.O.P). Elevations by Surveyor	
Mid-Construction Review	
Certificate of Occupancy	
Final Inspection	
Final Acceptance	
V. OTHER PROCESSES OF DESIGN REVIEW	11
Variances	
Re-Submittals	
Substantially Modified Plans	
Lot Consolidation	

GUIDELINES

VI. SITE PLANNING AND ENGINEERING GUIDELINES	12
Introduction	
Definitions	
Building Site (Developable Area, DA, Building Envelope)	
Surveying Benchmarks	
Site Planning and Engineering	
Building Setbacks	
Utilities	
Grading and Drainage	
Detention Ponds	

Driveway Design and Improvements
Driveway Only
Driveway Gates and Other Gates
Parking and Screening
Site, Screen and Retaining Walls and Fences
Service Yards
Garden Enclosures
Fenced Dog Run Enclosures
Site Equipment – Flagpoles and Solar Collectors
Fire pits/Fire Features
Swimming Pools, Hot Tubs, Sundecks
Play Equipment
Recreational Facilities
Outdoor Kitchens
Artwork
Lighting
Signage

VII. ARCHITECTURAL DESIGN GUIDELINES 22

Building Area
Building Heights
Building Style
Building Massing
Building Materials
Building Colors
Building Projections
Garage Doors
Carports
Roofs and Roof Decks
Skylights, Windows and Glass Block
Water Conservation
Guesthouses

VIII. LANDSCAPE DESIGN GUIDELINES 28

Introduction
Schedule
Landscape Plan
Water Use
Firewise Landscape Standards
Landscape Materials Other Than Plants
Irrigation
Zones
Revegetation
Existing Tree Plan
New Trees Required/Screening
Tree Protection
Tree Removal, Trimming and Transplanting

IX. CONSTRUCTION REGULATIONS 33

Introduction
Protection of the Natural Area
Construction Signage

Daily Operation
 Dust and Noise
 Smoking
 Debris and Trash Removal
 Maintenance of Construction Sites
 Concrete/Stucco Washout
 OSHA
 Storm Water Pollution Prevention Plan and Stormwater Management
 Construction Facilities – Trailers, Sanitary Facilities
 Frost Free Hydrants for Construction
 Construction Access
 Driveways, Parking and Storage Areas Relating to Clean Jobsites
 Construction Parking
 Maintenance of Roads and Curbs
 Abandonment of Construction Site and Inactivity
 Prohibited Practices
 Neighborhood Irrigation Lines
 Enforcement

APPENDICES

A.	Illustrations	41
B.	Approved Plant List	49
C.	Forms due at Final Submittal	56
D.	Pre-Construction Forms	68
E.	Construction Forms	72
F.	Other Forms	76
	a. Homeowner Small Project Form	
	b. Non-Compliance Notification Form	
	c. Owner Irrigation Damage Notification	
G.	Fees, Bonds and Fines	80
H.	Compound Design Guidelines	86
I.	Enclave Design Guidelines	90
J.	Compound 4 Design Guidelines	94

GENERAL

I. STATEMENT OF DESIGN INTENT

The Design Guidelines represent minimum design standards that provide direction in the planning, design, and construction of residential structures in order to develop a community of the highest quality.

The Design Guidelines ensure that designs are compatible with each other, with the City of Santa Fe and with the surrounding environment. No residence should stand so apart in its design or construction as to detract from the overall community of Monte Sereno. Attention must be given to the Santa Fe area's unique architectural tradition. It is not the intention of Monte Sereno to create its own architectural style. The type of construction and architecture shall be based upon, but need not adhere strictly to Pueblo or Territorial style architecture. While Pueblo and Territorial architecture are encouraged, creativity, innovative use of materials and design, and unique methods of construction are also encouraged, so long as the final result is consistent with the Design Guidelines and the Declaration of Covenants and Restrictions. Examples of acceptable architectural styles are included in Appendix A: Illustrations.

The Architectural Control Committee (ACC) recognizes that each residential lot in Monte Sereno is unique in terms of its inherent constraints and opportunities, and anticipates that all submittals will be prepared by design professionals. It is expected that the design of each residence in Monte Sereno will be customized to respond to the unique site conditions.

II. THE ARCHITECTURAL CONTROL COMMITTEE

The Architectural Control Committee (ACC) oversees the residential development in Monte Sereno in accordance with the Design Guidelines. The ACC reviews each submittal and evaluates each proposed design for compliance with the Design Guidelines. The ACC has the responsibility for issuing all formal approvals or disapprovals of Monte Sereno residential projects and cooperating with the HOA who is responsible for enforcing adherence to the Design Guidelines. *The ACC approval does not eliminate nor reduce the obligation of the owner to comply with all legal requirements and City Code; and to be responsible for all damages arising from changes in natural conditions.*

The ACC will review designs only after determining that all necessary information has been provided (see Submittal Requirements). After reviewing a submittal, the ACC will determine one of the following: (a) Approval; (b) Approval with conditions and/or recommendations; (c) Tabled until further information is provided; or (d) Disapproval. The ACC will inform the Owner, or Owner's representative, in writing as to its decision.

The ACC anticipates that Owners will retain experienced professional services for planning and design. If an Owner elects to do his own design or to obtain non-professional services and the submittal is not approved, the ACC may request that the Owner thereafter utilize professional design services.

The ACC monitors the entire construction process through a series of mandatory submittals and inspections. The ACC may inspect all work in progress and give a written Notice of Construction Site Non-Compliance ("Non-Compliance Notification"), if found. Absence of such inspection and/or notification during the construction period does not constitute either approval by the ACC of work in progress or compliance with the Design Guidelines or the Declaration of Covenants.

The HOA in cooperation with the ACC reserves the right to deliver a letter of Cease & Desist or to levy

deductions/fines against the Builder's or Owner's Performance Bonds or Homeowner/Lot Owner if notification of a violation(s) is not resolved in a timely manner. Notification will be sent via email and/or via Priority USPS.

Approvals are required not only for new homes but also for walls and other small projects. Failure to obtain approvals has resulted in title and closing problems for other owners.

The Covenants provide for an extensive degree of discretion by the Committee. All applicants should be aware that subjective determinations and/or criteria bearing on compatibility of all construction with traditional Santa Fe architectural styles, with other residences and with the unique terrain within the Property.

Per the Covenants and Restrictions Section 3.2, to the extent of a conflict between the Covenants and Restrictions and the Design Guidelines, the Design Guidelines shall prevail.

PROCESS OVERVIEW

III. THE DESIGN REVIEW AND PROJECT ACCEPTANCE PROCESS

Each Owner is responsible for complying with the Design Guidelines and all applicable provisions of the Declaration of Covenants, as well as with all rules and regulations of any governmental authority. Please note that the Owner must be current with all Home Owner's Association Fees in order for the relevant process to begin. The ACC may conduct project reviews during regular scheduled meetings or at such other times deemed appropriate. The ACC will review each submittal on or around the "monthly submittal date" (designated as the 1st week of each month), and will respond in writing no later than 7 working days after the review is completed. However, any submittals for new houses, guest houses or additions over 100 square feet to be reviewed must be received by the ACC a minimum of 15 (fifteen) days prior to the next ACC meeting to allow adequate review and neighbor notification unless other arrangements are made. Revisions required by the review must be received by the ACC a minimum of 3 (three) days prior to the next ACC meeting to allow for re-review. Any submittals received less than 15 days prior to an ACC meeting or revisions received less than 3 days prior to an ACC meeting will be considered in the subsequent meeting. Submittals for small projects must be received by the ACC a minimum of 5 (five) days prior to the next ACC meeting to be considered for review. In general, the Design Review and Inspection Process are comprised of the following critical phases:

- Pre-Submittal Review Conference (an initial meeting prior to submittal for feedback on concept and layout)
- Preliminary Plan Submittal and Review (a finished design addressing general items in the DGs to allow for ACC comments, revisions and decisions prior to the Final Submittal)
- Final Plans Submittal and Review (A complete design with all items in the DGs as well as preliminary conditions addressed)
- Pre-Construction Meeting
- Certification of Top of Slab Elevations/Location by Surveyor
- Certification of Top of Parapet Elevations at end of Framing by Surveyor
- Certification of Final Top of Parapet Height by Surveyor
- Mid-Construction Review
- Final Inspection
- Final Acceptance

In reviewing Submittals, the ACC may approve a design with conditions attached. All conditions must be satisfactorily met before Final Approval is granted.

Electronic Submittals

All submittals (Preliminary, Final, Small Project, Requests for Changes) should be submitted electronically (as pdfs). The drawings should be one pdf (rather than individual pdfs) and the cut sheets should be one pdf (rather than individual pdfs). Color boards and samples should be physical submittals. After Preliminary and Final approval, we will send the final pdf of the drawings back to the architect/designer so that they have a record copy of what was approved, and the ACC will make a paper set from that approved pdf for the files. The cost of printing will be deducted from the review fee.

Relevant Fees, Bonds and Potential Fines

It is the intent of the ACC to minimize fees associated with the Design Review and Inspection process. The fees and bond deposits which are associated with the various phases in the Design Review and Inspection Process as well as other processes are listed in Appendix G. The ACC via HOA Management Company shall provide up-to-date regular billings as the relevant processes progress to assist the Owner/Builders in monitoring fees and charges.

Variance Request by Owner

Upon Owner requesting a variance on a residence already constructed, the Owner will be given an estimate by ACC of amount of Owner Bond which shall need to be submitted prior to any work being done by the ACC. This amount shall include the expected costs of ACC as well as an amount deemed satisfactory to correct a failure by Owner to comply with the proposed construction as agreed to by parties involved. A file on the requested variance with the required signatures of affected parties shall be maintained by the ACC/HOA Management Company.

Sale of Your Home

The ACC suggests that owners who are planning on listing a house for sale have an ILR (Improvement Location Report) prepared and bring it to the ACC for review; please leave enough time for review (this can take two weeks or more). The seller will need to pay for the time of the ACC Chair and any attorney costs if there are documents the seller or buyer would like to be recordable. A \$250 fee deposit is required to begin the process of ILR review.

IV. STEPS IN THE MONTE SERENO DESIGN REVIEW PROCESS**Pre-Submittal Conference**

To initiate the review and approval process (and prior to preparing any detailed drawings for a proposed improvement), it is strongly encouraged that the Owner and/or the Architect arrange a Pre-Submittal conference with a representative of the ACC to discuss the proposed project and the review process, filing requirements, and procedures of the Committee.

Owners are also encouraged to submit a sketched plan (illustrating the design concept, portals and proposed building materials) for informal review and comment by the ACC prior to proceeding with Preliminary Plan Submittal. For fees to be charged to owner for these services see Appendix G.

The ACC representative can provide the City-approved slope analysis and Developable Areas (Building Sites) in Autocad.

Preliminary Submittal

The applicant must submit a preliminary submittal to the ACC, prior to finishing the complete set of drawings required for Final Approval. Preliminary drawings must be received by the ACC at least 15

calendar days before the ACC Meeting at which they will be considered, and shall consist of (at a minimum):

- Survey
- Existing Tree Plan - Use of google earth as an underlay to identify location of trees is acceptable; field verify and identify trees over 10’.
- Preliminary Site Plan
- Preliminary Grading and Drainage Plan
- Elevations
- Preliminary Roof Plan (showing parapet heights and topo lines)
- Two cross sections in each direction (see requirements on p. 14)
- Basic Landscape Plan showing Screening Trees, Shade trees, shrubs (but don’t need to identify species)
- Written Summary describing style, materials and other elements
- Review Fee
- 3D Model

This is the minimum submittal, but the ACC will review other information if it is submitted. The goal of the Preliminary Submittal is to provide feedback so that the applicant can move on to preparing final drawings.

Drawing and Submittal Requirements for Preliminary and Final Review

Structural drawings, window/door schedules and other drawings not relevant to requirements in these DGs will not be reviewed and should not be submitted.

Licensed Professionals The use of an architect to prepare plans is strongly encouraged. The Grading and Drainage Plan must be certified by a licensed Engineer or Architect. The Lot Survey must be prepared by a registered land surveyor. Property owners are responsible for obtaining accurate topographic data for their lots (2’ contours). This survey will become the base for the Grading and Drainage and Site Plans (sales information obtained at closing cannot be used to prepare Grading and Drainage or Site Plans). A professional landscape architect or landscape designer should be used for the Landscape Plan.

Sheet Size 24” x 36” or 30” x 42”.

Model A 3D study model in Sketch Up (a Revit model can be saved out as a Sketch Up model) of the proposed building is to be submitted, with requirements below.

- The model needs to be able to be manipulated in the meeting so that the ACC can accurately assess the design of the home.
- Printed images from a 3D cannot be presented as the only 3D model but may be included as additional information in the submittal.
- Accurate representation of the road and right-of-way
- Accurate representation of topography extending beyond the limits of grading, so that the ACC can see how the house fits on the land
- Indication of the position of adjacent houses
- Accurate representation of the building massing and any roof equipment and skylights
- Accurately shows all of the proposed improvements relative to the contours of the lot
- Should the plan change between preliminary and final submissions then a second presentation of the 3D model will be required.
- The house must be properly attached to an accurate ground plane so as to convey the correct relationship between the house and the land
- Include all site walls, portals, patios, the driveway and the road that the lot is on
- The model must include enough detail to relay the proposed architectural style and character of the house; the detailing of the doors, windows, roof, stucco and all other exterior materials is critical for

presentation.

- Accurate representation of colors and materials (doors, mullions, stucco and roofs)
- Trees and shrubs should not be shown; the model is used to view the exterior of the house
- Garage doors should be shown accurately in terms of design and color

Physical model – A Physical model can be presented instead, with the same requirements, if permission is requested ahead of time. The model should be labeled with complete project information, scale and north arrow and should be 1/8” or 1:20 scale.

Notice After the Submittal has been accepted for Preliminary Review, the Monte Sereno HOA shall post a notice on the lot and send an agenda to all homeowners stating that plans have been submitted and will be available for review by other Owners during the period stated in the notice (minimum 14 days prior to the ACC meeting at which plans will be reviewed). Written comments may be submitted to the ACC regarding the posted lot. Once the posted notice and comment time period and any requested preliminary staking are completed, the ACC will review the Preliminary Submittal for conformance to these Design Guidelines and provide a written response to the Owner or representative as described in the beginning of this section.

Final Submittal

After Preliminary plans have been accepted and the applicant is authorized to submit for Final (but no later than 4 months after the Preliminary acceptance date), everything required for Preliminary review plus additional information as outlined in the Final Submittal Checklist and any modifications in response to ACC comments must be submitted to the ACC in duplicate to obtain Final Approval, in accordance with the Final Submittal Checklist (Appendix C).

All Final Submittals must include all required drawings and/or documents. Fragmented or incomplete submittals will not be reviewed. Identical house plans and/or significantly similar house design/plans may not be duplicated for use on other lots within the subdivision.

Required utility easement documents must be signed and returned to the ACC/HOA prior to the ACC accepting a submittal.

Combined Preliminary/Final Submittal

A combined Preliminary/Final Submittal will be considered at the discretion of the ACC when the project has been submitted for a Preliminary submittal in a previous month but has not received approval. However the submittal must be complete and must include all items on the Final Submittal checklist a minimum of 15 days prior to the ACC meeting in which the submittal will be reviewed.

Notification of Changes

The ACC requires written notification of all changes that are required by City of Santa Fe as part of the permit process.

Pre-Construction Meeting

Prior to commencement of construction the Contractor (and Owner if possible) meet with the Monte Sereno ACC representative to review construction practices and requirements in Monte Sereno. The Contractor should request the meeting by email at least one week in advance. Prior to the meeting the Project Team should submit: PDF of the building permit, Builder’s Bond Check/Agreement, Owner’s Performance Bond Check/Agreement, any required conditional resubmittals and the SWPP NOI Receipt.

Construction of any improvement or change shall begin no later than **12 months** after the ACC grants Final

Approval and not before Final Approval is granted. If commencement fails to begin within 12 months of Final Approval of Plans, the approval will expire and a new application and Design Review Fee must be submitted. The ACC is not bound in any way to approve the new application, even if the drawings, plans or specifications submitted are the same as originally approved.

The exterior construction of any improvement or change, including the final color coat of paint, and the hardscape, landscape and all other improvements shown on plans shall be completed in substantial compliance with the approved plans within **18 months** after commencement of construction.

Certification that House is within Building Site by Surveyor (as required)

This certification is required by the ACC when forms are in place for the foundation if the ACC has determined that the house is close to the limits of the Building Site.

A final survey or ILR is required to show the property lines, Building Site, all structures, all retaining walls and at the completion of the project prior to bond return.

Certification of Top of Slab (T.O.S.)/Location of Slab and Top of Framing (T.O.F.) and Top of Parapet (T.O.P). Elevations by Surveyor

Top of Slab/Location of Slab

The ACC requires confirmation that all foundation stem-walls and poured pads comply with the elevations and locations provided and approved in the Final Submittal. The Top of Slab Elevations (T.O.S.) and Foundation Location Survey (showing foundation and the DA) must be submitted to the ACC within 14 days of completion of the slab and prior to erecting any building walls.

Top of Framing

The Top of Framing Elevation (T.O.F.) must be submitted to the ACC within 14 days of the completion of framing and prior to proceeding with the roof and other house improvements. The framing height should leave enough room for stucco, coping (if any) and blocking (if any) so that the final parapet heights with finishes comply with submitted plans.

Top of Parapet

The ACC requires a final parapet survey to ensure compliance of the final finished heights with the plans after completion of finishes. The Top of Parapet (T.O.P.) must be submitted to the ACC within 14 days of the completion of the stucco colorcoat. The final heights must match the plans.

Requirements for Top of Slab/Slab Location, Top of Framing and Top of Parapet Surveys

- Prepared by a licensed surveyor
- Height surveys must use the form in Appendix E
- Must be in absolute elevations
- Must be submitted within 14 days of request by the DRC Liaison or a \$100/day penalty will be charged against the Builder's Bond
- Lack of compliance and/or failure to correct may result in a "Letter of Cease & Desist" for the subject property.

Mid-Construction Review

When the house is closed in, the ACC Liaison and Construction Inspector will visit the site for a mid-construction review. This review is intended to streamline completion and uncover possible issues early so that they can be addressed.

Certificate of Occupancy

The ACC will not conduct a Final Inspection until the Owner/Builder provides a Certificate of Occupancy (C of O). The C of O is required to ensure that the ACC is aware of any additional requirements of the City of Santa Fe. If these requirements are a landscape feature (i.e. fence, detention pond, etc.) the Owner/Builder is required to provide an updated landscape plan to the ACC for approval.

Final Inspection

Upon completion of any residence or other improvements, the Owner(s) shall give written notice of completion to the ACC. Please read the Certificate of Occupancy Section above prior to contact the ACC.

After receiving notice and copies of the C of O, the ACC will conduct the Final Inspection of all improvements including landscaping. The Final Inspection determines whether the construction is complete and in compliance with the Final Approved Plans and the Design Guidelines and will determine whether the site is clean of all debris and construction materials.

If the Final Inspection determines that additional work is required, those items will be specified in a letter provided to both the Owner and the Builder. All Final Inspection Requirements must be corrected within thirty (30) days of the letter.

Owners may move in after the Final Inspection.

Final Acceptance

Upon approval of the Final Inspection, and any remaining items the project will be deemed to have final acceptance and the Owner's and Builder's Bonds will be released less any deductions or credits for costs incurred by the ACC or HOA.

V. OTHER PROCESSES OF DESIGN REVIEW

Variances

Under certain circumstances, the ACC will consider requests for variances to the Design Guidelines, provided the request for variance is consistent with the intent of the Declaration of Covenants and Design Guidelines, and provided it does not adversely impact another lot or common area within the subdivision.

Applications requiring variances to the Design Guidelines submitted after the residence is finished construction shall require a new design review fee and new bonds.

The ACC processes and handles all variance requests. The ACC will require the written approval of the variance from the adjacent property owners (and depending on the nature and extent of the variance, of additional lot owners), inclusive of landowners from across the road or from lots that would be visually impacted by the subject property. If the ACC is in support of the variance, the ACC will draft the request for variance and email to property owners along with a 3 business day time limit for response. If variance signatures are not returned within the time limit, a certified/return-receipt letter will be mailed, with a response time required in 3 business days; if there is no response to this letter, then it will be deemed as a non-objection. All owners must indicate non-objection for the variance to pass. The ACC may grant or deny any variance in the exercise of its sole discretion. If there is an objection, the variance will be referred to the Board.

Re-Submittals

The ACC expects that professionals will create submittals. The ACC will allow one preliminary resubmittal and one final re-submittal per original Design Review Fee. If the ACC deems that a re-submittal is not

approved an additional Design Review Fee will be required before the ACC will review plans on the home again.

If only the Landscape Plan is not accepted and needs to be re-submitted more than one time during review phases, an additional Design Review Fee for Landscape Plan shall be required. See Fees, Appendix G.

For example: Preliminary Plans submitted and approved. Final Plans not approved. Final Landscape Plan not approved. Final plans resubmitted & approved. Final Landscape Plan resubmitted and NOT approved. The next submittal will require an additional \$500 fee for the cost of the extra ACC services to review the plans again.

Substantially Modified Plans

The ACC will allow one house design per Design Review Fee. If after the first review by the ACC the home design is modified to the extent that it constitutes a substantially new design (over 25% changed), the ACC reserves the right to request an additional Design Review Fee.

Lot Consolidation

An Owner may combine two or more contiguous lots only with the prior consent of the Developer, the ACC and the City. The Owner is responsible for satisfying all governmental requirements when combining adjacent lots. The plat for the newly configured single lot must be recorded and approved by the City. (The City may restrict the number of dwelling units it allows on a combined lot.) All expenses associated with resurveying the lots, recording the new consolidated lot, and meeting all additional governmental requirements, are the sole responsibility of the Owner.

GUIDELINES

VI. SITE PLANNING AND ENGINEERING GUIDELINES

Introduction

All building construction is to take place within the approved "Building Site," as defined on the recorded survey plat. PVC poles and flagging to identify the Building Site for sales purposes are approximate only, and should not be relied upon by the Owner. The ILR provided at closing is for sales purposes only and are approximate and should not be relied upon by the Owner, Builder or Designer. The Owner shall utilize the services of a licensed surveyor to accurately locate the Building Site for design and construction purposes.

Without the prior written approval of the State Historic Preservation Office and the approval of ACC, the Owners of the lots with Archaeological Sites shall not undertake (a) activities which directly or indirectly jeopardize the integrity of the Archaeological Sites; (b) removal of artifacts, structures, other items associated with the Archaeological Sites; or (c) construction, alteration, excavation, ground disturbance, landscaping, or other modification of the Archaeological Sites.

Definitions

- Building Site (Developable Area, DA, Building Envelope) - Area designated on each lot within which the entire building and associated improvements, must be contained except as described below
- Construction Envelope - The area containing the minimum area considered necessary to complete construction of the proposed home and exterior improvements, including landscaping
- Natural Area - All areas beyond 30 feet from the exterior walls of the house and outside the Building Site
- Improved Area - All planting areas within 30 feet of the exterior walls of the house within the

Building Site

Building Site (Developable Area, DA, Building Envelope)

The Building Site (sometimes referred to as the Developable Area, DA or Building Envelope) is the designated location on each lot within which the entire building and associated improvements, must be contained except for the driveways and except for retaining walls as described below. The use of rock or stucco retaining walls (rather than extensive grading) is encouraged to facilitate driveway access and to minimize the disturbance to existing trees.

Site elements to be entirely within the DA/Building Site:

- Patios and portals
- Overhangs or portal overhangs
- Parking/guest parking/backup area/driveway pad
- Site and screening walls and fences
- Ponds
- Lighting
- Retaining walls along the sides of driveways where the driveway intersects the street are allowed to be outside the DA as long as the retaining wall is no more than 5' from the driveway unless stepping of the retaining walls is required. Retaining walls along the driveway can be no more than 6" above the highest adjacent grade within the 10' neighborhood right-of-way.
- Where the City-required walkway crosses driveways, there cannot be any walls or other obstructions to the path.

All structures including driveways and driveway retaining walls must be 10' minimum from the side property lines. The intent of the DGs is that there shall be a buffer area of 10' minimum; grading and/or construction fencing within 5' of the side property lines is discouraged, and the 10' buffer must be revegetated after any work in that area.

Site elements allowed outside of the DA/Building Site in specific and unique cases and as approved by the ACC (Note that in no case shall any of the following be closer than 10' to property lines or encroaching on City setback regulations, whichever is more restrictive):

- Drainage structures and ponds (as long as they are constructed with a rock dam and existing trees are left undisturbed)
- Drainage swales
- Retaining walls/landscape planters (as long as they are close to the house or driveway (in the judgement of the ACC) for retaining and/or landscaping purposes and if they do not create usable patios or other indoor or outdoor living spaces)
- A small portion of the backup area/turning key (not to be used as or serve as a parking area)

Fencing outside the DA is not allowed except dog fencing (only as approved by the ACC, see p. 19). Fencing-in of large areas is discouraged. Fencing is not allowed on property lines, even if the property line is shared with a neighboring property not in Monte Sereno. With approval of the ACC replacement of existing fences between a Monte Sereno lot and a non-Monte Sereno property will be considered; a variance may be required depending on visibility from other properties.

The City of Santa Fe has approved all of the Building Sites at Monte Sereno.

Lots may also be subject to restrictions that might limit or prohibit buildings or improvements in certain areas within the approved Building Site. These may include, but are not limited to, areas within the Escarpment Overlay Ridgetop Subdistrict, archeological sites, property line setbacks, and drainage easements. Compliance with all applicable codes, ordinances and laws is the sole responsibility of the lot Owner.

If the house (or other improvements) are close to the limits of the Building Site, the ACC may require a survey after the forms are in place for the foundation to certify that it is within the Building Site.

Surveying Benchmarks

All builders are required to establish a survey Benchmark in a protected area on-site Pre-Construction. A licensed surveyor must certify that the slab elevations are as per the approved plans and that the parapet elevations are constructed as per the approved plans during the course of construction. After framing the ACC requires that the Owner or Builder must certify that the finished height of the residence complies with these Design Guidelines and the Final Approved Plans. Should the heights exceed the guidelines set forth herein or an approved variance there from, the Owner or Builder must immediately bring the residence into full compliance prior to completing construction.

Site Planning and Engineering

The mountainous terrain at Monte Sereno presents some challenges, as well as opportunities, for the architect. It is the intent of the Design Guidelines that architects should respect the natural terrain, and should design homes that step with the existing contours.

Buildings should not appear to be perched on the site and should avoid the appearance of unnecessary height or the appearance of a two-story building. Grading should resemble the naturally occurring conditions after construction rather than creating a large exterior flat pad, flat areas on all sides or flat areas extending far beyond the house. The design of homes should be customized to minimize grading and to avoid the appearance of forcing a standard home design being placed on a contrived building pad. Grades should lie against the house on at least two sides so that houses appear nestled into the land. Site disturbance should be minimized. Cut and fill slopes may not be exposed following completion of construction.

The height of the finish floor above the natural grade should be minimized. Expanses of stucco below higher windows are discouraged. The ACC can require a different window configuration, moss rock planters and/or landscape/tree screening/softening. Finish floor elevations should be selected to address cut versus fill so that houses are not primarily on fill. A level building site will be treated differently from a sloped lot (on which houses should be bermed into the hillside as much as possible).

Retaining walls and landscape screening will be required to soften all proposed slopes and to break-up the proposed height of the cut and fill slopes. Retaining walls and landscaping are to provide for a more natural appearance and to provide for a natural transition to the existing land and vegetation outside of the Building Site.

Two cross sections in each direction will be required. The cross sections must extend 30 feet beyond the DA minimum and through the road. The ACC can request a further extent if there is an issue of concern. The house, all site/retaining walls, and existing and proposed grades must be shown.

Building Setbacks

No building construction shall take place outside of the Approved Building Site. In no case shall any building construction fall within the minimum setbacks established by the City of Santa Fe.

Utilities

The developer has provided transformers for basic electrical service. The homeowner is required to check what sufficient amperage is available on their transformer, and if it is not sufficient for their project they will be required to install a new or supplemental transformer at their own cost.

All utility lines shall be run underground. Driveway design should provide adequate access to all utility meters and hook-up points, including those for gas, water, electricity, sewer, telephone and cable TV. Owners who wish to place the driveway in a location that interferes with any existing utility must bear the full cost of moving the utility. Any repair of the concrete curb or existing road surface is to involve submittal to and approval by the ACC. This includes a colored concrete sample to match the existing curb. Whenever possible, utilities should be run underneath the driveway to minimize the disturbance to the lot. All disturbed areas are to be revegetated with native vegetation.

Grading and Drainage

In keeping with the intent that houses appear to be nestled into the land rather than perched upon it, cut slopes must not exceed: (2:1 slope) two horizontal to one vertical (3:1 preferred maximum) and fill slopes shall not exceed a (3:1 slope) three horizontal to one vertical (4:1 is a preferred maximum fill slope). Any cut or fill equal to or steeper than 3:1 shall be revegetated and stabilized in accordance with City design standards and requirements. Any alterations to arroyos with projected 100-year-storm flows greater than 50 cubic feet of water per second will require engineering design by a licensed engineer and approval by the ACC. Approval of a drainage plan by the ACC does not make the ACC liable or responsible to the Owner or others with respect to the adequacy of the engineering or otherwise, but merely implies compliance with the intent of these Guidelines. ACC approval does not eliminate nor reduce the obligation of the Owner to comply with all legal requirements and to be responsible for all damages arising from changes in natural conditions.

Structures, driveways, and any improvements should be designed to fit the existing contours of the site as nearly as possible and should require minimal excavation or fill. All culverts, bridges, or other drainage structures must be finished with headwalls, wing walls, or other devices so as to prevent the erosion of slopes or soils and/or the exposure of the conduit or any unfinished structure. These structures may be finished in integrally colored concrete, moss rock, or stucco of an approved color. Culverts must be sized to accommodate the site drainage and the roadway drainage shown on the drainage plan for the Subdivision.

When a culvert at the driveway entrance is required, the lot owner must also provide a swale along the lot frontage. Stone check dams or stone-lined swales shall be installed if required as designed by the Civil Engineer.

Rock pits, rock-covered catch basins or splashpads (not pre-formed plastic) are required below every canal.

A lot Owner may relocate the natural drainage within his property, contingent upon approval by the ACC and the City Land Use Department. Relocation is dependent on the Owner justifying the need for relocation. In addition the drainage runoff must enter and leave the property in the same location that it did prior to construction.

All applicants must conform to the Santa Fe City Code regarding terrain management (Section 14-8.2F).

Detention Ponds

Detention Ponds are required for the development of every lot within Monte Sereno. As opposed to a Retention Pond, which retains water by ponding, a Detention Pond detains water. This means that the purpose of the detention pond is to slow down the flow of water leaving the subject property. Even though the amount of runoff increases when a lot owner adds pavement or roof surface, the rate of flow leaving the property is supposed to remain the same. To accomplish this, the detention ponds are sized such that they can temporarily hold the added volume of water coming off the roof and any hard surfaces. A small pipe is installed at the bottom of the detention pond to slowly release the water downstream, thereby maintaining the original rate of flow to the adjacent property. A small splash plate of rock right below the outflow pipe is

usually designed by the engineer. The detention pond and the splash plate should help to avoid future washouts and erosion on both the subject property and on the downstream property.

Detention Ponds involve a dam structure on the downhill side. In accordance with our Design Guidelines, this dam structure can either be made of dirt or can be a rock dam (wood timbers are not permitted). If the bottom of the detention pond is graded to form the pond, then it needs to be revegetated with native grasses or can be stone lined. If a rock wall is constructed on the downstream side of the detention pond in such a manner that the vegetation (trees, native shrubs & grasses) within the pond are undisturbed, then no revegetation or rock lining is required.

City Code and the approved Subdivision Plans require that, on each lot, drainage shall be directed to flow into on-site water detention ponds. Therefore, the ACC requires that the drainage plan be certified by a licensed engineer or Architect. Preferably, all detention ponds must be located within the Building Site for each lot. The detention pond grading must be illustrated by proposed contours tied into existing contours on the Grading and Drainage Plans.

Driveway Design and Improvements

A driveway apron at the street is required for gravel driveways and must be a minimum of 6' deep, must be concrete (to match the color of the existing curbing: Sandstone) or pavers (earth tone). Subject to approval by the ACC, stamped and colored or stained concrete, exposed aggregate concrete, flagstone, chipseal and native crushed stone (3/4" Santa Fe Brown gravel) are all acceptable driveway and/or paving materials. All concrete shall be integrally colored. Uncolored concrete is not allowed for any exterior use. Asphalt will not be allowed. Samples of proposed materials are to be submitted to the ACC for approval. Any driveway proposed to be gravel shall be lined on both sides with retaining walls or stone curbing (moss rock or approved equal). Chipseal driveways shall be lined for the first 50 feet from the road.

The size of the driveway shall be limited as much as possible. Only one driveway entrance is permitted for each lot, except as approved otherwise by the ACC. Where feasible (unless the City requires otherwise), all driveway turnarounds, islands, and parking areas shall be located within the building site. Driveways shall be a maximum of 20 feet wide at the property line and a maximum of 14 feet wide within the property, except as dictated otherwise by the City for emergency access. In no case shall a driveway be more than 20 feet wide. No driveway entrance shall be designed as a "drive under" using beams or arches spanning the driveway.

Driveway Location: Driveways should be as identified on the City-approved development plans prepared by CR Walbridge & Associates for Monte Sereno, or as approved by the ACC. A significant separation (minimum 30 feet center to center) is recommended between driveways, especially for driveways on opposite sides of the road. The ACC will take into account topography, vegetation, safety concerns, location of driveways on adjacent lots and other factors when approving a driveway location.

All neighbor driveways within 300 feet of the driveway must be shown on the submittal.

The design of all driveways shall be based on sound engineering principles.

The owner is responsible for relocating existing landscape material in the Association's landscape buffer where the proposed driveway will enter through the buffer. The Owner is also responsible for sleeving the existing Monte Sereno irrigation lines; see p. 38 for more information.

The finished gradient of any proposed driveway shall be in accordance with City requirements.

Masonry retaining walls and landscaping should be utilized to soften slopes. All areas are to be revegetated

as per the minimum landscape requirements.

Driveways (including any walls/retaining walls) cannot be closer than ten (10) feet to property lines.

Submittals for adding pavers to an existing driveway include: cut sheet from manufacturer plus color selection (or provide sample), confirm that configuration is identical to the existing driveway or provide new configuration (plan view to scale), any of runoff water detention required.

Driveway Only

The ACC will review plans for driveway improvements for a future house. To obtain ACC review, the plans must be submitted as follows:

- Prepare a site plan showing existing vegetation, which illustrates how a proposed driveway could be routed and installed with a minimum amount of disturbance to existing trees.

OR

- Prepare a preliminary site plan for a proposed house on the property, which indicates that the proposed location for the driveway is logical relating to the future location of the house.

PLEASE NOTE: Any driveway improvements must follow the same submittal, bond and acceptance process as a home submittal. Please read through those sections carefully to not put your bond money in jeopardy. If approval is granted, a path clearing – no more than 6 feet wide – will be allowed. The clearing is to be used for access/marketing of the home site/plans only. The path will designate the driveway route to the garage and allow potential buyers the ability to understand how the driveway would enter the property and how the house would be sited within the building envelope.

Driveway Gates and Other Gates

Plans shall be submitted for review and approval prior to installation. Driveway gates must conform to City of Santa Fe Fire Dept. If not submitted as part of the house design, any gates including driveway gates, shall be submitted as a small project. Driveway gates must be set back (20) twenty feet or more from the road.

Submittals for gates shall include: location of gate identified on a site plan, elevation of the gate with material/color/height/length/other dimensions labeled, associated walls and pilasters (labeled with the same information), information about any power required and proposed route of utility trenching, any power pedestals or other associated site items, lighting and address numbers (if any).

Parking and Screening

Each residence must include parking for at least two but no more than four automobiles in an enclosed garage. The garage may be either attached to or detached from the main structure of the residence. A minimum of two additional exterior parking spaces must be provided on the lot to accommodate guest parking. Except for special events, no on-street parking will be permitted for residents or 'guests' vehicles. Screen walls, earth berms and/or landscaping must be used whenever the guest-parking area is visible from adjacent lots, streets, or public spaces. Screen walls shall be no less than 3 feet and no more than 6 feet high as measured from the parking side of the wall. All proposed walls must also conform to the City Code. The parking of recreational vehicles (campers, boats, etc.) outside of a garage on individual lots is not permitted.

Screening shall be provided for guest parking, garage doors, driveways, house walls and site walls.

All meters, lift station boxes and other site items shall be painted to match the surrounding earth or stucco color.

Site, Screen and Retaining Walls and Fences

Screen walls / site walls should be visual extensions of the architectural design of the residence. They may be used to distinguish private areas such as the courtyard area and patios, and shall be used for screening of hot tubs, sun decks, guest parking, and service areas, swimming pools and utility pedestals.

Freestanding screen/site walls may not exceed 6' 0" in height and must be in accordance with Sect. 14-8.5 of the City Code. Five feet is recommended and preferred for retaining walls; 6' will be considered in difficult situations. When retaining walls are stepped back, they shall be separated in accordance with City regulations. Screen/site/retaining walls should be varied in height and shapes with offsets and/or buttressing, planters, curves and gates. Screen/site/retaining walls must not continue as an unbroken plane for more than 30 linear feet. The predominant materials include masonry construction (block or adobe) with a stucco exterior finish to match the residence, or an approved stone exterior. Railroad ties and other wood timbers are not permitted except on a case-by-case basis as tree well (a low element, not visible, at the rear of newly planted trees and must be approved by the ACC, pressure treated only/no creosote) . With ACC approval, stone, ornamental wrought iron/black metal and coyote fencing may be incorporated into the design. Wood fences are not permitted, except for the use of coyote fencing in combination with stucco pilasters on the corners and spaced within the fence at a maximum spacing of 20 ft. on center upon ACC approval. Coyote fencing of individual wall lengths of less than 10 feet require no pilasters. Fencing is allowed with the ACC approval to provide city mandated security for swimming pools.

An exception will be made to the height of entry feature walls that are attached to the house, define an entry courtyard, limited in length and are set back from the road and driveway and are screened and softened with vegetation. These walls can be up to 9 feet high.

Submit material, height, length and layout (plan to scale – the basis of this can be a google earth map) of new fences or walls on existing properties. The ACC may require an illustration of visual impact on surrounding properties and public roads. The ACC may require PVC poles at proposed corners for review.

Service Yards

All above ground garbage and trash containers, clotheslines, outdoor mechanical equipment and outdoor storage of any kind must be screened from adjacent properties or public spaces utilizing site walls and/or landscaping. The ACC may require additional trees to help provide further protection from visual and noise pollution. The applicant should also consider the addition of sound absorbing material for the interior of the equipment enclosures, and/or providing a sound absorbing cover for the equipment.

Garden Enclosures

Vegetable gardens, which are not enclosed within a courtyard adjacent to the house, may be enclosed by a continuous coyote fence, or wire fencing with natural cedar posts, not to exceed 42" in height. All wire fencing is to be color coated in black, brown or green. The maximum size of a garden shall be 400 square feet. The garden and fencing must be screened from adjacent lots and from public R.O.W.'s by dense landscaping, and/or existing vegetation, as approved by the ACC. All such improvements are to be within the Building Site and should preferably be located to the rear of the house in an area that is the least visible from adjacent properties and public R.O.W.'s. The design and layout of the fencing shall be approved by the ACC and inspected after completion. The ACC may require additional landscape screening upon completion.

If vegetable gardens are added to an existing site, a complete description of the enclosure including a scale plan that shows the location in relation to the residence, and labeling of all materials and colors need to be submitted. Square footage should be labeled.

Fenced Dog Run Enclosures

Dog run areas may be enclosed by a continuous wire and cedar post fence, with the following requirements:

The preferred placement of the proposed fencing is to the rear of the house, farthest away from public view; The fencing must be placed within the Developable Area (DA) unless in the sole judgement of the ACC, the fencing outside the DA will not be visible (and only if the area of 1500 square feet is not exceeded). The applicant must demonstrate that a wire fence for a dog enclosure can be placed within and around existing trees such that it will not be visible from surrounding lots or public areas. Sample materials for the fence and posts (or high quality photographs) are to be submitted to the ACC for approval.

The size of any proposed dog area shall not exceed 1,500 SF. A layout to scale should be submitted with the enclosed area labeled. The layout should also show the house. The ACC may require the fence to be field staked.

Wire fencing shall be black, brown or green in color, and shall be supported by natural cedar post latillas (not to exceed 3" dia.), or with steel posts that match the color of the proposed fencing.

The height of the fence shall not exceed 5 ft. Applicant is to field stake the layout of the fence at the time of application for approval by the ACC.

All fencing must be screened from adjacent lots and from public R.O.W.'s by dense landscaping, and/or existing vegetation, as approved by the ACC. The design and layout of the fencing shall be approved by the ACC and inspected after completion. The ACC may require additional landscape screening upon completion.

Invisible Fence systems are acceptable.

Site Equipment – Flagpoles & Solar Collectors

Freestanding flagpoles are generally not permitted on any lot, and all requests for a freestanding flagpole must be approved by the ACC. While displaying the American flag (or other flags) is permitted, flagpoles shall not obstruct views or visually distract from surrounding properties. The burden is placed on the Owner to demonstrate that a flagpole will not negatively affect the community. Preferably flags will be hung from a pole bracket mounted on the residence or suspended from a roof over-hang.

Placement of solar collectors and related equipment must be reviewed and approved by the ACC. Information to be reviewed includes: roof elevation, parapet elevations, height of panels, layout on roof to scale. The applicant will need to illustrate the visual impact on neighboring properties and roads.

The top of solar panels shall be 12" minimum below adjacent parapets (a section illustrating the relationship of panels to parapets must be submitted). The ACC reserves the right to make an exception to allow less than 12" in unique circumstances where this would not have an impact on visibility in the sole judgement of the ACC. The final location of panels should be field reviewed with the ACC representative. Additional screening will be required if the panels are visible from nearby lots and roads. Where the roof is visible, the panels should be oriented with the house.

Applicants should reserve a location for future solar panels. This location should be shown on plans with a section showing that the requirements above will be met. The parapet in this area may not be reduced.

Fire Pits/Fire Features

Fire pits and/or fire features are limited to GAS FIRED ONLY. No wood-burning fire pits/features are allowed in Monte Sereno.

Swimming Pools, Hot Tubs, Sundecks

Swimming pools and hot tubs, if permitted by City Code, must be constructed according to all applicable regulations. Pools and hot tubs should be visually connected to the residence through the use of walls or courtyards, and must be screened from view from adjacent lots, streets, and public spaces. If permitted by City Code, the maximum size of any pool is limited to 800 square feet. All pools must have covers. Wood sundecks and all hot tubs must be screened from adjacent lots, streets, and public spaces by walls or courtyards.

Play Equipment

Basketball hoops and backboards may be installed on any residence when approved in advance by the ACC. Poles and backboards must be screened from adjacent properties and painted a non-reflective color to blend with the surroundings. The installation of such items may be subject to other stipulations imposed by the ACC. Particular consideration will be given to the privacy of adjacent lots, as well as to color, obtrusiveness, and location. Portable hoops also must be painted in non-reflective colors that blend with the surroundings and must be stored out of public view when not in use. All swings and play equipment require careful review and approval by the ACC. If approved, they must be screened from view from adjacent lots, streets, and public spaces by walls, courtyards, or adequate tree cover. See Fees, Appendix G if not done with Design Submittal.

Recreational Facilities

Construction of a tennis or sport court will be allowed only with approval of the ACC. It is the intent of these Design Guidelines to provide the opportunity for outdoor recreational surfaces, while at the same time ensuring that they have the least amount of visual impact on any surrounding property or common areas. This includes preservation of existing vegetation; use of materials that blend with the natural surroundings (dark color, vinyl coated fence mounted on wood posts or approved alternative); site walls and landscape plantings that will screen the recreational area from view from nearby streets, lots and public areas. Tennis courts and other recreation areas may not be lighted.

Outdoor Kitchens

Outdoor kitchens and barbeques must be non-reflective, be fully screened or have a non-reflective cover that is in place when not in use.

Artwork

All exterior artwork, including sculpture and applied art must be screened from public roads and adjacent lots and must be contained in the approved Building Site. Furthermore, all art must be submitted to the ACC for approval of placement and method of screening from public view and adjacent lots.

Lighting

It is the intent of these Design Guidelines to allow for the minimum lighting necessary to provide for safety, security, and the enjoyment of outdoor living, while not negatively impacting neighboring properties or affecting the natural quality and darkness of the desert sky.

Exterior Lighting

All standard exterior lighting for residences in Monte Sereno must comply with City Ordinance Sec. 14-8.9 and with the following additional guidelines: when there is a conflict, the more stringent guideline will apply.

Exterior fixtures MUST be down lights – no upward projection of light, no horizontal projection of light. Lantern type fixtures may be used on a limited basis under portals, but lantern type fixtures may not have clear or seeded glass and must be approved by the ACC. All exterior lighting must have a shielded light source.

Security Lighting (including flood lights) provides bright illumination during emergency situations only. It must be circuited and controlled separately from any and all other lights. Security lights must be contained within appropriate exterior canisters and may not be bare bulbs. Security lights may be placed high up on an exterior wall and are not limited by the height restrictions for Exterior Living Lighting. This lighting should almost never be on and should be pointed downward. A maximum of three security lights is recommended.

Standard Exterior Lighting (site lighting and landscape lighting) is used to illuminate vehicular and pedestrian areas. Motion-detector controlled driveway down-lighting may be used to provide illumination for access from the street to a garage, providing the lights have an automatic shutoff function. All exterior lights are to be 'down-lit' and shielded. This lighting should be illuminated only when needed so that people may see to safely move around the property or when owners are receiving guests. Driveway lighting to be spaced a minimum of 15' on center and shall be down-lit and shielded. There shall be no uplights, other than on a limited basis for Specimen Trees. Motion detector or timer is allowed for landscape lighting.

Exterior Living Lighting (on the exterior of the house or underside of portals) is intended to illuminate exterior living areas such as patios or landscaping behind walls and used only during waking hours (interpreted to be off by 11 p.m., which is consistent with the State of New Mexico's Night Sky Protection Law).

Bulbs & Wattage Limits

Total wattage of bulbs in an exterior fixture is 40 watts incandescent (equivalent 10 watt fluorescent, 5 to 6 watt LED or 460 to 550 lumens) except for Address Identification Signs that require a maximum of 30 watts incandescent equivalent. Note that maximum total lumens per fixture cannot exceed 550 lumens. This is the total for all bulbs in a fixture, not for each bulb. Bulbs in lantern type fixtures must be coated, not clear. It is up to the Applicant to ensure lighting is adequate for safety. Security lighting can use 75 watt bulbs (equivalent 17 watt fluorescent or 1100 lumens). The quantity and spacing of light fixtures will be reviewed on a case-by-case basis depending on visibility and location of lights.

Color Temperature

A color temperature of no more than 4,000 Kelvin is required; 3,000 Kelvin is preferred. Five thousand Kelvin is not allowed.

Shielding

Regardless of the function, the light sources (lamps and bulbs) of all exterior lighting must be completely shielded from view to eliminate glare from any normal standing, sitting or driving view angles from any neighboring property or common area. For example, lantern type fixtures with an exposed bulb are not permitted. Particular care must be taken when lighting homes that are visible from land at lower elevations.

Aiming

All exterior lights, with the exception of Specimen Tree Lighting, must be down lights.

Specimen Tree Lighting

- Quantity – A maximum of three (3) upward directed Exterior Living lights are allowed for each home.
- Location/Use – Upward directed lights will be limited to illumination of only large, mature specimen trees (as specifically approved by the ACC) that are located within the Improved Area.

Color

The color of fixtures should be earth tones. The color of trim rings for recessed fixtures shall be labeled on plans and/or cut sheets.

Changes to Existing Fixtures

Upgrading and any changes to light fixtures: Any change to light fixtures (whether type or location or both) must be approved by the ACC.

Interior Lighting

Care should be taken with Interior lighting design to ensure that no light spills to the exterior of the residence and causes glare when seen from neighboring properties or Common Areas. No light sources pointing up or out, or visible through high windows, clerestories, or skylights are allowed. Darkly tinted glazing must be used on all skylights and clerestories, and dark tinting of glass areas or the use of window coverings on doors and windows may be required to reduce light spill from interior spaces.

Signage

Address Sign

Each residence may have an address identification sign (or alternatively, numbers on a pilaster or wall, if approved by the ACC). These signs are limited to a maximum height of 30 inches and a maximum length of 30 inches; and the maximum letter/numeral size is limited to 8" in height. They may be lighted by one low-voltage light fixture that must not exceed 30 watts and should be mounted on the sign as a down light. Such devices must utilize the same materials and colors as the residence and must reflect its design character. No additional detached signage will be permitted, with the exception of one temporary construction sign. The design for the lot identification sign is to be part of the landscape plans and must be approved by the ACC. The ACC may, in the future, require the installation of uniform address identification devices for all lots within Monte Sereno, including lots with previously constructed identification devices.

For Sale and Advertising Signs

"For sale" signs and company advertising signs are to be approved by the ACC. The ACC requires the installation of uniform signs for all lots. The ACC has pre-approved a template with Pronto Signs in Santa Fe. To order your sign, please contact Pronto! Signs, at 505-989-7396.

Other Signage

All security, construction, financing, private property and other similar signs are prohibited within Monte Sereno. The only exceptions to this restriction are the temporary standardized construction sign, for sale sign and address identifications signs pre-approved by the ACC.

VII. ARCHITECTURAL DESIGN GUIDELINES

Building Area

A detached single family dwelling unit must contain at least 2,500 square feet of heated floor area excluding detached garages, guest houses, workshops and studios.

Building Heights

Two Story Structures

It is the intent of these Design Guidelines to establish height restrictions and massing requirements, such that the homes in Monte Sereno will be designed to appear as single story structures from all sides. Two-story structures are not allowed except on selected lots or under exceptional circumstances. If the applicant requests two stories, he or she must demonstrate that the additional mass created by the second story is not imposing and that it does not obstruct views from the adjacent properties. Visibility from public areas and nearby lots will be a major factor in review of any application for a two-story house. The ACC may also require that the applicant obtain written support from surrounding property owners in making the submittal for a two-story house. The ACC has determined that two-story homes may be considered on the following lots within Phases 1&2: 73,103-105, 108-113, and 112 below the 7140 contour. The inclusion of horizontal

and vertical steps in the building masses will represent significant design elements when considering the approval of any proposed two-story structure.

Height

The maximum height of a building mass (including stucco and all finishes) above existing natural grade shall be 18 ft. Exceptions to the 18 ft. height restriction may be made only when a building mass is fully surrounded by other building masses. In such circumstances the parapet walls may not exceed 19 feet above existing grade. The ACC will take into account manmade terrain and isolated and insignificant drainage swales.

It should be noted that when evaluating the exception for a mass fully surrounded by other building masses, the ACC considers a portal as qualifying for a fourth mass. The measurement of the height of a building mass is taken from the top of any parapet to the existing grade directly below the point of measurement on the given parapet. Although not part of the Design Guidelines, the applicant should note that the City will require in their review that no slab shall be more than 5 ft. above existing grade, if the existing slope under the slab is greater than 20%. The applicant is to include the top of parapet elevations, the finish floor elevations and the existing grade elevation for each corner of each mass on the roof plan. To facilitate the review process, the existing contours should also be indicated on the roof plan.

Appearance

In no case shall a building mass exceed the appearance of one story (16 ft.). The architect is to plan to fill up on all masses (by utilizing fill graded up on the side of a given mass and/or by the use of retaining walls). To add interest to the building elevations, each mass shall “step” a minimum of 2 horizontal feet. It is the intent of these Design Guidelines to limit the total height of all stepped masses to a maximum of 24 ft., measured from the highest point of the structure to the lowest ground elevation (either the existing grade or the finished grade, whichever is more restrictive). Please refer to Appendix A: Illustrations.

Houses in the Escarpment Overlay Ridgetop Subdistrict

Certain designated lots in Monte Sereno have additional height restrictions, as indicated on the survey plat. On Escarpment Overlay Ridgetop Subdistrict lots, building heights are restricted to 14 ft. as measured from the finish grade (or natural grade, whichever is more restrictive) adjacent to each building mass to the top of the surrounding parapet or flat roof (see sample building elevation in Appendix A: Illustrations). This is a City-directed requirement.

Building Style

Building style should be one of the three predominant styles in Santa Fe: Santa Fe Pueblo Revival, Santa Fe Territorial or Santa Fe Contemporary. Additional information and characteristics of these styles are found in Appendix A. Not all of these elements or characteristics need to be incorporated in any individual house. Styles that are characteristic of other regions (including but not limited to other areas of the Southwest and Rocky Mountains) will not be considered however it is acceptable to borrow elements from other styles if the overall effect is minimal.

Building Massing

Building masses should be predominantly horizontal rather than vertical, yet not create long unbroken horizontal elements. All buildings must contain at least three distinct building masses, and large homes (greater than 4,000 SF) are encouraged to have up to at least five masses. The ACC may require additional vertical and/or horizontal offsets, as well as other design elements (buttresses, pilasters, windows, lintels, or other detailing) to help bring further character to the massing of the building. At least three of the building masses must be visible in each building elevation and shall be distinguished by a horizontal offset of at least 2 feet and vertical offsets of at least 2 feet. Building masses in the Escarpment Overlay Ridgetop Subdistrict must have a horizontal offset of at least four feet, as per City code (all facades with offsets of less than 4 feet

in depth are defined to be in a single plane).

The exterior walls of the building should not have an unbroken horizontal length greater than 36 feet. No more than 20 cumulative feet of garage door (a single 16- to 20-foot door or two doors that are each 7 to 10 feet long) may be located in a single wall.

Building Materials

The predominant material for the exterior surface of all buildings within Monte Sereno shall be stucco. Both traditional cement-based stucco and elastomeric stuccos are acceptable. Accent materials shall be limited to 20% of the exterior elevations.

Structural wood elements are prohibited (decks, ramps, etc.) Specifically prohibited materials are metal or wood siding, mirrored glass, opaque glass, vinyl and plastics, reflective materials and other materials the appearance of which, in the sole and absolute discretion of the Committee, does not convey strength, permanence, durability and compatibility with historical Santa Fe architectural styles. The use of stone as a complementary building material is encouraged. With ACC approval, wood may only be used as an incidental material for trim, detailing or latilla railings. The use of wood is allowed as detailing and fenestration.

All concrete shall be integrally colored. With the exception of exposed aggregate concrete surfaces, uncolored concrete is not allowed for any visible exterior use. Asphalt is not allowed. The existing asphalt driveways have been grandfathered in as they were approved prior to guideline revisions. Brick or colored concrete pavers may be approved.

The material and color of the exposed underside of portals must be submitted. Gypsum Board soffits are discouraged. White, very light, or bright colors will not be approved.

Building Colors

Exterior wall colors may be chosen from the set of Monte Sereno Pre-Approved Building Colors listed below (The ACC may amend or revise the "Pre-Approved Building Colors" at their discretion). Other colors may be submitted to the ACC for consideration but must have an L.R.V. (Light Reflectance Value) of 50% or less and must be earth-toned. Specially requested colors that are not on the pre-approved list are not generally approved.

Pre-Approved Building Colors with manufacturer-listed LRVs.

El Rey colors (or approved color-match):

- 106 Buckskin (LRV 35)
- 116 Adobe (LRV 24)
- 125 La Luz (LRV20)

Sto colors (or approved color-match):

- #01006 Suede (LRV 29)
- #01004 Adobe Brown (LRV 25)
- #4180 Cimmaron (LRV 22)
- #01001 Pecos (LRV 23)
- #01002 Abiquiu (LRV 18)

In general colors should be earth tones. In keeping with the architectural tradition of Santa Fe and Northern New Mexico, accent colors in entry portals, front doors, window frames and trim, and other incidental elements are allowed subject to approval by the ACC.

Multiple Stucco Colors

Two stucco colors will be considered by the ACC provided the colors complement each other. Three or more colors will not be considered. If two colors are used, each color needs to be associated with masses rather than wall faces. A colored computer model will be required.

Sample Board

All applicants are to submit color sample boards, illustrating all exterior colors and materials, with the final application. (The sample board must not exceed 8 1/2" x 11").

Note: The ACC may reject a mix of proposed materials and colors, if in the opinion of the ACC, these colors do not complement each other or do not meet the intent of these Design Guidelines.

Building Projections

All projections from a building, including but not limited to, chimney caps, vents, gutters, downspouts, utility boxes, porches, railings, and exterior stairways, shall be visually integrated into the overall design and match the color of the building. All building projections must be contained within the Building Site.

Gutters and downspouts shall be a heavy gauge, not ribbed aluminum; the color should be submitted for review.

Details shall be provided of any canales, downspouts and gutters showing configuration, dimensions, materials and colors. All canales, downspouts and gutters shall be shown in the plans.

Garage Doors

Style of garage doors shall be reviewed and approved on a case-by-case basis. All garage doors must be approved by the ACC, and special review considerations will be given to garage doors consisting of materials other than wood. Any garage door finish must not be reflective. With the exception of Lots having inherent and unique site constraints or where the applicant proves that there is or will be adequate screening, all homes are to be designed such that the garage doors do not face the street and are to be recessed. When evaluating garage doors, which include materials other than wood, the following criteria shall be taken into consideration:

- Oxidized metal, rusted steel or dark patina metal garage doors are preferred and shall be non-reflective; the garage doors are to include wide horizontal divisions instead of narrow strips which would appear as "corrugated";
- Stamped metal doors imitating wood raised or recessed panels are not acceptable; field applied painted or coated metal doors are not acceptable; factory painted surfaces will be considered;
- The door color shall be complimentary to the stucco color and window trim, and shall not be a dark contrasting color adjacent to a light colored stucco house;
- Metal garage doors must be approved by the ACC based on the specific house style and color;
- Windows within the garage doors may be considered for approval provided that the following requirements are met: All lights in a garage must be incandescent or lamped with bulbs in the incandescent temperature range (2,700-3,000 degrees Kelvin). The garage ceiling must be finished with a minimum of painted drywall. Windows within the garage doors must be high enough to prevent looking into the general garage area from normal eye level. Garage doors with windows must be screened from the street and neighboring lots.

An example of an acceptable metal garage door is Martin Garage Doors Cornerstone flush, wide panel (or approved equal). Acceptable Martin Garage Doors colors include Ash, Walnut and Adobe Stone Low Gloss Smooth.

Carports

Carports (permanent shade structures adjacent to or on driveways) are discouraged but may be allowed by variance only in unique situations (see below). They cannot be used as an alternative to parking in a garage, and are for parking on a temporary basis only. They may not be used for campers or vans or trailers or ATV or other recreational vehicles. The variance applicant must demonstrate that they are not visible from any other lot or road, they must be fully screened, they must be architecturally and visually integrated and attached to the house. The variance process as outlined in the DGs must be followed.

Roofs and Roof Decks

In keeping with the predominant architectural style of this region, flat roofs with parapets are preferred.

Roof Material/Finish

All roof surface materials, including, but not limited to gravel, polyurethane foam, welded rubber or other horizontal and vertical roofing, shall be of integral color in earth tone compatible with the predominant color of the building.

Non-reflective roof materials are required. Roofs cannot be white or standard tan (which has a yellowish cast). A granular roofing finish or gravel are preferred. Roof types and pre-approved colors include the following (or a roof color/material can be submitted for review and approval):

Foam

- Coating with Santa Fe Brown Gravel
- Protech Brown Owl coating without gravel

Modified Bitumen

- Brown Granules if seams have granules and black sides are coated to match granules

Silicone Coating

- Gaco Santa Fe Tan (not Gaco Tan)

TPO

- Weatherbond Rock Brown

Pitched Roofs and Two-Story Houses

Incidental locations such as portals may not require a parapet but must be trimmed with copper or suitably painted metal. Pitched roofs may be used at incidental locations such as portals. Certain lots have been identified by the ACC for possible consideration for construction of two story or pitched roof homes (Lots #73, 103-105, 108-113, and 112 below the 7140 contour in Phases 1&2).

The burden is on the Owner to convince the ACC that a proposed two-story home, or a pitched roof structure, will not negatively impact the neighborhood or obstruct views from nearby homes (existing and proposed). It is recommended that on any application, pitched roofs shall not exceed 30% of the entire structure. Pitched roof structures on other lots (other than those listed above) may be considered by the ACC with an application for a variance, providing all height restrictions of the Design Guidelines are met.

Pitched roofs must comply with the following:

- Maximum 8 in 12 slope
- No ridges or peaks against the skyline (abutting parapet or wall must be higher than sloped roof)
- Pitched roofs shall be standing seam only (Kynar Standing Seam Roofs or approved equal) not corrugated or propanel
- Pitched Roof Color: Dark colored metal roofing will be considered for approval, providing that it is demonstrated that it will not be highly reflective (earth tone colors: dark evergreen, Tudor brown, dark bronze, brandy- brown, weathered “copper penny” provided by Kynar Standing Seam Roofs or approved equal)

- No asphalt shingled roofs are allowed
- No skylights or mechanical equipment shall be located on pitched roofs.

Tile roofs must be as follows:

- Two-part molded tile (no one-part or extruded)
- Variegated dark colors (no solid or light color)
- Non-reflective surface
- Mudded (grouted) joints
- Serpentine pattern

Roof-mounted mechanical equipment is prohibited on any roof unless it is screened and is not visible from streets, other lots, or public spaces. The ACC must approve all roof materials used at Monte Sereno. All vents and miscellaneous roof-mounted metals shall be painted to match the exterior wall color.

For homes situated well below street level, mechanical units require ground installation. Units must be shielded by having mass (concrete, concrete block, adobe, NO FENCING) surrounding the unit and coming up about 6 feet above ground. Alternatively, the unit can be dropped into a pit in the ground.

Roof Decks

The unique terrain of Monte Sereno makes the development of roof decks challenging. It is the intent of these Design Guidelines to protect the unique terrain of Monte Sereno. The ACC does not prohibit roof decks within the community but it will be restrictive when assessing the effect a deck will/would have on surrounding property, common areas and the development itself.

Roof decks shall not exceed 300 square feet, and the roof deck parapet shall not be part of the highest mass of the residence. No part of a roof deck shall be covered with a roof or shade structure. Access to roof decks must be shielded from adjacent lots, roads, and public spaces. Roof deck furniture may not include umbrellas. Roof deck furniture must not be visible from adjacent lots, streets, or common areas. Lighting must be Exterior Living Lighting and must be approved by the ACC.

Open railings may partially enclose a roof deck provided they are used on only a single side of the roof deck, begin no less than 2 feet from a parapet corner, and have no single span of railing greater than 8 feet in length. The top of the railing must be at least 4 inches below the adjacent top of the parapet. All roof decks and railings must comply with government code requirements and must be a color that is non-reflective and one that blends with the predominant color of the home.

For lots located in the Escarpment Overlay Ridgetop Subdistrict, it is the responsibility of the owner to ensure that all City code requirements are met in addition to ACC Final Approval.

Skylights, Windows and Glass Block

Care must be taken in locating, positioning, and sizing all windows and skylights. Skylights may not be visible from other lots, streets or public areas; must be either tinted bronze or gray (not white or clear); and must be the low-profile type. No high-domed skylights are allowed. No interior lights shall be in skylight wells.

Skylights are to be completely screened by parapets such that no part of the skylight extends above the horizontal plane of the top of the adjacent parapet.

Unless specifically approved by the ACC (as may be the case with more contemporary designs) all windows and doors shall be recessed at least 4 inches from the plane of the glass or surface of the door to the exterior

face of the wall. Care should be taken in the design to provide consistency in the window style. All window trim must be colored and compatible with the house stucco color. Glass block will be allowed on a limited basis only in those private areas in which additional natural light would be beneficial such as bathrooms.

Exterior mounted sunshades must be mounted within the window inset so that no portion of the shade extends beyond the face of the exterior wall. Exterior mounted sunshades are allowed at portals only if they are on the rear side of the house and not visible from any roads at the discretion of the ACC. Exterior sunshades at portals must have guiderails for stability. The color of all exterior sunshades must match the color of the house or be an unobtrusive color to be approved by the ACC. Shades in a tone lighter than the house and other light colors are not allowed, at the discretion of the ACC.

Water Conservation

Houses shall be in strict compliance with the City of Santa Fe Water Conservation and Drought Management Plan and the City Land Use Code.

Guesthouses

Guesthouses and guest suites may be attached or detached but should be in the same architectural style as the residence and visually related and have a visual connection to the main house by a combination of walls and landscaping and/or other architectural features (such as courtyards or pergolas). Special consideration will be given to lots with unique terrain challenges or a large distance between building sites. Guesthouses must comply with all applicable Covenants, Conditions, and Restrictions and City Code. Guesthouses shall not exceed a building footprint of 1,500 SF. Special consideration will be given to lots with two Building Sites

VIII. LANDSCAPE DESIGN GUIDELINES

Introduction

It is the intent of the Landscape Guidelines to preserve the high desert environment and the natural landscape throughout the development process. All landscape elements must meet City and County of Santa Fe codes and ordinances. Please note that the City of Santa Fe has a Fire Wise program that is reviewed at the time of plan submittal to the city. For details about this program please see the City of Santa Fe Land Use Department.

The applicant must conform to the City’s Landscape Ordinance (Sec. 14-8.4), inclusive of replacement requirements. All outdoor living areas and parking areas shall be adequately screened from public R.O.W.’s and from adjacent properties.

Schedule

Landscape installation is to occur immediately following the completion of the color coat of the house or earlier as deemed reasonable. You are encouraged to revegetate cut and/or fill slopes as soon as possible to establish erosion control. All landscape installations are to be warranted by the landscape contractor for a period of one year. The warranty period is to begin after the final acceptance has been granted by the ACC. Landscape Contractor shall include at least one over-seeding of revegetation seed areas during the warranty period.

All plant material that is installed along the road side or that is in public view shall be watered and maintained in healthy condition by the lot owner. In the event plant material dies after the one year warrantee period, it is the owner’s responsibility to replace it within 3 months. The HOA reserves the right to require trees and revegetation seed along the lot frontage to be replaced if not done so within 3 months.

Landscape Plan

In the case of construction of a new residence, a Landscape Plan must be submitted to the ACC with both the Preliminary and the Final Submittal for ACC approvals; see Requirements set forth in Appendix C. All changes to the approved Final Landscape Plan must be submitted to the ACC for review and approval and a possible fee prior to installation. If a landscape plan is submitted to completely replace the existing landscaping, a fee of \$500 will be charged, and the landscape plan resubmitted for review and approval.

If an owner wishes to change existing landscaping (which includes additions or removals on any part of the site including the right of way), a landscape plan needs to be submitted to the ACC unless the plantings are inside a courtyard which can only be seen by the occupant.

Landscape Plans submittals shall adhere to the requirements set forth in the Preliminary Review and Final Approval checklists, however the ACC may in its discretion allow more informal submittals where the plan is not extensive and does not relate to construction on a new residence.

It is highly recommended that each applicant solicit the help of a landscape professional to prepare the Landscape Plan. If the plan is not approved, the ACC may require the use of a landscape professional and the \$500 fee may need to be submitted.

Homeowners who intend to re-landscape their property must adhere to the same guidelines as above. If the landscaping project is visible from the street a drawing must be submitted to the MSLC.

Water Use

Drought-tolerant and native plant materials are required for all landscaped areas.

Areas identified as “Temporary Irrigation” of new plants must be discontinued as soon as the plant materials have become established within two years or bury for longer term alternate uses.

Firewise Landscape Standards

Note that the ACC does not review plans for FIREWISE recommendations.

Landscape Materials other than Plants

Gravel mulch must be Santa Fe Brown (3/8” or 3/4”) and must be the smaller size (3/8”) if the driveway gravel (if the driveway is also gravel). It must be contained within a border (metal, moss rock or other walls). River rock is to be used in drainage swales for erosion control purposes only. Any river rock, gravel or crusher fines must be shown on the submitted plans. Lava rock is not allowed. Any bark mulch used shall be dark brown in color; red-colored bark mulch or wood chips are not allowed.

Irrigation

All landscape plans are to include temporary irrigation. The required temporary irrigation system for all re-vegetated natural area is to be abandoned after two (2) growing seasons, or after plant growth has been established

Zones

Monte Sereno lots include two basic planting zones. The Improved Area includes all planting areas within 30 feet of the exterior walls of the house within the Building Site. The second zone, the Natural Area, includes the remaining area of the lot. The approved list of plant material permitted within the Natural Area and the Improved Area is located in Appendix B, however additional plant options may be accepted by the ACC for the Improved Area. Grasses and flowers are not included in the Plant List, however they may be used in the

Improved Area at the discretion of the ACC. Native fruit trees are not shown on the Plant List; they may be considered with ACC permission provided that the mature height is not higher than the top of the highest point of the house.

Natural Zone

The Natural Area is to be planted with primarily native trees and shrubs that are low maintenance and low water usage. With approval of the ACC, supplemental trees and shrubs may be planted within the Natural Area. The Natural Area on a given lot includes all areas outside the Improved Area. The sides and entry of the driveway should be considered Natural Area.

This area must remain as undisturbed natural landscape with the exception of construction parking as approved. This excludes that portion of the lot that has been approved for driveway access, utility ditches, and landscaping and approved site walls. Please review Landscape Design Guidelines for opening of view corridors. Tree topping is NOT ALLOWED. Only indigenous plants commonly found in the natural terrain of Monte Sereno (or other plants as approved by the Architectural Control Committee) may be used to re-vegetate or to enhance the Natural Area (See Approved Plant List, Appendix B).

Improved Zone

The Improved Area can include more creative plantings (i.e. higher density, decorative features, etc.). Shade trees within the Improved Area should be of a small to medium size; no trees are to be planted that will exceed thirty-five (35) feet in height at maturity. The use of drought tolerant grass (Blue Grama and Buffalo Grass) is encouraged for any proposed grass areas. Cool season grass lawns shall be located within the Building Site and are limited to a maximum of 1,000 SF. Artificial lawns are not allowed unless they are fully surrounded by walls or dense evergreen landscaping, and not visible from roads or adjacent lots. Views of lawns from surrounding lots, streets and roads, or common areas shall be avoided.

Lawns shall not be permitted adjacent to the road without an adequate landscape buffer. The ACC may further restrict the approved plant list for the Improved Area, if in the opinion of the ACC the proposed trees may obstruct views or negatively impact surrounding properties.

Revegetation

All areas disturbed by construction, grading, etc. shall be re-vegetated with plant materials (trees, grass and shrubs) appropriate to each planting zone. This revegetation is the responsibility of the Lot Owner. Most of the plants will require additional watering until established (1–2 years) and then will survive with natural rainfall alone.

- Revegetation Seed: Grass seed for the disturbed Natural Area and 10' wide Right of Way along the street is to be Dryland Blend (provided by Plants of the Southwest) or approved equal. In addition to native grass seed, a native shrub mix of Apache Plume, Common Mountain Mahogany and Three-leaf Sumac shall be included at a rate of 1 ounce per 1,000 square feet. Recommended sowing of seed shall be drill or broadcast seeding and is to include a ¼" depth of existing soil as top dressing. Hydro seeding may also be approved, but must have temporary irrigation for a period of two years or until established. See below. After a 12 month period, any wash-out or deficient areas shall be reseeded during the next growing season.
- Revegetation Trees: Piñon Pine, One Seed Juniper and Rocky Mountain Juniper shall be planted within the Native Area. Transplanting of existing trees and shrubs is recommended during the appropriate season. Trees shall be irrigated by a permanent automatic system. *The minimum height of newly planted evergreens is 6 feet.*
- Additional trees may be required by the ACC to screen parking areas and "turn-outs," to provide added separation between site improvements and adjacent lots, or to visually breakup building masses and to meet the requirements of the City's Landscaping Ordinance (see Sec. 14-8.4.F.5).
- A temporary (above ground) irrigation system to establish revegetation grass seed is optional, except

for seeded areas installed by Hydro seed. Temporary systems must be removed after two years or until native grass is established and self-sustaining.

If excessive clearing takes place beyond that which has been approved by the ACC, then the ACC reserves the right to require the appropriate re-vegetation at the lot Owner's expense.

Existing Tree Plan

An existing tree plan is required with the both the Preliminary and Final Submittals.

The plan should include the following:

- All trees on the site including trees in the building and driveway footprint; trees that are far from the building envelope in entirely undeveloped areas do not need to be identified, however all other trees including street-side, trees in side and rear setbacks should be shown as well as trees within 30' of the building envelope. A google earth map may be used.
- Significant trees (piñons 10 feet or taller and deciduous trees and/or that have an 8 inch caliper or greater when measured 4.5 feet above grade) shall be labeled with species, width and height. The ACC may require you to label height and species of all trees within 30' of the house. A physical site visit is required.
- Outline of the house and patio footprint and the driveway footprint.
- Identify trees to remain (solid line) and to be removed for construction (dashed line). Identify any trees to be saved and replanted.

New Trees Required/Screening

The intent of landscape screening is not for houses to disappear but rather for them to become part of the natural landscape. Evergreen trees are required for dense screening or for dense buffering the appearance of the following elements to meet the intent of the Design Guidelines and to the satisfaction of the ACC:

- Guest parking
- Garage Doors
- Landscape buffer between residences
- AC units and external equipment and enclosures for this equipment
- Large expanses of stucco (including stucco extending below high windows)
- Rooftop appurtenances (including but not limited to AC units, solar panels, satellite dishes)
- Cut and fill slopes

Driveways as well as elevations of residence as viewed from the road and other properties should have some vegetative screening to soften appearance and make them appear to be part of the natural landscape.

All landscape plans must meet City and County of Santa Fe codes.

The heights of screening trees should be varied for a natural look.

No limb removal/pruning is allowed unless specifically requested and approved by the ACC. Trees cannot be trimmed to an unnatural shape for that tree species.

Tree Protection

All Building Sites are to be fenced with temporary construction fencing during the construction process to protect the native trees, shrubs and ground covers outside of the approved Building Site. The fence must be installed immediately after the foundation and slabs are poured. See fencing requirements on p. 34 "Protection of the Natural Area."

During construction, existing trees to be preserved within the Improved Area shall be enclosed by a

temporary fence 5 feet outside the drip line. In no case shall vehicles be parked, material or equipment be stored or stockpiled within 5 feet of the drip line of any significant trees. Except as approved in the Construction Parking Plan, vehicles are prohibited from parking on locations that are to be landscaped or re-vegetated. Topsoil removed during construction shall be stockpiled on site and reused on site in landscaped areas or areas to be re-vegetated.

The Builder is responsible for protecting native trees, shrubs and ground cover during all phases of construction. Piñons are especially vulnerable to bark beetle during times of “stress”. The ACC will be diligent in policing the following to ensure the reduction in the amount of “stress” on Piñon and other plant species:

- No dirt piled up at the base of any existing trees / shrubs on site.
- Removal of all cut branches, brush and trees from the site, unless being saved for firewood. Please reference Bark Beetle section below for further requirements pertaining to firewood.
- Remove “stressed” Piñon and/or other trees and shrubs as soon as discoloration is noticed.
- The ACC reserves the right to recommend, or require when needed, more stringent enforcement of protection of the land, trees, shrubs and plant life at Monte Sereno.

Protection against Bark Beetle

Protection against a Bark Beetle infestation at Monte Sereno is most important. Several years of drought and high tree densities combined to allow pine bark beetle populations to reach outbreak levels during 2002 - 2004. A healthy tree is typically able to defend against a bark beetle attack by pushing the beetles out with sap. The drought has left many trees with little ability to defend against bark beetle attacks and construction can lead to “stress” and less tolerance to the beetle. Spraying to kill bark beetles is currently not permitted in Monte Sereno. The following list includes conditions that increase stress on trees:

- Dirt piled up at the base of any existing tree.
- Lack of irrigation to existing trees during a drought or dry spell.
- Any heavily pruned, diseased, or insect-infested trees.
- Large equipment in and around the base of trees causing overly compacted soils.
- Digging footings in and around trees which disturbs the root system.

To lessen stress, the ACC highly recommends:

- Remove all cut branches, brush and trees from the site unless being saved for firewood. Removal is to occur within two (2) days of cutting. When saving cut branches for firewood, stack wood larger than three (3) inches in diameter in a sunny spot and cover with clear plastic. The plastic must be sealed at ground level using dirt or rocks, Use duct tape to seal any tears or seams in the plastic. Bark beetles will not be able to survive high temperatures generated under clear plastic and will die after several weeks. The branches must be placed in an area protected from view of neighboring lots, streets or common areas.
- Remove stressed trees/shrubs (discolored or browning needles)
- Maintain proper irrigation on newly planted trees.

Tree Removal, Trimming and Transplanting

It is the intent of the Design Guidelines and the Covenants and Restrictions to preserve the natural landscape. Only trees shown on the Existing Tree Plan as “to be removed” shall be removed during construction. The ACC may require the replacement of any tree(s) that dies during the course of construction that is visible from neighboring lots, streets or public areas (whether the tree is existing, transplanted from on-site, or nursery grown) with a tree of the same species and size.

Owners are encouraged to site houses on areas of the Building Site with the least tree density and to save significant trees if possible. The ACC may require minor shifts in site walls, driveways and other elements to save a tree.

In most instances, selective tree removal, transplanting, and thinning within the Natural Area may be allowed to help create a view corridor. However, TREE TOPPING IS NOT ALLOWED IN ANY CIRCUMSTANCE. Limb removal and pruning are not allowed unless specifically requested and approved. No significant trees can be removed from slopes of > 30%. Trees removed must be transplanted as described below. An effort should be made to save significant trees.

Approval for selective tree removal and thinning may be obtained as follows:

- ACC review prior to final acceptance, MSLC review for existing homes unless complete or significant re-landscaping is done and subject to ACC approval. A statement of intent and objective in the removal and/or thinning of trees must be submitted to the ACC. The statement should refer specifically to the site plan, and the view corridor to be opened should be clearly indicated. View corridors will be limited to a maximum of 90 degrees.
- The following guideline should be used when determining a plan for creating a view corridor (any plan is subject to ACC review and approval):
 - 1st – Cut/remove dead or diseased trees
 - 2nd – “Limb up” or prune branches
 - 3rd – Cut some trees (No more than 50% of the tree canopy is to be removed within the view corridor. The existing area of the tree canopy is to be calculated from the lot survey).
- The applicant is to submit a sketch plan and an inventory of all trees to be removed and transplanted, as well as a list of trees in poor health or shape that are to be cut and disposed of by the Owner.
- All trees to be transplanted are to be relocated on the subject property, preferably in areas that will provide increased privacy between lots. All transplanting is to occur between November 1st and April 1st. The intent of the Design Guidelines is to maximize views from the subject lot while minimizing the visual impact of buildings on the public areas, and adjacent lots. All trees to be transplanted are to be marked with blue flags and their respective locations for transplanting are to be staked and identified by the Owner. Any trees to be cut are to be marked with red flags prior to the ACC granting Final Approval.
- ACC and City of Santa Fe approval. Any proposed tree removal and transplanting operations must be indicated on the landscape plan and quantified. Care should be taken to provide natural, irregular edges to view corridors and avoiding straight lines in the landscape. No work may proceed without prior approval by the ACC and by the City of Santa Fe.

IX. CONSTRUCTION REGULATIONS

Introduction

The following Construction Regulations shall be made a part of the construction contract documents for each residence or other improvements on a lot. All Builders and Owners shall be bound by these regulations, and any violation by a Builder shall be deemed to be a violation by the Owner of the lot. By signing the “Approved Plans” the Owner and Builder agree to the terms and regulations in the Design Guidelines.

Electric meters shall be installed on the side of the house; if PNM requires a standalone meter, it shall be located with the ACC and shall be fully screened in the sole judgement of the ACC.

For security reasons, builders shall provide a list of all subcontractors and suppliers, contact personnel and their respective telephone numbers.

Please be certain to inform all contractors, sub-contractors and/or landscape designers of these Guidelines. Most are not familiar with Monte Sereno’s Design Guidelines.

Protection of the Natural Area

The Construction Envelope (containing the minimum area considered necessary to complete construction of the proposed home and exterior improvements, including landscaping) must be fenced, with a chainlink fence (6' high max) or other metal fence (6' high max), during construction to enclose all building materials, equipment, and activities and to contain all debris and other construction waste. The construction fence should be installed as soon as practical but no later than after stem walls are installed, maintained in a neat appearance for the duration of the project, and removed upon completion of construction. The location of this fence shall follow the perimeter of the Building Site, may enclose the driveway, and shall have a single entrance located at the driveway entrance. Construction fences must be uncovered, and may not have fabric or tarp liners. The construction fence may extend along the driveway to the road. The formerly enclosed Construction Envelope must be re-landscaped to match the surrounding area. Construction activities shall cause minimum impact on the natural environment and no damage to the Subdivision infrastructure. All construction fencing to be approved by the ACC or its representatives.

Trenching for utilities (or other trenching) must be hand-dug (no trenching machines) in the first ten feet of the neighborhood right-of-way and driveway and if required by the ACC for other trenches in order to protect vegetation.

Construction Signage

Temporary construction signs shall be limited to one pre-approved standardized sign per lot (30"x48" wide). Please provide the information below. Please display the building permit per City requirements. The location of the sign shall be subject to the review and approval of the ACC. The height from finish grade to the top of the sign is approximately 5'-6". No other signs are allowed without approval of the ACC.

The following information must appear on the standardized construction sign:

- Lot number and street address
- Owner's name
- Builder's name
- Architect's name
- One contact phone number

Construction signs may not be installed prior to obtaining a building permit, and must be removed at the time the house is substantially complete or when the ACC directs the sign to be removed.

Daily Operation

Construction working hours are as follows: Monday - Friday: 7:00 a.m. to 7:00 p.m., and on Saturday: 8:00 a.m. to 4:00 p.m. Working on Sunday is prohibited. Work on Federal holidays is prohibited. The ACC must approve any variance to these regulations in writing.

Dust and Noise

The Builder shall be responsible for controlling dust and noise.

Smoking

Smoking is discouraged at the jobsite, but an accommodation must be made on-site with a sand or water bucket to dispose of cigarette butts.

Debris and Trash Removal

Each lot must have a dumpster and approved trash containers on-site during the entire construction period (installed as soon as practical); they shall be placed out of view and screened as much as possible. These

must be located within the approved Building Site, must be emptied regularly, and MUST NOT be located on any Monte Sereno street including cul-de-sacs. Builders must clean up all trash and debris on the construction site after lunch and at the end of each day. Trash and debris shall be removed from each construction site frequently and shall not be permitted to accumulate. Lightweight materials, packaging, and other items shall be covered or weighted down to prevent them from being blown from the construction site. Builders are prohibited from dumping, burying, or burning trash, vegetation or other materials anywhere in Monte Sereno. The HOA reserves the right to maintain a litter-free community at Monte Sereno.

Maintenance of Construction Sites

The contractor/owner shall maintain a construction site and adjacent street and right of ways which are clean and tidy and shall not destroy or damage curbs, roads, sidewalks, trails, utilities or any other Subdivision infrastructure. No garbage or trash shall be kept or contained on any lot so as to be visible from any point outside of said lot. Every effort should be made to store materials out of sight of roads and other lots; where unavoidable they should be covered with a brown tarp.

Concrete/Stucco Washout

A temporary concrete and/or stucco washout area shall be constructed on site and must be lined with plastic lining material. The washout area must be cleaned once it is 75% full. This facility shall be removed and revegetated upon completion of the house. DO NOT wash concrete or stucco into arroyos or any unprotected area on the lot.

OSHA

All applicable OSHA regulation and guidelines must be strictly observed at all times.

Storm Water Pollution Prevention Plan (SWPPP) and Stormwater Management

The lot owner and builder are responsible for complying with EPA NPDES Storm Water Pollution Prevention Plan permitting requirements as well as City requirements for Stormwater management.

Construction Facilities – Trailers, Offices, Sanitary Facilities

Any Owner or Builder who intends to use a construction trailer, field office, or any other temporary facility (including viewing platforms) within Monte Sereno shall first apply for and obtain written approval from the ACC. To obtain such approval, you must submit a copy of the Architect's site plan that notes proposed locations of the construction trailer, field office or temporary facility. In the case of a viewing platform, the applicant must submit a \$500 Design Review Fee, unless a Design Review Fee has already been submitted for the Lot. Any viewing platforms must be placed where they are not seen from the road, public areas or other properties and they shall not exceed 20 SF in size.

The ACC and the HOA reserve the right to require any construction trailers, portable field offices, and temporary facilities to be moved to alternative locations on the site. All temporary structures and facilities shall be removed upon completion of construction. A viewing platform must be removed after sale of the property.

To protect the Natural Area from damage due to construction operations, the Construction Envelope shall be fenced (see requirements on p. 34, Protection of the Natural Area). The construction trailer (if any), portable toilets, construction material storage and dumpsters must all be contained within the fence or on lot or driveway if smaller project is being done. Dumpster, equipment or landscape materials may not be located on any Monte Sereno street or cul de sac.

The ACC must first approve any proposed construction outside of the Building Site for driveway construction, walls or utility connections. Disturbed areas outside of the Building Site must be returned as

closely as possible to their original condition.

Each Builder shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the Building Site or in an area approved by the ACC. Sanitary facilities must be screened from view of adjacent homeowner's lots. Portable toilets shall be tan in color.

Frost Free Hydrants for Construction

Frost free hydrants are typically installed at the beginning of the construction process. The hydrant is to be installed within the building envelope. If the intent is to keep the hydrant then it must be screened from the street by evergreen vegetation. If the hydrant is installed along the street, it is the responsibility of the contractor to either remove it completely once construction is completed or move it within the building envelope.

Construction Access

Each builder shall be responsible for its subcontractors and suppliers being informed of, and complying with, the requirements of this section.

All construction vehicles serving building projects to the south of the tee intersection at Monte Sereno Drive and Entrada Monte Sereno are encouraged to use the main entry at the Tesuque Interchange at SR 84/285. All other construction vehicles are encouraged to use the north entry, which is accessed via the frontage road (Opera Drive). No construction access of any kind, or at any time, is to be permitted via San Juan Ranch Rd. (CR 87). Strict compliance with this requirement will be enforced.

The speed limit in Monte Sereno is 25 miles per hour in all areas except for the 15 miles per hour limit at the S-Curve on Monte Sereno Drive. Each Builder shall be responsible for its subcontractors and suppliers obeying the speed limits posted on all public and private roadways within the development. Violators will be reported to the local law enforcement agency.

While a residence is under construction, the construction site may be accessed only via the approved driveway for the lot unless the ACC approves an alternative access point.

The Landscape Right-of-Way (ROW) (first eight feet behind the curb) shall not be disturbed, and shall be maintained as a vegetated buffer between the construction site and the street.

Driveways, Parking and Storage Areas Relating to Clean Jobsites

Contractors must clean up jobsites and any dirt, mud and debris dragged from the construction site onto the paved streets on a daily basis. Failure to do so will result in fines being imposed against the Builder's Bond for repeated violations. All work shall be in strict compliance with the provisions set forth by the EPA NPDES Storm Water Pollution Prevention Plan, which which recommends crushed rock over geotextile fabric (this, not cobble, is required by Monte Sereno for a min. distance of 20 feet). In order to comply with the above requirements, it is highly recommended that the contractor do the following:

- Install 100% gravel cover on the entire driveway (or required is basecourse on the entire driveway) and a parking area for a minimum of 3 cars off the street throughout construction, which is to be located within the Construction Envelope. When no parking space is available within the Construction Envelope, then automobiles and pick-up trucks are allowed to park on the street in accordance with the Construction Parking restrictions noted below.
- To install gravel for a dedicated staging area for materials within the Construction Envelope (separate from the above gravel parking area), as well as gravel for the portable toilet and a gravel area for a full-size dumpster.

Construction Parking

Each Builder shall be responsible for its subcontractors and suppliers being informed of the requirements of this section.

The following parking regulations are required, and shall be adhered to at all times:

- Parking of all construction vehicles and equipment shall first be directed to the approved Construction Envelope. At such time as there is no more parking space available within the Construction Envelope, then automobiles and pick-up trucks are permitted to park on the street. There shall be no parking on other lots or open spaces outside the Construction Envelope. Mud tracked onto the streets by any vehicles must be cleaned at the end of each day's work. No parking is permitted above the curb on the Landscape Right-of-Way (first 8 ft behind the curb).
- All cars must park facing the direction of travel on one side of the street (the same side as the jobsite), with their right wheels within 18" of the curb. This also applies to all cul-de-sacs, whether public or private. No cul-de-sac parking may obstruct traffic or obstruct emergency vehicles to use the turnaround. Empty cul-de-sac turnarounds (with no houses) and mid-point cul-de-sacs may be used for overflow parking, as long as they are not within a defined "private road" section of the subdivision, and all of the above regulations are followed. At no time should cars parked in these areas obstruct the ability of emergency vehicles to use the turnaround. No cars shall be parked where visibility is identified as dangerously limited.
- No parking is allowed within fifteen (15) feet of a fire hydrant. No parking is allowed within thirty (30) feet of a stop sign. No blocking driveways or intersections is allowed. No parked vehicle may block trash or recycling collection efforts.
- Vehicles must leave a minimum of eight (8) feet from driveways for the safety of vehicles exiting the driveway. No car or truck shall be stopped, parked or left standing upon the traveled portion of any street in such a way that impedes the flow of traffic without manned traffic controls in place for the duration of the event. Workers should avoid parking directly in front of neighboring homes when possible.
- No construction parking shall be permitted directly opposite a driveway serving an occupied residence. The Builder is to utilize cones and any necessary signs to prohibit parking for a width of 40 feet directly opposite said driveway.
- Special attention shall be paid to ensure all of the above regulations are met when jobsites are adjacent and parking overlaps. Any vehicle parked in such a way that presents a safety hazard shall be moved, or shall be referred to the HOA Management Company for enforcement.

It is the Builder's responsibility to inform their workers of these regulations, and post the needed cones and signage to prevent violations. Fines will be levied against the Builder's Compliance Bond for parking violations.

Maintenance of Roads and Curbs

Builders are responsible for restoring the concrete curb, asphalt pavement and the road shoulder to its original condition (removal of oil spills/stains and removal of tire marks on curb).

The HOA reserves the right to notify lot owner(s) and builder(s) of unsightly spills, stains and/or marks on the road in front of the lot when home completion is more than 4 weeks out. To ensure the community is kept to Monte Sereno standards for all Owners, the HOA may set a timeframe for the situation to be remedied. If the spills and/or marks are not removed in the allotted timeframe, the HOA reserves the right to remedy the situation with outside contractors and to deduct the cost from the Builder's Bond held by the HOA.

Abandonment of Construction Site and Inactivity

If construction on a lot has commenced and is abandoned or construction is halted for more than 60 days for any reason, the owner/builder must inform the ACC and provide information on hydro seeding the driveway scar and/or repairing to Lot or terrain so that it will not result in an eyesore for the rest of the community. Until the driveway scar or Lot/terrain damage is repaired/hydroseeded, the bonds will not be returned..

Prohibited Practices

The following rules must be followed:

- Blasting is not allowed in Monte Sereno.
- Careless disposal of cigarettes or any other flammable material is prohibited.
- Using disposal methods or equipment other than those approved by the ACC is prohibited.
- Changing oil on any vehicle or equipment on the site itself or at any other location within Monte Sereno is prohibited.
- Construction personnel may not bring pets (dogs or other animals) into Monte Sereno.
- The use of loud radios and other audio equipment, which may interfere with neighboring properties, is not permitted on construction sites at Monte Sereno.
- Littering is not permitted on construction sites or elsewhere within Monte Sereno. Any littering will be cleaned up by The HOA approved Landscaping Company and the bill will be the responsibility of the Owner and/or Builder and will be credited against the Owner/Builder Bond.

All Owners will be held responsible for the conduct of their agents, representatives, Builders, contractors, and sub-contractors while on the premises of Monte Sereno.

Neighborhood Irrigation Lines

Intent

Monte Sereno has an irrigation system maintained by the HOA which provides water for landscaping within the right-of-way.

Sleeving

Monte Sereno irrigation lines shall be sleeved under driveways and walkways. Sleeving shall be done before any construction work begins (except tree clearing) and cannot be done before the Pre-Construction Conference. No heavy equipment can be used and no excavation can occur prior to sleeving.

All sleeving shall be performed by the Monte Sereno irrigation company. Sleeves shall be buried 24" below finish grade and shall extend 2' minimum beyond either side of the driveway (24 feet of sleeving for a 20 foot driveway). It is the responsibility of the Builder to identify the elevation of the finished driveway and communicate the specific depth of the trench in writing (X ft. below existing grade) to the irrigation company doing the sleeves.

Irrigation Breaks

In the event of an irrigation break, the Builder shall notify the HOA management company immediately and call the Irrigation Company directly for a repair; builders should not attempt to repair irrigation lines or cover/bury them. If it is discovered that the Builder hid a break and did not notify the HOA management company or call the Monte Sereno Irrigation company immediately, fines will be enforced.

The Irrigation Monitor should document all damages to the HOA irrigation lines caused by a contractor or sub-contractor. The Irrigation Monitor or any other member of the HOA can document damage to the HOA irrigation lines and send the documentation to the MSLC who will contact the HOA Management

Company who will then issue an Irrigation Damage Notification. See the process outlined on p. 84 for Damage to HOA Irrigation.

To minimize breaks in irrigation lines, all utility trenching work to get from the curb to the property line must be hand-dug. No utility or other trenches can be run along and inside the right-of-way.

Irrigation Sleeving and Water Conservation Fee

A fee of \$4,000 shall be paid the Builder/Owner to the Monte Sereno Homeowners Association (c/o the HOA Management Company) to fund the cost of sleeving, any repairs to HOA irrigation equipment damaged during construction, fines as specified in these Design Guidelines, cost of monitoring construction site during initial Construction/Sleeving period, and subsequent cost of monitoring, to observe for any ongoing irrigation damage and water loss. All costs associated with sleeving and zone tests and irrigation breaks (including but not limited to inspections, zone tests, leak and damage repairs) shall be the responsibility of the Owner/Builder. A penalty fee of \$500 minimum will be assessed if there is any loss of water as a result of an irrigation break caused by a Builder.

Any unused funds will be returned to the Builder/Owner upon completion of construction. Any costs beyond the \$4,000 fee will be deducted from the Owner Bond.

Process for Sleeving

1. Along with the Approval Letter, Applicants will be given a blank Letter of Request for Irrigation Sleeving on Construction Site (see Pre-Construction forms) by the ACC Liaison; this letter will serve as an agreement between the Builder/Owner and the HOA Irrigation Company to detail payment terms, timing, location and specified depths and elevations related to the Sleeving Work.
2. At or before the Pre-Construction Conference, the Owner or Builder must submit the Letter of Request for Irrigation Sleeving on Construction Site to the ACC Liaison, and the Irrigation Sleeving and Water Conservation Fee to the HOA Management Company.
3. The ACC Liaison will email the Letter of Request for Irrigation Sleeving to the HOA Management Company.
4. Once the HOA Management Company has both the Letter of Request for Irrigation Sleeving and the Sleeving fee, the HOA Management Company will contact the Irrigation Company to install the sleeve. No approval from the MSLC or ACC or ACC Liaison is needed.
5. Installed Sleeve Depth -Documentation will be provided by the Irrigation Monitor confirming the depth of each sleeve installed, to conform with specifications contained in the Letter of Request for Irrigation Sleeving. Such documentation will likely be in the form of a photo with an associated observable measurement instrument.
6. Builder is to verify that the irrigation sleeving was installed as per the Letter of Request for Irrigation Sleeving

APPENDICES

- A. Illustrations
- B. Approved Plant List
- C. Forms due at Final Submittal
- D. Pre-Construction Forms
- E. Construction Forms
- F. Other Forms
- G. Fees, Bonds and Fines
- H. Compound Design Guidelines
- I. Enclave Design Guidelines
- J. Compound 4 Design Guidelines

MONTE SERENO DESIGN GUIDELINES

APPENDIX A ILLUSTRATIONS



SANTA FE PUEBLO REVIVAL STYLE ARCHITECTURE

Santa Fe Pueblo Style architecture is characterized by:

- Thick walls with soft, rounded edges
- Battered parapets
- Traditional wood detailing
- Recessed windows
- Vigas, latillas and corbels
- Use of local moss rock
- Flat roofs
- Stepped massing
- Walled courtyards and patios
- Portals with wood columns and exposed beams



SANTA FE TERRITORIAL STYLE ARCHITECTURE

Santa Fe Territorial Style architecture is characterized by:

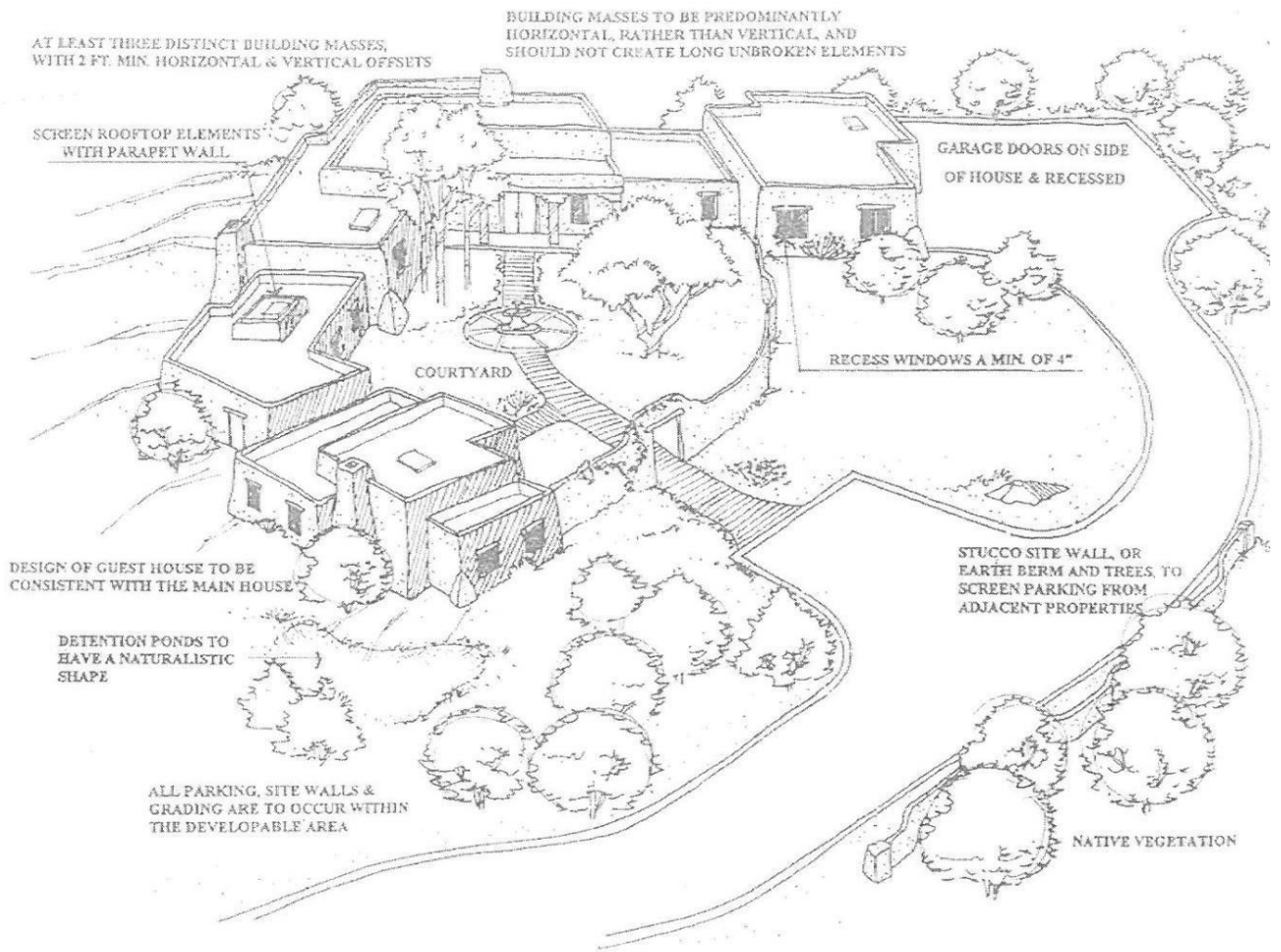
- Square corners
- Brick trim on parapets and walls
- Divided lite/sash windows
- Off-white/cream wood trim at windows, doors and portals
- Portals with off-white/cream wood columns and trim
- Exposed beams with corbel ends

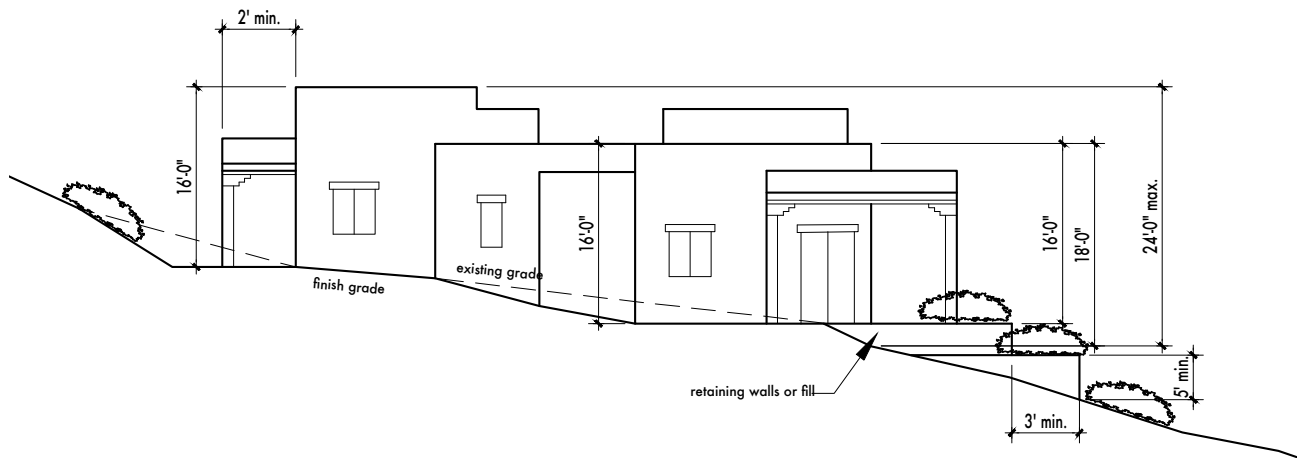


SANTA FE CONTEMPORARY STYLE ARCHITECTURE

Santa Fe Contemporary Style architecture is an architect's interpretation of Santa Fe's Pueblo and Territorial architecture. It is characterized by:

- Sharper edges
- Larger glazing
- Detailing and columns can be wood, stone, concrete or metal
- May use stone as an accent (no river rock faces or large areas of grout)
- Traditional earth tone colors
- Thick walls with recessed windows
- Portals with a horizontal appearance (with some cantilevering and minimal upward projecting portals acceptable in the judgement of the ACC)

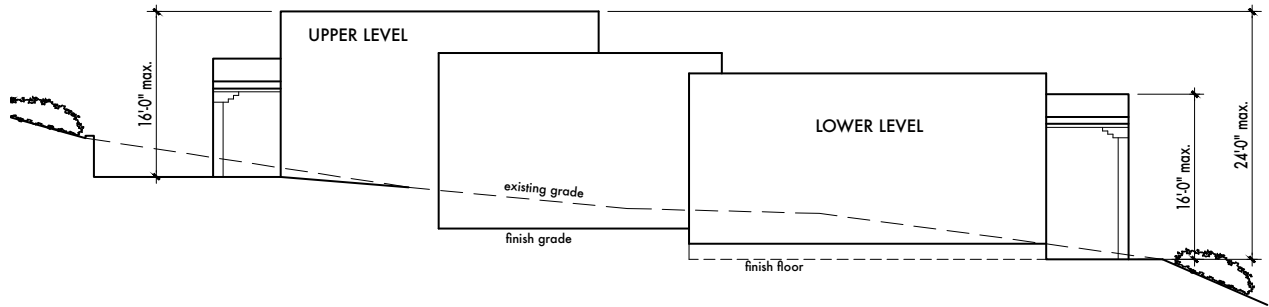




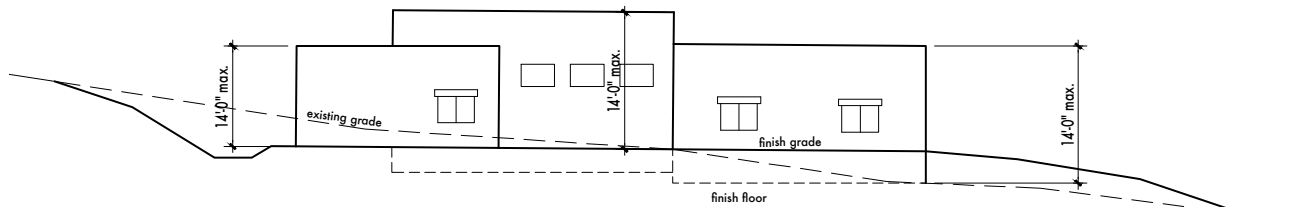
BUILDING HEIGHT RESTRICTIONS

Refer to the sections on Building Heights (p. 22), Building Massing (p. 23), Site, Screen and Retaining Walls (p. 18) and Site Planning and Engineering (p. 14) for requirements and dimensional standards relevant to this and the following diagrams.

EXAMPLES OF BUILDING HEIGHT RESTRICTIONS

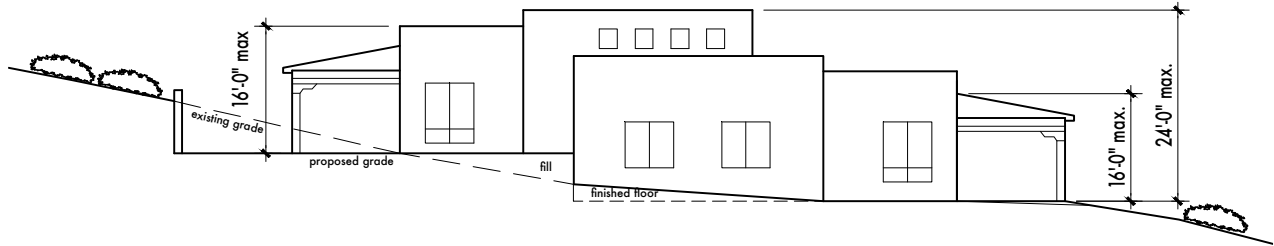


Sloping Site Cross Section

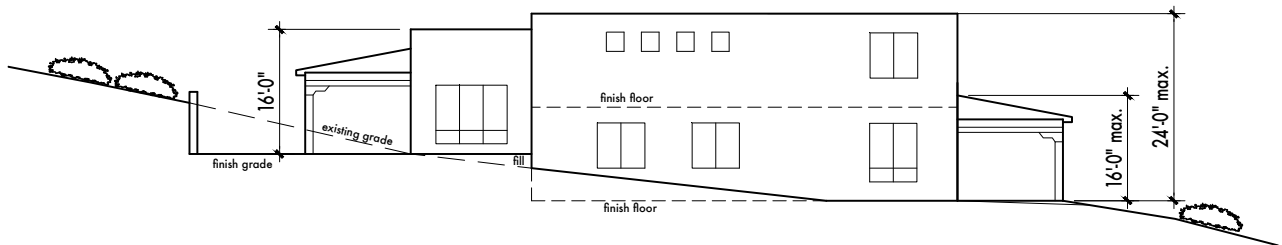


Escarpment Overlay Ridgetop Subdistrict

TWO STORY HOMES (SLOPING SITES)



Acceptable Example of a Two-Story Home



Unacceptable Example of a Two-Story Home

MONTE SERENO DESIGN GUIDELINES

APPENDIX B APPROVED PLANT LIST

IMPROVED AREAS

Planting Areas within 30' of the exterior house walls. Plants will require more consistent irrigation and care.

Botanical name	Common Name	Water	Cautions	Comments
Deciduous Trees - Improved Areas				
Acer palmatum cultivars	Japanese Maple selections	M-H	AI, P/D	Needs wind protection
Acer ginnala	Amur Maple	L-M	AI, ND	Needs good drainage
Alnus tenuifolia	Thin Leaf Alder	H	AI, Exp, P/D	Native stream side tree
Amelanchier species	Serviceberry	M-H	AI, P/D, Sh	Suckers to form clump
Amelanchier laevis	Allegheny Serviceberry	M-H	AI, P/D, Sh	
Amelanchier x grandiflora	Apple Serviceberry	M-H	AI, Exp, PID	Good fall color
Amelanchier x lamarkii	Lamark Serviceberry	M-H	AI, Exp, PID	Good fall color
Cercis canadensis	Eastern Redbud	M-H	AI, Sh	Needs good drainage
Gleditsia triacanthos cultivars	Honeylocust selections	L-M	P/D	Good in water-collection areas
Koelreuteria paniculata	Golden Rain Tree	L		
Malus cultivars and species	Apple, Crabapple selections	L-M	P/D	Selection of well-adapted cultivars
Populus tremuloides	Quaking Aspen	M-H	AI, I, P/D, Sh	SEE NOTE
Prunus serrulata cultivars	Flowering Cherry selections	M	P/D	Need good drainage
Prunus subhirtella cultivars	Flowering Cherry selections	M	PID	Need good drainage
Prunus virginiana cultivars	Chokecherry selections	L-M	I, P/D	Spreads aggressively to form clumps
Pyrus calleryana cultivars	Flowering Pears	L-M	AI, P/D	Use fireblight-resistant forms
Pyrus communis cultivars	European Fruiting Pear selections	L-M	AI, P/D	Use fireblight-resistant forms
Pyrus faurei	Korean Flowering Pear	L-M	Exp, P/D	Fireblight resistant, good fall color
Pyrus pyrifolia cultivars	Oriental Fruiting Pear selections	L-M	AI, Exp, P/D	Use fireblight-resistant forms
Pyrus ussuriensis cultivars	Ussurien Pear selections	L-M	AI, Exp	Some have messy fruit
Quercus cultivars	Oak selections	L	P/D	
Robinia pseudoacacia	Purple Robe Locust			
Sophora japonica cultivars	Japanese Pagoda Tree selections	L-M	Exp, P/D	Messy, can be disease prone
Syringa reticulata cultivars	Japanese Tree Lilac selections	L-M	Exp	
Evergreen Trees - Improved Areas				
Abies concolor	White Fir	L-M		Needs good drainage
Pinus cembra cultivars	Swiss Stone Pine selections	L-M	AI, Exp, PID	Best with good drainage
Deciduous Shrubs - Improved Areas				
Aronia arbutifolia cultivars	Red Chokeberry selections	M-H	P/D, Sh	Suckers to form clumps
Berberis koreana	Korean Barberry	L-M		Suckers to form clumps
Berberis thunbergii cultivars	Japanese Barberry selections	L-M		
Berberis x Emerald Carousel	Emerald Carousel Barberry	L-M	Exp	
Cornus alba cultivars	Tatarian Dogwood selections	M-H	AI, P/D, Sh	
Cornus mas	Cornelian Cherry	M-H	AI?, Exp	Slow growing; large shrub, small tree

Cornus sericea cultivars	Redtwig Dogwood selections	M-H	Al, P/D, Sh	
Corylus avellana Contorta	Harry Lauders Walking Stick	M-H	Al, Exp, Sh	
Cotinus coggygria cultivars	Purple Smokebush selections	L-M	Al	Prone to winter dieback
Cotoneaster species	Cotoneaster	L-M	Al, P/D	
Hibiscus syriacus cultivars	Rose of Sharon selections	L-M		
Jamesia americana	Waxflower	M-H	Sh	
Kerria japonica cultivars	Japanese Kerria selections	L-M	Sh	
Kolkwitzia amabilis	Beautybush	L-M		
Ligustrum vulgare cultivars	Common Privet selections	L-M		
Lonicera korolkowii cultivars	Blue Honeysuckle selections	L-M	Exp, P/D	
Lonicera tatarica cultivars	Tatarian Honeysuckle selections	L-M	P/D	
Lonicera x cultivars	Honeysuckle-new hybrids	L-M		
Malus cultivars	Crabapple-dwarf forms	L-M	P/D	
Philadelphus cultivars	Mockorange selections	L-M		
Physocarpus monogynus	Mountain Ninebark	L-M	Sh	Mountain native
Prunus glandulosa Rosea	Pink Flowering Almond	L-M	Al, P/D	
Prunus tomentosa	Nanking Cherry	L-M	P/D	
Prunus x cistena	Bush Purple Plum	L-M	P/D	
Rhamnus frangula cultivars	Alder Buckthorn selections	L-M	Exp	
Rhamnus smithii	Smith Buckthorn	L-M	Exp	
Rosa species	Rose selections	M-H	P/D	
Salix purpurea cultivars	Arctic Willow selections	M-H	P/D	
Sambucus canadensis cultivars	American Elderberry selections	M-H	I, P/D, Sh	Suckers aggressively
Sambucus nigra cultivars	European Elderberry selections	M-H	P/D, Sh	
Sambucus pubens	Native Red Elderberry	M-H	P/D, Sh	
Sambucus racemosa cultivars	European Elderberry selections	M-H	P/D, Sh	
Spiraea cultivars	Spiraea	M-H	P/D	
Syringe cultivars	Lilac selections	L-M	P/D	Some sucker heavily
Viburnum cultivars	Viburnum selections	M-H	P/D, Sh	
Evergreen Shrubs - Improved Areas				
Berberis x gladwynensis	William Penn Barberry	L-M		
Buxus microphylla Winter Gem	Winter Gem Boxwood	L-M	Sh	
Buxus x Sheridan hybrids	Sheridan hybrid boxwoods	L-M	Exp, Sh	
Euonymus kiautschovica	Manhattan Euonumus	L-M	P/D	
Ilex x meserveae cultivars	Blue Holly selections	M-H	Sh	
Picea abies cultivars	Norway Spruce - Dwarf forms	M-H	P/D, Sh	
Picea glauca Conica	Dwarf Alberta Spruce (to be less than 20' tall)	M-H	P/D, Sh	
Pinus mugo cultivars	Mugo Pine - dwarf forms	L-M	P/D	
Pinus sylvestris cultivars	Scotch Pine - dwarf and creeping forms	L-M	Exp, P/D	

Taxus x media cultivars	Yew	L-M	Sh	Best with good drainage
Vines - Improved Areas				
Campsis radicans cultivars	Trump vine	L-M		
Clematis ligusticifolia	Western Virgins Bower	M-H		
Clematis x cultivars	Clematis-Large flowered hybrids	M-H		
Euonymus f. colorata	Purple Wintercreeper	L-M	P/D, Sh	
Hedera helix	English Ivy	L-M	Sh	
Lonicera species	Honeysuckle	L-M		
Parthenocissus tricuspidata	Boston Ivy	L-M	P/D, Sh	
Vitis cultivars and hybrids	Grape	L-M	AI - some, P/D	
Wisteria floribunda cultivars	Japanese Wisteria selections	L-M	AI	
Wisteria sinensis cultivars	Chinese Wisteria selections	L-M	AI	

NATURAL AREAS

Botanical name	Common Name	Water	Cautions	Comments
Deciduous Trees - Natural Areas				
Acer glabrum	Rocky Mountain Maple	L-M	AI, Exp, Sh	Mountain native, uncommon in Santa Fe
Celtis occidentalis	Western Hackberry	L-M	P/D	
Crataegus species	Hawthorn	L-M	Exp	
Forestiera neomexicana	New Mexico Privet	VL-L		Good in water-collection areas
Quercus gambelii	Gambel Oak	VL-L		Faster, more tree-like with irrigation
Robinia x ambigua Idahoensis	Idaho Locust	L-M	P/D	Brittle, easily-cracked wood
Evergreen Trees - Natural Areas				
Juniperus monosperma	One-seed Juniper	VL-L	I, PID	Male forms cause allergy problems for many
Juniperus scopulorum	Rocky Mountain Juniper	L-M	P/D	Male forms cause allergy problems for many
Juniperus utahensis	Utah Juniper	V-L	P/D	Male forms cause allergy problems for many
Pinus edulis	Pinon Pine	VL-L	PID	Must be located outside of adjacent view corridors
Pinus ponderosa	Pondersosa Pine	L-M	PID	SEE NOTE
Deciduous Shrubs - Natural Areas				
Amelanchier utahensis	Utah Serviceberry	VL-L	P/D	
Amorpha canescens	Leadplant	L-M	P/D	
Amorpha fruticosa	False Indigo	L-M	P/D	
Artemisia cana	Silver Sage	VL-L		
Artemisia filifolia	Sand or Threadleaf Sage	VL-L		Needs good drainage
Artemisia nova	Black Sage Four Wing	VL-L		Needs good drainage
Atriplex canescens	Saltbush	VL-L		
Atriplex confertifolia	Shadscale	VL-L		
Buddleia alternifolia	Fountain Butterfly bush	L-M		

Buddleia davidii cultivars	Butterfly Bush selections	L-M	P/D	
Buddleia nanhoensis cultivars	Compact Butterfly Bush	L-M	P/D	
Caragana arborescens	Siberian Peashrub	VL-L		
Caragana pygmaea	Pygmy Peashrub	VL-L		
Caryopteris x clandonensis	Blue Mist Spirea selections	L-M	I	Best with good drainage
Ceratoides lanata	Winterfat Mountain	VL-L		
Cercocarpus montanus	Mahogany	VL-L	I, P/D	
Chamaebatiaria millefolium	Fernbush	VL-L		
Chrysothamnus nauseosus	Chamisa selections	VL-L	I	Reseeds readily
Cytisus purgans Spanish Gold	Spanish Gold Broom	L-M ?	Exp	
Cytisus scoparius Moonlight	Moonlight Broom	L-M	Exp	
Elaeagnus commutata	Silverberry	L-M	I, P/D	Suckers to form clumps
Elaeagnus multiflora	Cherry Elaeagnus	L-M	I, P/D	Suckers to form clumps
Elaeagnus umbellata	Autumn Olive	L-M	I, PID	Suckers to form clumps
Euonymus alata cultivars	Burning Bush selections	L-M	P/D	Good fall color
Euonymus europaea	European Spindle Bush	L-M	PID	
Fallugia paradoxa	Apache Plume	VL-L		
Fendlera rupicola	Cliff Fendlerbush	VL-L		
Forsythia cultivars	Forsythia selections	L-M		
Hippophae rhamnoides	Sea Buckthorn	L-M	I	Suckers to form clumps
Holodiscus dumosus	Rock Spirea	L-M		Suckers to form clumps
Perovskia atriplicifolia	Russian Sage	L-M	Exp, I	May spread by seed
Potentilla fruticosa cultivars	Potentilla selections	L-M	PID	Mountain native
Prunus besseyi	Western Sand Cherry	L-M	P/D	Best with good drainage
Rhus aromatica cultivars	Fragrant Sumac selections	L-M		May sucker somewhat
Rhus glabra cultivars	Rocky Mountain Sumac	L-M	I	Suckers aggressively
Rhus trilobata	Three-Leaf Sumac	VL-L		Good fall color
Rhus typhina cultivars	Staghorn Sumac selections	L-M	I	Suckers aggressively, good fall color
Ribes alpinum	Alpine Currant	L-M	P/D, Sh	Male forms more rust-resistant
Ribes aureum	Golden Currant	L-M	I, P/D, Sh	Suckers, may spread by seed
Robinia neomexicana	New Mexico Locust	L-M	I, PID	
Rosa hugonis	Father Hugo's Rose	L-M	P/D	
Rosa rugosa hybrids	Rugosa Rose selections	L-M	AI, P/D	
Rosa woodsii	Woods Rose	VL-L	I, PID, Sh	Suckers aggressively
Rosa x harrisonii	Harrison's Yellow Rose	L-M	PID	
Shepherdia argentea	Silver Buffaloberry	VL-L		Good in run-off areas; may spread by seed
Sorbaria sorbifolia	False Spiraea	L-M	Exp, P/D	Suckers to form clumps
Spartium junceum	Spanish Broom	M		Can become overgrown
Evergreen Shrubs - Natural Areas				

Agave parryi	Parry Agave Pinemat	VL-L		Borderline hardy; needs good drainage
Arctostaphylos nevadensis	Manzanita Greenleaf	L-M	Exp	
Arctostaphylos patula	Manzanita Pointleaf	L-M	Exp, Sh	Hard to transplant
Arctostaphylos pungens	Manzanita	L-M	Exp	Needs good drainage, hard to transplant
Arctostaphylos uva-ursi	Kinnickinnick	L-M	Sh	Best with good drainage
Artemesia tridentata	Big Sage	VL-L		
Cercocarpus intricatus	Littleleaf Mountain Mahogany	VL-L		
Cercocarpus ledifolius	Curleaf Mountain Mahogany	L-M		
Cowania mexicana	Cliffrose	L-M		Needs good drainage, hard to transplant
Echinocereus species	Hedgehog Cactus selections	VL-L		
Euonymus fortunei cultivars	Wintercreeper selections	L-M	P/D, Sh	
Herperaloe parviflora	Red Yucca	L-M		Absolute hardiness uncertain
Juniperus horizontalis cultivars	Creeping Juniper selections	L-M	P/D	
Juniperus scopulorum cultivars	Rocky Mountain Juniper	L-M	P/D	
Juniperus x media cultivars	Pfizer/Sea Green Juniper	VL-L	P/D	
Mahonia aquifolium cultivars	Oregon Grape Holly selections	L-M	P/D, Sh	
Mahonia repens	Creeping Mahonia	L-M	P/D, Sh	
Nolina microcarpa	Bear Grass	VL-L		
Opuntia cultivars	Cholla/Prickly Pear Cactus	VL-L		
Pinus nigra Hornibrookiana	Dwarf Austrian Pine	L-M	Exp	
Coccinea Cultivars	Hardy Pyracantha selections	L-M	Al, P/D	
Quercus turbinella	Shrub Live Oak	VL-L		
Yucca baccata	Datil Yucca	VL-L		
Yucca filamentosa	Adam's Needle	VL-L		
Yucca slauca	Soapweed	VL-L		
Vines - Natural Areas				
Parthenocissus quinquefolia	Virginia Creeper	VL-L	P/D	
Polygonum aubertii	Silver Lace Vine	VL-L		

KEY

Water

VL - Very Low

L- Low

M - Moderate

H - High

Caution Categories

Al - Alkaline-sensitive: may develop iron and other trace mineral deficiencies and grow very poorly in soils which are highly alkaline.

E - Experimental: considered experimental in Santa Fe or have not been used widely enough to know what their climate limits are

I - Invasive: tend to be invasive under certain conditions. Some of these are useful for stabilizing slopes.

P/D - Pest/disease potential: high likelihood for developing problems with significant pest and for diseases when grown in less than optimal conditions.

Sh - Shade: grow naturally in shadier environments or do well with some shade in our environment, especially afternoon shade. Also, they prefer shelter.

NOTE: Quaking Aspen (*Populus tremuloides*) and Ponderosa Pine (*Pinus ponderosa*) may be approved on a case by case basis by the ACC.

These will be evaluated based on location and determination that they will not negatively impact views from surrounding properties.

MONTE SERENO DESIGN GUIDELINES

APPENDIX C FORMS DUE AT FINAL SUBMITTAL

Final Submittal Checklist
Acceptance of Standard Conditions Form
Project Construction Information Form
Benchmark Certification Form

**MONTE SERENO
SANTA FE, NEW MEXICO**

FINAL SUBMITTAL CHECKLIST

All submittals at the Final Submittal Phase shall include all required drawings and documents. Fragmented submittals will not be reviewed. It will be helpful if drawings are in the order shown below. The submittal should be turned in electronically in the following form:

- Drawing PDF - single pdf, except individual resubmittals. The reviewer can require resubmittal of drawings at different scales for readability/reviewability.
- Cutsheets - another single pdf (can include high quality images)
- Colorboard and any samples must be physical samples (not an image or pdf), maximum 8.5x11 or in a single 8.5x11 envelope

Please do NOT submit: structural drawings, interior elevations, door/window schedules, interior finish schedules.

1. FEES, FORMS AND VERIFICATIONS

- HOA Assessments paid in full (the ACC will confirm this; you do not need to send confirmation)
- Any required Utility Easement Document
- Acceptance of Standard Conditions Form (see p. 62)
- Project Construction Form (see p. 66)
- Benchmark Certification Form (see p. 67)

2. SURVEY

- Prepared by a licensed surveyor
- Same scale as site plan
- Lot boundaries and dimensions
- Existing contours 2'-0" intervals minimum on Monte Sereno datum and major terrain features
- As-built conditions of the roadway and utilities relative to the Building Site including spot grades at or near driveway entrance.

3. SITE PLAN

- Show Building Site (Developable Area) and setbacks per recorded survey plat to show all construction within DA
- Show and label roads and right-of ways
- Show first 20' into adjacent lots and label lot numbers of adjacent lots
- Show all neighbor driveways within 300' of the driveway
- Show Residence and all other buildings or major structures
- Show two guest parking spaces
- Show guest house (if any) and how it complies with requirements for connection
- Hardscape: driveway edging, walkways, and parking areas (label materials and colors)
- Patios, pools, spas, sport courts, tennis courts, fire pits other recreational equipment (if any) and label materials and colors
- Garden enclosures and dog runs (with reference to design detail)
- Utilities
 - o Show pedestal locations and utility routes/trenching
 - o Show electric meter location
 - o Provide a note or label to show that all meters and site items are painted

- Ground-mounted AC units or other ground-mounted items including lift stations
- Site walls, retaining walls, pilasters, fences and gates (label materials) including AC unit and other screening walls/fences
- Existing and proposed contours (dashed lines for existing and solid lines for proposed)
- Driveway
 - Dimension driveway where it meets the street, at the property line and 5' in from the property line.
 - Label driveway materials and colors
 - Label driveway gates, reference to design detail

4. CONSTRUCTION PLAN

- This can be a full size drawing or 8 ½ x 11
- Construction Frost Free Hydrant (label permanent or temporary)
- Lined Washout pit location
- Dumpster location
- Portable Toilet location
- Construction Parking (label vegetation to be removed to accommodate vehicles if any, and described remediation plan in full)
- Construction fencing location, material, height and color

5.SLOPE ANALYSIS

- CR Walbridge & Associates slope analysis

6. GRADING AND DRAINAGE PLAN

- Stamped/signed by a New Mexico-registered Engineer, Architect
- Elevations of all building floors, patios, terraces
- Site and Retaining Walls
 - Top elevation of site walls and retaining walls (in absolute elevations rather than heights)
 - Dimension long straight walls to show compliance with 30' maximum
- Existing and proposed contours at 2' minimum contour interval (dashed lines for existing and solid lines for proposed contours) and spot elevations as needed. See section on Site Planning and Engineering regarding grades lying against the house on two sides.
- Label slope of any cut or fill slopes 3:1 or steeper and label any slope stabilization areas/method/materials
- Show road with grades along property line
- Drainage
 - Use actual contour lines to describe directions of flow not only arrows.
 - Indicate the position of all canales and downspouts and show/label associated splashblocks, catch basins or rockpits and piping to ponds
- Drainage calculations for detention ponds
- Drainage structures
 - All detention ponds and swales identified with contour lines in accordance with the drainage calculations
 - Pipe drains/culverts, energy dissipation devices, etc.
 - Label any headwalls and materials
 - Swales and check dams
- Details
 - Sections of catch basins, splashpits or rock pits
 - Section of detention ponds (label any materials)
 - Description or detail of swales and check dams (include size/color of stone if any)

7. EXISTING TREE PLAN

- Show DA, outline of the house, driveway footprint and footprint of patios/retaining/site walls
- Location of all existing trees except in entirely undeveloped areas. Do not show your google earth underlay (this can be submitted as a separate drawing if you would like)
- Label width, species and height for significant trees
- Existing trees to be removed shown as dashed circles
- Existing trees to remain shown as solid circles
- Trees to be transplanted identified with a note “transplant” (new location should be shown on the Landscape Plan)
- Coordinate tree removal with grading plan (trees will not survive in graded areas)
- Make minor shifts to save trees

8. LANDSCAPE PLAN

- Prepared by professional landscape architect or designer
- Show overall site and property lines; if this scale is too small, submit an additional drawing of the area of work (still showing as many adjacent property lines as possible.)
- Show DA and Exterior walls of residence and patios, walls, driveways
- Show grading as provided on Grading & Drainage Plan
- Show detention ponds and other grading/drainage elements
- You do not need to label the Improved and Natural Area, but prepare your plan with them in mind
- Show AC units and any trash enclosures
- Vegetation
 - Locations and species of all proposed trees, shrubs and ground cover; show spread at actual size.
 - Show existing trees to remain and any transplanted trees (use plain circle for existing trees and label with a T if transplanted) to match Existing Tree Plan
 - Do not show trees to be removed
 - Label height of trees and gallons of shrubs at installation and size of any grass areas
 - Provide a Legend showing: Common name, Botanical name, size (see above), Improved or Natural area notation, height of maturity if over 20’
 - Describe any limb removal or pruning of existing trees or note that none will occur
- Note about irrigation methods: permanent/temporary, spray/drip
- Show and label ornamental garden features, accent rocks, water features/foundations, sculptures, outdoor kitchens, outdoor firepits/fireplaces, built-in furniture
- Colors and material of walkways, patios
- Mulch areas – type/color/size if gravel
- Address marker location; a detail can be provided on the Landscape plans or separate cutsheet (show dimensions/materials/color/lighting if any).
- Cisterns and any water collection devices - Show at actual size and label/describe
- Show all hardscape items and specify materials used
- Include a Revegetation Notes:
 - Provide a note that says that ALL disturbed areas are to be revegetated with native vegetation (do not outline a specific area as the reseeded area)
 - Indicate type of seed mix
 - Indicate type and rate of application (i.e. Hydroseed, mat or hand rake)
- Landscape lighting including any and all step lights, site lighting, bollards, tree specimen lighting

9. FLOOR PLANS

- Finish floor elevations
- Identify all rooms and portals
- Total Area of all structures (heated and unheated) and portals
- Outside dimensions of all masses and other dimensions
- Dimension garage door recess and garage door width

10. ROOF PLAN

- Show contour lines through the house
- Indicate new and existing grades and contour lines as per the Grading/Drainage plan
- Roof slopes, massing & drainage indicated; accurate drawing of parapets and how they terminate at other parapets.
- Roof elements and equipment shown and labeled with any necessary screening (mechanical equipment including units and any piping skylights, chimneys, solar panels, satellite dishes, TV and other antennae and roof decks if any)
- Number all masses
- Elevation indications for all parapets, roofs and overhangs (Height is determined from THIS plan – it is the elevation of the top of parapet/roof/overhang minus the natural or cut grade – whichever is more restrictive -- directly below that point; appearance is the elevation minus finish grade)
- Roof material and color for flat roofs, pitched roofs and overhangs/portals
- Label any coping and color/material.
- Solar panels (accurate size) and label showing color of supports; you may be required to demonstrate how solar panels will be screened

11. EXTERIOR ELEVATIONS

- Show all sides of residence
- Height elevations of finish floor levels, parapets or ridgelines/eaves, grades and roofs
- Proposed and existing grade lines
- Label all exterior materials and colors
- Label any gutters or downspouts
- Accurate elevation of garage door (label materials)

12. SECTIONS AND DETAILS (these can be full sized sheet or 8 ½ x 11)

- Two cross sections in each direction (see p. 14)
- Wall section
 - Dimension window inset
 - Dimension thickness of parapet
- Portal/Roof Overhang/Ramada Sections
 - Show dimensions
 - Label all materials and colors including underside of portals
- Canale detail including thickness, materials, dimensions (note if there will be any gutters or downspouts on this detail and show them on the Exterior Elevations)
- Details of gates, fences, recreation equipment, address marker (show all dimensions, materials, colors and other relevant information) and cut sheet if applicable
- Skylight (or solatube) Section
- Solar Section showing distance from parapet to top of panels

13. ELECTRICAL PLAN

- Show the location of all exterior light fixtures including wall-mounted fixtures on the residence and any ceiling mounted or recessed fixtures under portals
- Show site lighting, tree specimen lighting, accent lighting, pool/fountain lighting

- Show light fixtures in skylight wells, if any

14. DETAILED INFORMATION FOR EXTERIOR ITEMS (8 ½ x 11 sheets or detail on plans acceptable)

- Site item cut sheets
 - Hot tubs, ponds and pools with detailed information (dimensions, depth, materials, colors)
 - Ornamental garden features including materials, colors and dimensions
 - Exterior artwork (including photograph)
- AC or other mechanical units cut sheets including length x width x height, noise rating
- Skylights and solatube cut sheet or detail showing glazing color, profile and height
- Cut sheets for all exterior fixture types including material (including color of trim rings if lights are recessed cans), color, night-sky information, wattage

15. SAMPLE BOARD

- 8 1/2X11 on cardstock (not thick foam core) in clear protective sleeve
- Actual samples of: stucco, mullions, wood stain, stone on building façade, garage door material, paint for any trim, roof material
- High quality photographs of driveway pavers, walkway materials, site stone
- Cut sheet for window glazing if glazing is not clear

16. STUDY MODEL OF PROPOSED RESIDENCE

- 3D Sketch Up model unless other arrangements have been agreed upon with the ACC

17. ADDITIONAL INFORMATION

- Any drawings, materials, or samples as requested by the ACC.

END OF FINAL SUBMITTAL CHECKLIST

**MONTE SERENO
SANTA FE, NEW MEXICO**

ACCEPTANCE OF STANDARD CONDITIONS FORM

Lot _____

Initials _____

The Owner and Builder have signed below, and accept the Standard Conditions to follow. Please note: Construction may not begin until this signed form including Builder's and Owner's signatures and initials on each page, is received by the Architectural Control Committee.

STANDARD CONDITIONS:

Changes to Plans

- Any and all changes to the Approved Final Plans (including but not limited to changes, added elements, deleted elements and revised Landscape plans) must be submitted to the ACC and approval must be received prior to initiating any work on the change; please allow two weeks for ACC review. Approval is not assured. An application is not required for change requests, and this is covered under the review fee, so additional fees are not required.

Landscaping

Screening Trees

- The ACC reserves the right to require additional trees (piñon or juniper) and/or shrubs for screening or buffering (including but not limited to screening for the driveway, garage doors, guest parking, any other parking, portals, hot tub, AC units and other mechanical equipment and any other elements; buffering of the house and screening/buffering of the ground plane of the house and portals)
- All piñon and juniper trees and all screening trees shall be character-type, hand-dug rather than nursery grown and have a natural rather than artificial conical shape, unless approved by the ACC in advance (retroactive approval will not be given)

Tree Removal

- No trees shall be removed for utility trenching unless approved by the ACC in advance (retroactive approval will not be given).
- Trees may not be pruned and limbs may not be removed without requesting permission and receiving approval from the ACC.
- The owner is responsible for relocating existing trees, shrubs and top soil in the area of the proposed driveway and building pad.
- The road right of way/10' landscape easement should not be disturbed; it is a buffer between the neighborhood and construction. If there is any disturbance, it must be revegetated (seed and shrubs) prior to final acceptance.

Limb Removal

- No limbs shall be removed or trimmed from any trees without a specific request and prior approval from the ACC. This requires a site visit by the Construction Liaison.

Revegetation

- Revegetation mix is Dryland Blend (or equal) unless ACC has given specific approval for specific areas close to the house in your approval letter. Seed tags will need to be saved to present at the Final Review.

- All disturbed areas (including areas used for construction parking) must be revegetated, regardless of any defined areas on the landscape plan, even if the landscape plan is approved.
- Rate of application is 1 ounce per 1,000 square feet

Irrigation

- Irrigation shall be provided for all trees, plantings and revegetation.
- To protect the existing irrigation system in the subdivision, the irrigation lines shall be lowered into a sleeve prior to construction commencement. The applicant understands the Monte Sereno sleeving process detailed in the DGs.

Site Elements

Painting

- All meters, lift station controllers, utility boxes and pedestals and other site items shall be painted to match the surrounding earth or stucco color.

Driveways

- When a culvert at the driveway entrance is required, the lot owner must also provide a swale along the lot frontage. Stone check dams or stone-lined swales shall be installed if required as designed by the civil engineer.
- Driveway aprons must be installed at all driveway entrances (min. 6' depth). Details are to be per City of Santa Fe specifications. Concrete must match existing integral color of curbs.

Mechanical/Electrical

- The Developer has provided transformers for basic electrical service. If the amperage available at the transformer is not adequate, the owner is responsible for the installation of a new or supplemental transformer.
- Environment-One Sewer Grinder Pumps are required by the City of Santa Fe for connecting into the City sewer. If the applicant desires to select another pump manufacturer, the applicant must demonstrate that the alternate pump meets minimum design specifications and have that data reviewed and approved by C.R. Walbridge & Associates, LLC (505-982-9711). If approved by C.R. Walbridge & Associates, then the specifications for the alternate pump needs to be sent to the City Wastewater Management Division for their approval. This process is the responsibility of the applicant.

Exterior Elevation/Façade Elements

- If gutters and/or downspouts are not shown and labeled on exterior elevations, they are not approved and must be submitted for review and approval.
- Window glazing is assumed to be clear unless we receive a glazing cut sheet showing an alternative color
- Window inset shall be 4" minimum.
- All exterior wall items shall be painted to match the stucco.

Roof Elements

Solar Panels

- Solar Panel locations will be reviewed after framing and prior to panels being installed.
- Even if solar panels are required by the governing authorities they must be submitted to the ACC for approval on placement and other design elements. The ACC may require additional screen walls on the roof.

Skylights

- The top of skylights will be below the top of parapets
- The skylight glazing shall be tinted (no clear skylight glazing)

Rooftop Equipment

- All rooftop equipment (including but not limited to mechanical units, AC units, satellite dishes and television antennae) requires review and approval.
- All rooftop equipment/elements cannot be visible from any other lots, streets or common areas. Such equipment must be screened; screening methods shall be reviewed and approved. The Committee reserves the right to require improvements and/or additional trees to ensure adequate screening of any rooftop elements from other properties and roads.
- No rooftop equipment may extend above the parapet, including pipes.
- Exposed ducts are not allowed on roofs.
- Gas and electrical piping and standoffs/chairs are not allowed on new roofs and should be integrated into the roof structure.

Painting of Roof Items

- PV panel supports, frames and curbs shall be painted to match the stucco or roof color.
- Skylight curbs shall be painted to match the roof color.
- All pipes, vents and other rooftop items will be painted to match the stucco or roof color and may require screening in addition to painting (see above) based on visibility.

Lighting

- Bulbs will comply with maximum lumens/wattage as detailed in the DGs.

Construction

- All construction requirements in the DGs must be followed.
- Construction materials and equipment shall be stored in non-visible location.
- A portable toilet is required for the construction crew. Portable toilets cannot be in the 10' right-of-way/landscaping easement. The color of portable toilets must be tan in color. Portable toilets should be screened from view.
- The road right of way/10' landscape easement should not be disturbed; it is a buffer between the neighborhood and construction. Construction materials cannot be stored in this area and equipment should use the driveway rather than the easement for access.
- The owner must comply with complying with the EPA NPDES Stormwater Pollution Prevention (SWPPP) permitting requirements. A SWPP notice of intent must be submitted to the ACC and all SWPP requirements must be followed prior to breaking ground.
- No work other than the tree protection fencing and benchmark can begin until you have a Notice to Proceed. Tree protection fencing must be installed immediately after the Pre-Construction Conference.
- A standardized construction sign must be posted after you secure your building permit and removed when you receive final acceptance from the ACC. The standard construction sign has the following information: architect's name, builder's name, owner's name, lot #, lot address, and one phone number. One contact for the standard sign is Pronto Signs.
- The Owner must obtain all of the required local and State permits (including but not limited to a City driveway and curb cut permit from the Public Works Department) prior to initiating any construction on the Lot.
- All parking shall be on one side of the road.
- All construction access is to be via the main entry at the Tesuque Interchange at SR 84/285. No

construction access of any kind, or at any time, is to be permitted via San Juan Ranch Rd. (CR 87).

Post-Construction/Final Completion

- An improvements survey (ILR) will be required by a licensed surveyor after completion to ensure that all walls enclosing usable space, house walls, patios and other site elements are within the DA. It is recommended that the survey be completed as soon as possible after completion of those elements in the event that adjustments need to be made.
- The applicant is responsible for any damage outside of the property lines, including but not limited to existing pavement, curbs, utilities and landscaping with the right-of-way and to adjacent properties. The Owner and Builder are responsible for maintaining a clean site, free of trash, debris, etc.
- Revegetation of Lots after construction (inclusive of additional trees for screening purposes) is required by the ACC. The ACC will review screening at completion.

Design Guidelines

- In addition to conditions above, you shall comply with any and all requirements of the Design Guidelines (please access the owners' webpage (www.monteserenosantafe.com/owners) to obtain the most up to date forms as these forms may change quarterly), including but not limited to the Construction Regulations (which begin on p. 33). The construction regulations are attached to this letter for reference. Please familiarize yourself with them since violations may result in fines.

Builder's Signature

Date

Builder's Name/Company

Lot Owner(s)' Signature(s)

Date

Lot Owner(s)' Name

MONTE SERENO
SANTA FE, NEW MEXICO

PROJECT CONSTRUCTION INFORMATION FORM

Plat: _____ Lot: _____

Lot Street Address: _____

Owner: _____ **Phone:** _____

Address: _____

Email: _____

Architect/Designer: _____ **Phone:** _____

Address: _____

Email: _____

Builder: _____ **Phone:** _____

Address: _____

Email: _____

Job Foreman: _____ **Cell:** _____

Schedule Information

Anticipated Start Date: _____

Anticipated Completion Date: _____

Anticipated Utility Hook-Up Date: _____

Anticipated Landscape Completion Date: _____

Anticipated Occupancy Date: _____

Notes/Comments: _____

**MONTE SERENO
SANTA FE, NEW MEXICO**

CERTIFICATE OF BENCHMARK

In order to best ensure the compliance by all parties to the height restrictions imposed by the Monte Sereno Design Guidelines, the Owner or Builder at their expense shall have a licensed New Mexico surveyor provide and certify the following:

Establishment of a permanent benchmark in a protected area outside of the Building Site.

LOT # or Address: _____

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE REFERENCED LOT AND VERIFIED THAT THE PERMANENT BENCHMARK ELEVATION IS:

MY SEAL AS A REGISTERED LAND SURVEYOR IN THE STATE OF NEW MEXICO IS AFFIXED BELOW.

Signature

SEAL:

Name (Please Print)

Date of Benchmark Certification

MONTE SERENO DESIGN GUIDELINES

APPENDIX D PRE-CONSTRUCTION FORMS

Forms for Pre-Construction:

Owner's Performance Bond Agreement
Builder's Bond Agreement
Letter of Request for Irrigation Sleeving on Construction Site

MONTE SERENO
SANTA FE, NEW MEXICO

OWNER'S PERFORMANCE BOND AGREEMENT

Lot _____

Street Address _____

Owner(s) _____

To guarantee the regulations within *The Monte Sereno Design Guidelines* (including amendments and supplements) are adhered to, the Owner will post a cash performance bond in the amount of US \$_____ (see **Bonds, p. 81**), payable to the:

Monte Sereno Homeowners' Association
7770 Jefferson Street Northeast Suite 102
Albuquerque NM 87109

A copy of this signed agreement should accompany a check.

It is understood that should it become necessary for the Architectural Control Committee (ACC) to provide for the remedy of violations of the Monte Sereno Design Guidelines, the cost of such remedy will be charged against the bond. In addition, the owner agrees that if items required to receive Final Acceptance from the ACC are not corrected within thirty (30) days of notice from the ACC, a weekly fine of \$1,000.00 may be deducted from the bond until all items are corrected to the satisfaction of the ACC. Should occupancy of any improvements occur before Final Inspection, the entire bond amount may be taken to assure compliance with the covenants, design guidelines and approvals received from the ACC.

Upon satisfactory final inspection by the representative of the Architectural Control Committee and correction of any items specified in the final inspection, the bond will be returned to the above owner, less any costs or fines imposed.

Owner's Signature

Date

MONTE SERENO
SANTA FE, NEW MEXICO

BUILDER'S BOND AGREEMENT

Lot _____

Street Address _____

Builder _____ Phone _____

To guarantee that the Design Guidelines (including the Construction Regulations) enumerated in the Monte Sereno Design Guidelines (including amendments and supplements) are adhered to, the Builder will post a cash bond in the amount of US \$ _____ (see Bonds, p. 81), payable to:

Monte Sereno Homeowners' Association.
7770 Jefferson Street Northeast Suite 102
Albuquerque NM 87109

A copy of this signed agreement should accompany a check.

It is understood that should it become necessary for the ACC to provide for the remedy of violations of the Design Guidelines, the cost of such a remedy, and/or fines associated with such violation, will be charged against the bond. Additionally, further action may be taken to assure compliance with the covenants, Design Guidelines and approvals received from the ACC. By signing this Builder's Bond Agreement, the Builder acknowledges that it has received and understands the Monte Sereno Design Guidelines and all appendices attached thereto, including APPENDIX G FEES, BONDS AND FINES.

Upon satisfactory Final Inspection by a representative of the ACC and completion of all Final Inspection Requirements to the satisfaction of the ACC, the bond will be returned to the above Builder, less any costs or fines imposed.

All construction access is to be via the main entry at the Tesuque Interchange at SR 84/285. No construction access of any kind, or at any time, is to be permitted via San Juan Ranch Rd. (CR 87).

Builder's Signature

Date

LETTER OF REQUEST FOR IRRIGATION SLEEVING ON CONSTRUCTION SITE – MONTE SERENO

From: Builder - _____

Lot # - _____

Owner - _____

To: Monte Sereno HOA, c/o Sentry Management

**Distribution: Monte Sereno Landscape Committee, Monte Sereno Architectural Control Committee,
& HOA Irrigation Company**

Date: _____

- 1) This letter serves as a request for the HOA Irrigation Company to install a protective irrigation sleeve at the following location. - _____
- 2) Sleeve to be installed within seven (7) business days of the date of this letter.
- 3) Builder acknowledges that no construction/excavation activity will be conducted at this location until sleeve installation is completed.
- 4) Driveway, Sleeve, elevation & depth specifications

Situation 1 - New driveway is lower than natural grade (uphill lot, driveway cut in)

How much lower is the driveway than the natural grade in the area of irrigation lines per plans?

_____ + 2' for depth of sleeve below natural grade

= _____ depth of sleeve below natural grade

Situation 2 - New driveway is higher than natural grade (downhill lot, driveway built up)

= 2 feet depth of sleeve below natural grade

- 5) Builder acknowledges that Owner has funded an Irrigation Sleeving and Water Conservation Fee payable to the Monte Sereno HOA, a portion of which will be used to pre-pay the HOA Irrigation Company for sleeving services.

Sleeve install completion date: _____

Cost of Sleeve work _____

Builder

MONTE SERENO DESIGN GUIDELINES

APPENDIX E CONSTRUCTION FORMS

Top of Slab and Top of Parapet Certification
Final Acceptance Checklist

**MONTE SERENO
SANTA FE, NEW MEXICO**

TOP OF SLAB & TOP OF PARAPET CERTIFICATION

In order to best ensure the compliance by all parties to the height restrictions imposed by the Monte Sereno Design Guidelines, the Owner or Builder at their expense shall have a licensed New Mexico surveyor provide and certify the following:

- Establish the elevation of each T.O.S for each finished floor at completion of stem walls and certify compliance with approved plans. This certification shall be submitted and placed on-file with the Monte Sereno ACC and HOA.
- Establish the T.O.P elevation for each mass and certify compliance with the Final Approved Plans. This certification shall be submitted and placed in the Lot File for the record.

Lot Number or Address _____

- The As-Built Elevation of the Top of Slab for each Finished Floor is in compliance with the Approved Final Plans.
- The As-Built Elevation of each Parapet is in compliance with the Approved Final Plans.

Provide the Following for Each Area of the House:

<u>Mass Number</u>	<u>Top of Slab Elevation</u>	<u>Top of Framing Elevation</u>	<u>Final Top of Parapet Elev.</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

MY SEAL AS A REGISTERED LAND SURVEYOR IN THE STATE OF NEW MEXICO IS AFFIXED BELOW:

Signature

SEAL:

Name (Please Print)

Date of Certification

MONTE SERENO
SANTA FE, NEW MEXICO

FINAL ACCEPTANCE CHECKLIST

Lot _____ Date _____

Owner(s) _____

Builder _____

Architect / Designer _____

Items Submitted

- Written request for Final Inspection
- Certificate of Occupancy copy or photo
- Seed Tags

Landscaping (hardscape, trees, shrubs, lawns) all in place and as per approved plans

- Evidence of reseeding on all disturbed areas
- Irrigation system installed
- Coverage of irrigation system for reseeding
- Address Sign
- Screening of AC units or other mechanical equipment
- Site is Stabilized to Prevent Erosion
- Drainage Systems in place per plans (including culvert headwalls, swales, catchment ponds, splash pads)
- Guest Parking, Driveway and Garage door adequately screened
- Driveway Apron in place and is 6' min and colored to match curbs

Clean Up

- General Clean Up – Equipment and Materials removed
- Sign removed
- Portable toilet removed
- Curbs – Undamaged or repaired and not scuffed
- Oil Stains in road removed

Colors

- All exposed metal and site items painted (including pipes, covers, lids, meters, control boxes)
- All roof items painted (including vents, skylight curbs, pipes)
- Driveway Gravel
- Stucco
- Mullions
- Roof

Lighting

- All downlit and shielded
- Driveway lighting spaced per plans and downlit
- Color per plans

Changes to Approved Plans not Requested

- Items not constructed
- Changes to any of the above
- Additions
- Landscape Plan changes

BY: _____
Monte Sereno ACC Member

Final Inspection Attendee (Owner, Builder, Representative) Signature Date

MONTE SERENO DESIGN GUIDELINES

APPENDIX F OTHER FORMS

Homeowner Small Project Submittal Form
Non-Compliance Notification Form
Owner Irrigation Damage Notification

**MONTE SERENO
SANTA FE, NEW MEXCO**

HOMEOWNER SMALL PROJECT SUBMITTAL FORM

All exterior changes (to the walls, roof, site and landscaping) require Architectural Control Committee (ACC) evaluation and approval. This includes but is not limited to driveway paver improvement, fences/screening, solar panels, right-of-way landscape improvement, vegetable garden enclosure not within courtyard and dog run enclosure. The DGs detail requirements for each type of improvement, and the applicant can discuss submittal requirements with ACC Chair Marci Riskin. Upon submittal of this form, the required description and documentation of the project and the submittal fee, the ACC will evaluate and either render approval or approval with conditions or denial based on the Monte Sereno Design Guidelines and/or other governing documents. Should the submittal require issuance of a variance, other conditions including neighboring homeowner notification will require additional fees.

The more complete and comprehensive a Submittal is, the less time is required for review. The Submittal Fee of \$150 is required to begin review. If the Owner's cost for review is less than the Submittal Fee, a refund shall be given. If the Owner's cost for review is greater than the Submittal Fee, additional costs shall be billed directly to Owner and are the responsibility of the Owner.

Submitting Homeowner:

_____ Lot: _____ Date: _____

Short Description of Project:

MONTE SERENO
SANTA FE, NEW MEXICO

CONSTRUCTION SITE NON-COMPLIANCE NOTIFICATION

Date: _____

Lot: _____ Address: _____

Owner/Builder: _____

Fine Amount: _____

The Homeowners Association (HOA) has determined that the above located construction site has been found to be in non-compliance according to observations made by the HOA and criteria defined in the Monte Sereno CCR's and the Design Guidelines and/or other governing documents.

The specific non-compliance issues are as follows: _____

Action required to remedy the non-compliance issues are as follows: _____

You must remedy the violation immediately, but no later than _____ otherwise action will be taken by the HOA thru the authority of the Monte Sereno Homeowners Association. The prescribed actions include but are not limited to daily fines and/or an order to stop construction by judicial action. Additional fines will be deducted from the Owner/Builder bond. A stop construction order may be enforced by judicial action.

Unless a violation poses an imminent threat to public health or safety, you have fourteen (14) days to dispute a violation by written statement before the imposition of a fine is imposed. Fines may be imposed retroactively.

Acknowledgement of receipt:

Owner/Builder Agent Date

HOA Representative Date

MONTE SERENO HOA - OWNER IRRIGATION DAMAGE NOTIFICATION LETTER

Date : _____

Lot : _____

Address : _____

Owner Name : _____

Builder Name : _____

Monte Sereno Owner,

Please be advised that during construction, the HOA irrigation system, installed in the ROW on your lot was damaged.

The HOA is arranging for repair of this damage thru our Irrigation Contractor. The cost of this repair will be deducted by Sentry Management from your Irrigation Sleeving and Water Conservation Bond/Fee.

For inquiries contact:

Sentry Management

tfoust@sentrymgt.com

MONTE SERENO DESIGN GUIDELINES

APPENDIX G FEES, BONDS AND FINES

**MONTE SERENO
SANTA FE, NEW MEXICO**

FEES, BONDS AND FINES

Fee and Deposits Schedule (all fees inclusive of NM Gross Receipts Tax)

• Design Review Fee (New Residence Construction)	\$7,500
• Design Review Fee (New Residence and Guesthouse in one submittal)	\$8,500
• Guest Residence and Additions over 100 square feet to Existing Homes (separate submittal from main house)	\$4,000
• Irrigation Sleeving and Water Conservation Fee	\$4,000
• Substantial changes to the Final Approved Plans (if not considered a new plan)	\$3,000
• Pre-Submittal Review Conference	\$500
• Variance to the Design Guidelines (per Variance)	Time and Materials
• ILR Review and retrieve approved plans from storage	Time and Materials With \$250 deposit
• Resubmittal of Landscape Plan beyond allowed one resubmittal (see section on Resubmittals for further explanation)	\$500
• Small and Minor Projects (solar panels, large landscaping projects, exterior walls, dog run, fencing), change in driveway or roof material/stucco, change in exterior color, artwork, etc)	hourly
• Minor changes to landscaping can go to MSLC	\$0

No Approval shall be given unless Owner is current with all fees and/or billings.

The amounts shown are estimates based on past experience and in no way reflect or represent the absolute cost(s) that an Owner/Builder may incur. There are too many variables which may occur and over which the ACC has no control.

The following are billed against the Design Review Fee: time spent by the ACC Liaison and Construction Inspector during Preliminary and Final Review, Pre-Construction and Construction as well as Post-Construction and Bond/Fund Release including but not limited to telephone calls, zoom meetings, emails, letters and coordination with the owner/designer/architect or representatives, the ACC or HOA and the processing of variances (handled on a time and materials basis).

For small and minor projects, Owners will be billed for time spent at the hourly rate of the ACC Liaison and Construction Inspector, to be invoiced quarterly. If submittals are clear and contain all needed information, less time will be spent, and if projects require multiple ACC reviews, more time will be spent. More complex projects require more time than simpler projects.

All costs incurred during any of the above processes shall be applied as follows:

- First against the relevant Fee/Deposit amount
- If there remains a balance on the Fee/Deposit, the balance shall be returned to the Owner
- If costs are greater than the Fee/Deposit, the owner shall be notified, and the balance shall be billed directly to the Owner and payment shall be due within 30 days of billing. Non-payment is a violation of the Design Guidelines and the balance then shall be charged against the Owner's Bond where present.

Use of Design Review Fee

- Owners have control over how much of the Design Review is used during the course of Design and

Construction.

- Activities that tend to use the fee more quickly:
 - Owner appeals on ACC design decisions.
 - Architect/Designer submits multiple changes to Preliminary or Final submittal prior to approval.
 - Architect/Designer failure to incorporate comments resulting in additional reviews and letters.
 - Extended design period.
 - Builder requests Pre-Con but does not have required forms and information.
 - Builder does not supply forms/certificates and ACC has to request these.
 - Multiple Owner changes after approval requiring ACC review and approvals.
 - Extended construction period (beyond 12 months).
 - Builder is not ready for Final Inspection.
 - Final Inspection items not completed within a month.
 - Requests for multiple final visits or to see one or two completed items each time.

All Design Review and Inspection Process Fees are to be made payable to: Monte Sereno HOA
And sent to the HOA Management Company.

Bonds

To ensure that these Design Guidelines are adhered to, each Owner and/or Builder, before beginning construction shall post:

Main Residence

- An Owner's Performance Bond in the amount of \$20,000 and
- A Builder's Bond in the amount of \$5,000

Guest House submitted separately from Main Residence or Addition over 100 square feet

- An Owner's Performance Bond of \$10,000 and
- A Builder's Bond of \$5,000

Changes or additions to existing home, site walls, or major landscaping project

- An Owner's Performance Bond of \$2500 and
- A Builder's Bond of \$1,000

Minor projects including but not limited to re-stuccoing, minor landscaping projects, re-roofing and driveway changes still require approval, but do not require a bond.

These bonds are held by the Monte Sereno HOA. The check for the Bonds shall be made payable to: The Monte Sereno Homeowners Association, 1421 Luisa Street, Suite R Santa Fe, NM 87505

Should it become necessary for either the ACC and/or the HOA to remedy any violation of the Design Guidelines or the approved Final Plans, the costs of such remedy may be charged against the Performance Bonds. Please see a sample list contained in the section entitled Bond/Fee Deduction or Forfeiture.

The Builder's Bond is required for the construction of all new projects and to ensure that the construction site is kept free of all construction equipment and materials, and of any trash, debris, or piles of earth under trees, stains, washout, etc. and to otherwise ensure compliance with the Design Guidelines. A Builder's Bond is also required for the subsequent construction of studios and guesthouses as well as any additions to existing structure.

Following Final Acceptance, the Owner’s and Builder’s Performance Bond will be returned to the Owner and Builder after all building and landscaping are determined to be substantially complete, and in full compliance with the Design Guidelines and plans approved by the ACC and Final Approval less any credits/deductions outlined herein. The ACC shall hold the Owner Bond for 120 days following completion of construction to allow all affected parties adequate time to object. The balance of the Owner’s Bond less ACC costs and any remedial costs for non-compliance shall be returned to Owner. If compliance was found to exist then the cost shall be borne by the complaining party.

Costs associated with work by the ACC Representative or Project Inspector that is directly a result of Contractor errors or Contractor violations shall be billed directly against the Builder’s Bond rather than the Review Fee or Owner’s Performance Bond. This does not include costs associated with normal construction activities which are billed against the Review Fee.

Report of Violations, Non-Compliance Notifications and Fines

The following fines may be incurred by the Owner/Builder and shall be collected against the respective bond (as further described below) or billed by the HOA Management Company to Owner:

- Failure to obtain necessary, prior approval and/or comply with the Design Guidelines Costs to correct
- Breakage of Monte Sereno irrigation/utility lines (depending on costs to remedy) Costs to correct
- Violations to the Construction Regulations that result in a Non-Compliance Notification or Irrigation Damage Notification \$100 per day or \$100 per incident or Cost to correct, whichever is greater

The cost for correction of the problem is the responsibility of the builder, if a line was cut due to construction activity caused by the builder. If a cut line is not reported and there is a loss of water, the situation is more serious. This will be a lump sum fine per incident, plus an estimate for the cost of any loss water. The amount of this fine will be reviewed and approved by the ACC.

- Occupancy of residence prior to ACC Final Inspection up to \$7,500
- Failure to correct Final Inspection Requirement (until corrected) \$1,000 per week or
This depends on what needs correction, and the time to correct depends on what is a reasonable time that would be required (based on demonstrating due diligence in completing the requirement)
- Failure to complete construction of residence within 18 months \$1250/week
- Compliance violation that leads to work done by ACC Liaison Hourly
 - This includes compliance violations for houses already complete
- Failure to submit Top of Slab/Location/Framing/Parapet Surveys within 14 days of request \$100/day

Costs related to the breakage of Monte Sereno irrigation/utility lines shall be charged against the Irrigation Sleeving and Water Conservation Fee if in place or if not in place, the Builder’s Bond. Fines and/or costs related to violations of the Design Guidelines relating to site conditions, including, but not limited to, violations of construction parking or trash provisions, or damage to the common area, roads, and sidewalks caused by a Builder, Contractor, or subcontractor, shall be charged against the Builder’s Bond. All other fines and costs for violations of the Design Guidelines and Covenants shall be charged against the Owner’s Compliance Bond.

Violations will be documented by the Monte Sereno Construction Liaison or by a security company hired by the HOA, or may be reported by members of the community to the HOA Management Company. At the discretion of the Construction Liaison, the Non-Compliance process (see below) will be followed whenever there is a violation of ANY construction regulations (see Construction Regulations starting p. 33 in the DGs) except damage to the HOA irrigation system (see below).

Non-Compliance Process (Violations not including Irrigation Damage):

1. The Construction Liaison, ACC Liaison or the HOA Management Company (depending on the nature of the violation) will send an email detailing the violation, a deadline for addressing the problem and a statement that if the deadline is not met or the problem is not adequately addressed/remediated or the same problem occurs again, a non-compliance form with associated fine will be issued.
2. If the deadline is not met or the problem is not adequately addressed/remediated or the same problem occurs again, a non-compliance form with an associated fine is issued by the Construction Liaison, ACC Liaison or the HOA Management Company.

Non-Compliance Notifications are for repeated violations (of any type except Irrigation Damage), failure to correct a violation, repeat offenders and safety issues. Non-Compliance Notifications are for any violation of ANY construction regulations (starting on p. 33 of the DGs). Every Non-Compliance Notifications will result in a \$100 fine, or the cost to correct a violation, whichever is greater. The fines and costs are administered by the HOA Management Company. Failure to correct within the time on the Non-Compliance Notification will result in an additional Non-Compliance Notification and another fine. Fines will be paid out of the Owner's Compliance Bond or Builder's Performance Bond.

Unless a violation poses an imminent threat to public health or safety, an Owner and/or Builder will be given fourteen (14) days to dispute a Non-Compliance Form by written statement or a hearing before the imposition of a fine against the Owner's or Builder's Performance Bond.

If a submittal is rejected twice or otherwise requires extra review, additional costs shall be billed to the Owner and will be deducted from the Owner's Performance Bond if the Owner fails to pay the additional costs within thirty (30) days of the billing date.

Should Final Inspection Requirements remain uncorrected after thirty (30) days and/or after the Performance Bonds has been exhausted by fines, the ACC and/or the HOA may impose additional fines, penalties and liens and take further action to assure the compliance with requirements of the ACC and the CCR's.

Unless pre-approved by the ACC, and then only under limited conditions, the Owner may forfeit their Performance Bond in its entirety if occupancy is taken at the residence prior to receiving Final Acceptance through the ACC. The Owner's Performance Bond and the Builder's Bond will only be released after a project has been completed in its entirety and granted Final Acceptance less any deduction or credits for costs incurred by the ACC or HOA.

Notification of Damage to HOA Irrigation System/Lines – Process:

1. The Irrigation Monitor will document all construction and vehicular activity in close proximity to the HOA irrigation system, and if there are any concerns will notify the MSLC. If the Irrigation Monitor or other member of the HOA observes physical damage to the HOA irrigation system, damage should be documented and provided to the HOA Management Company, who will in turn promptly issue an Owner Irrigation Damage Notification copying the builder, identifying such damage and informing the Owner that the cost of repair will be deducted from the Irrigation Bond. This allows for timely notification to the property Owner, and timely repair of HOA Property.
2. Nothing in item 1 above, precludes the ACC from issuing a Non-Compliance Notification, if deemed

necessary by the ACC.

Violations (Examples of Bond Deduction or Forfeiture)

The following are a sample of reasons for which the ACC may deduct funds from submitted bonds or charge additional fee(s):

For the cost(s) of repair or maintenance or violations of DG's:

- Failure to pay balance in a timely manner for cost billed.
- Damage to irrigation lines, revegetation or erosion control.
- Damage to existing landscaping including shrubs, trees, rock plating or other drainage structures installed by Developer or any other Owner.
- Damage to existing wet and dry utilities, etc.
- Repair of a driveway scar from an abandoned construction site.
- Littering due to lack of a dumpster or a dumpster which is full.
- Failure to complete construction on residence prior to the eighteen (18) month deadline after commencement of construction (see Fines).
- Obstructing streets and/or impairing visibility with equipment or vehicles (see Fines).
- Occupancy taken at residence prior to ACC Final Acceptance shall result in forfeiture in full of Owner Performance Bond (see Fines).
- Violating any construction parking restrictions.
- ACC Representative and Project Inspector costs resulting from an error on the part of the Contractor or repeated Contractor Violations – deducted from Builder Bond.

Intra-Owner Complaints

In the event an Owner has a complaint regarding another Owner's potential non-compliance, the complaint should be filed with the HOA Management Company. The HOA Management Company shall provide the parties involved with an estimate of the costs for the ACC to investigate and determine whether non-compliance exists. Each Owner involved shall pay \$200 as an initial deposit and if non-compliance is found to exist, then the non-complying party shall be responsible for all costs of the ACC as well as correcting the non-compliance; or if compliance is found to exist, then the costs shall be borne by the complaining party.

MONTE SERENO DESIGN GUIDELINES

APPENDIX H APPENDIX TO THE DESIGN GUIDELINES OF THE MONTE SERENO SUBDIVISION FOR THE COMPOUND AT MONTE SERENO

**MONTE SERENO
SANTA FE, NEW MEXICO**

**APPENDIX TO THE
DESIGN GUIDELINES OF THE MONTE SERENO SUBDIVISION
FOR THE COMPOUND AT MONTE SERENO**

PREAMBLE

This Appendix is applicable to the sixteen (16) lots comprising the Monte Sereno Compound. At the discretion of the Developer, additional lots may be made subject to this Appendix.

The Monte Sereno Design Guidelines (Guidelines) apply to the development, design and construction of a residence and other improvements on home sites in Monte Sereno. Except to the extent modified herein, the Guidelines are applicable to the Compound at Monte Sereno lots.

Unlike the Estate Lots of Phases 1, 2 and 3, Parcels 1 and 2 of Monte Sereno, the Compound at Monte Sereno (Compound) is a unique residential community, which has been designed by, and will be developed by, the partners of 21 Club Holdings. The homes to be constructed within the Compound at Monte Sereno must be chosen from one of the pre-approved plans. The plans have gone through an extensive review and approval process at the expense of the Developer, 21 Club Holdings, LLC. Since the design review process has already been completed, no design review fees will be assessed. Additionally, the Developer (21 Club Holdings, LLC and its affiliate), has demonstrated sufficient financial resources such that there will be no requirement for bonding. However, it is important to note that if a lot owner decides to custom design a home for their lot, then they are required to go through the design review process in its entirety with the ACC, and all fees and bonds are required.

GENERAL

DESIGN INTENT: The Compound at Monte Sereno is intended to create a community of similarly designed homes, which will appeal to the home buyer who wishes to "down-size" and be part of a community which provides for common services and security, combined with an active lifestyle. There are two designs available for Phase 1 of the Compound at Monte Sereno, which have expansion capabilities. The two designs, are attached hereto as Exhibits A and B. It is anticipated that for Phase 2 there will be additional designs available, plus two (2) story homes to respond to the steeper terrain, subject to meeting the requirements of the Guidelines.

FINAL SUBMITTAL REQUIREMENTS: The Developer will complete construction documents for two different model homes. These plans will then be utilized and/or modified for other homes within the Compound. Note that steep terrain within the subdivision does require cut slopes in excess of 6 ft. in height. These will be terraced with retaining walls and landscaped accordingly. Also note that it is likely that terrain constraints in Phase 2 may require the design of two story homes that step down the hill. Since the proposed work will occur entirely on land owned and surrounded by 21 Club Holdings LLC, and all work will be supervised by the Developer, there will be no requirement for a Pre-Con meeting or certifications of elevations by a surveyor. Prior to

commencement of construction, the Contractor is to meet with a Monte Sereno ACC representative and the Project Inspector, and the Contractor will certify that the elevations are as per the approved plans at various times during the project.

BUILDING SETBACKS: The minimum side yard setback is 5 ft. The minimum distance between buildings on adjacent lots is 10 ft., and a privacy site wall (6 ft. ht. max) shall be permitted on the property lines between the homes.

DETENTION PONDS: Common detention ponds have been engineer designed for the Compound.

PARKING & SCREENING: Each home will provide for two automobiles in an enclosed garage and two additional guest parking spaces. Due to the close proximity of the proposed Compound homes, landscape plantings will be utilized to soften the visibility of guest parking (not totally screened) as viewed from the neighbors or from the common roadways. Additional guest parking may be provided along the common shared access drive.

SITE, SCREEN AND RETAINING WALLS: Due to steep terrain within the Compound, portions of some of the retaining walls are 6 ft. in height and in hidden areas, they continue for more than 30 LF in an unbroken line. The minimum distance between the retaining walls shall be 3 ft.

ARCHITECTURAL DESIGN GUIDELINES

BUILDING AREA: All main residences within the Compound shall have a building footprint of at least 2,000 SF of heated floor area excluding the garage.

BUILDING HEIGHTS: The maximum height of a building mass shall be 18 ft. Exceptions to the 18 ft. height restriction may be made only when a building mass is fully surrounded by other building masses. In such circumstances, the parapet walls may not exceed 19 ft. As per City Code, the maximum height is measured from the average of the highest point and the lowest point of the finished grade at the perimeter of the structure. The challenging terrain dictates that two-story homes are possible and may be preferred on several lots within Phase 2.

CONSTRUCTION ACCESS: The primary construction access shall be via the northern access point off of the frontage road, with secondary access at the Tesuque Interchange entry at SR 84/285. No construction access is permitted via San Juan Ranch Road.

CONSTRUCTION PARKING: Construction parking shall be restricted as provided for in the Guidelines, as modified by 21 Club Holdings LLC in its discretion by direction to any Builder or Contractor.

DRIVEWAY DESIGN AND IMPROVEMENTS: Driveways may consist of chip seal asphalt emulsion. Santa Fe Brown gravel shall also be allowed.

REGIONAL ARCHITECTURE: The type of construction and architecture shall be based upon Pueblo or Territorial style of architecture. Moderate modifications of the foregoing styles in reasonable, innovative and creative ways are permitted and encouraged. Pitched roof structures, typical of Northern New Mexico, will be limited to lots located at lower elevations (as opposed to

ridge top lots). This includes Lots #8,9,10,11,12,17,18 of the Compound at Monte Sereno. To the extent possible, the pitched roof of any structure shall not be visible against the skyline when viewed from below the lot on which it is located or adversely affect the view from any street, other lot, or common area. Two story pitched roof structures are prohibited. The minimum pitch for any gable roof (except incidental roofs and portals) shall be 6” on 12” and the maximum pitch shall be 8” on 12.” Roof materials and color shall conform to the approved list or as approved by the Committee. The approval or disapproval of plans of architectural design on any lot will in no way bind or obligate the Committee with respect to its consideration of, or decision respecting, any subsequent application for approval of plans for the construction of any such pitched roof or regional contemporary structure on any other lot.

LANDSCAPE DESIGN GUIDELINES

The design intent of the Compound at Monte Sereno is to have common area landscaping, which is maintained by the Compound. Therefore, there is an Overall Tree Preservation Plan and an Overall Landscape Plan for the Compound and also an overall plan showing the proposed landscape treatment for the individual homes.

MONTE SERENO DESIGN GUIDELINES

APPENDIX I

APPENDIX TO THE DESIGN GUIDELINES OF THE MONTE SERENO SUBDIVISION FOR THE ENCLAVE AT MONTE SERENO

**MONTE SERENO
SANTA FE, NEW MEXICO**

**APPENDIX TO THE DESIGN GUIDELINES OF THE MONTE SERENO SUBDIVISION
FOR THE ENCLAVE AT MONTE SERENO**

PREAMBLE

This Appendix is applicable to the eight (8) lots (#30-37) comprising the Enclave at Monte Sereno. At the discretion of the Developer, additional lots may be made subject to this Appendix.

The Monte Sereno Design Guidelines (Guidelines) apply to the development, design and construction of a residence and other improvements on home sites in Monte Sereno. Except to the extent modified herein, the Guidelines are applicable to the Enclave at Monte Sereno lots.

Unlike the Estate Lots of Phases 1, 2 and 3 (Parcels 1 and 2), of Monte Sereno, the Enclave at Monte Sereno (Enclave) is a unique residential community, which has been designed by, and will be developed by, the partners of 21 Club Holdings. The homes to be constructed within the Enclave must be chosen from one of the pre-approved plans or agreed upon modifications to the plans as approved by the Developer, 21 Club Holdings, LLC. The plans have gone through an extensive review and approval process at the expense of Developer. Since the design review process has already been completed, no design review fees will be assessed. Additionally, Developer (and its affiliate), has demonstrated sufficient financial resources such that there will be no requirement for bonding. However, it is important to note that if a lot owner decides to custom design a home for their lot, then they are required to go through the design review process in its entirety with the ACC, and all fees and bonds are required.

GENERAL

DESIGN INTENT: The Enclave at Monte Sereno is intended to create a community of pre-designed homes, which can be customized at the buyer's option. The Enclave homes will be accessed off a shared, private (road) drive that will be gated. The home designs have been vetted and pre-approved for use on each lot in the Enclave.

FINAL SUBMITTAL REQUIREMENTS: The builder of each home will complete and submit construction documents for the selected and customized home. Note that steep terrain within the subdivision does require cut slopes in excess of 6 ft. in height. These will be terraced with retaining walls and landscaped accordingly.

Since the proposed work will occur entirely on land owned and surrounded by 21 Club Holdings LLC, and all work will be supervised by Developer, there will be no requirement for a Pre-Con meeting or certifications of elevations by a surveyor.

BUILDING SETBACKS: The minimum front yard setback is 10 ft. (20 ft. face of garage); side yard setback is 5 ft; and 10 ft. for the rear yard setback. The minimum distance between buildings on adjacent lots is 10 ft., and a privacy site wall (6 ft. ht. max) shall be permitted on the property lines between the homes.

DETENTION PONDS: Common detention ponds have been engineer designed for the Enclave. There is no requirement for detention ponds to be located within the Building site.

GARAGES: Garage doors are permitted to be visible from the shared private (road) drive and/or adjacent homes.

PARKING & SCREENING: Each home will provide for two automobiles in an enclosed garage and two additional guest parking spaces. Due to close proximity of the proposed Enclave homes, landscape plantings will be utilized to soften the visibility of guest parking (not totally screened) as viewed from the neighbors or from the common roadways. Additional guest parking may be provided along the common shared access (road) drive.

SITE, SCREEN AND RETAINING WALLS: Due to the steep terrain throughout The Enclave, as well as the close proximity of adjacent homes, straight sections of rock retaining walls and/or site walls in excess of 30 ft. will be permitted. The minimum distance between the retaining walls shall be 3 ft. Retaining walls may extend across property lines. Where retaining walls are not used, there shall be a maximum cut slope of 2/1 and a maximum fill slope of 3/1.

COYOTE FENCE: When used for screening purposes of utilities, trash containers, etc., coyote fencing does not require pilasters, providing there is no straight section of fencing greater than 20 ft. and fencing is accompanied by landscaping. Metal supports for coyote fencing shall not face a public road or neighboring property.

ARCHITECTURAL DESIGN GUIDELINES

BUILDING AREA: All main residences within the Enclave shall have a building footprint of at least 2,500 SF of heated floor area excluding the garage.

BUILDING HEIGHTS: The maximum height of a building mass shall be 18 ft. Exceptions to the 18 ft. height restriction may be made only when a building mass is fully surrounded by other building masses. In such circumstances, the parapet walls may not exceed 19 ft. As per City Code, the maximum height is measured from the average of the highest point and the lowest point of the finished grade at the perimeter of the structure.. Also note that it is likely that terrain constraints will require the design of a two-story home on Lot 33. A depiction of an allowable two-story home is attached hereto.

CONSTRUCTION ACCESS: The primary construction access shall be via the northern access point off of the frontage road, with secondary access at the Tesuque Interchange entry at SR 84/285. No construction access is permitted via San Juan Ranch Road.

CONSTRUCTION PARKING: Construction parking shall be as directed by the Developer.

DRIVEWAY DESIGN AND IMPROVEMENTS: Driveways may consist of chip seal asphalt emulsion. Santa Fe Brown gravel shall also be allowed. The edges of the driveways shall be moss rock, steel edging or as approved by the Developer. The private (road) drive accessing all 8 lots shall be via access easements, which will cut through multiple lots

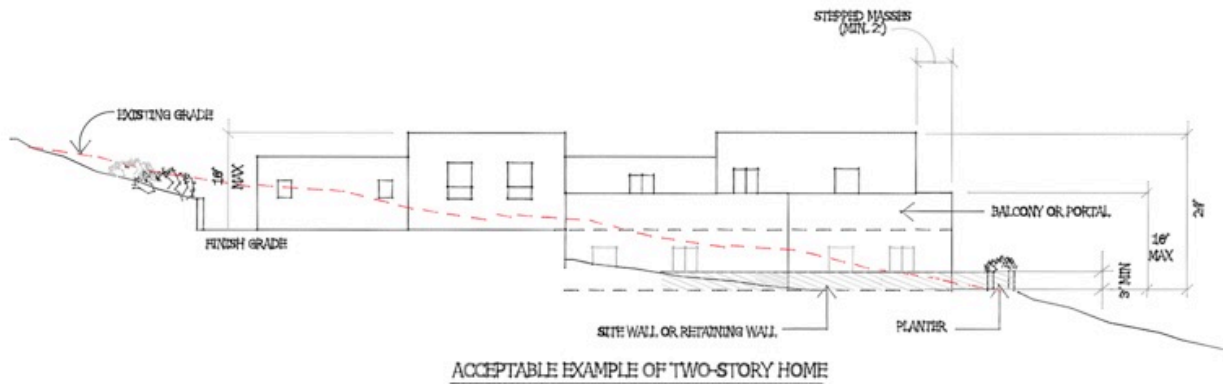
REGIONAL ARCHITECTURE: The type of construction and architecture shall be based upon Pueblo or Territorial style of architecture. Moderate modifications of the foregoing styles in reasonable, innovative and creative ways are permitted and encouraged. Pitched roof structures are not permitted in the Enclave, The approval or disapproval of plans of architectural design on any lot will in no way bind or obligate the Committee with respect to its consideration of, or decision respecting, any subsequent application for approval of plans for construction on any other lot.

TRAIL EASEMENT: The Community Trail System includes a trail easement for the “Blue Trail” which intersects the easterly portion of Lots 31, 32, 34, 35 and 36.

LANDSCAPE DESIGN GUIDELINES

The design intent of the Enclave is to have common area landscaping, which is maintained by the Enclave through its separate assessments. Therefore, there is an Overall Common Area Landscape Plan for the Enclave. In addition, due to the steep and unique terrain within the Enclave, certain trees identified as permitted in Appendix B of the Design Guidelines, Approved Plant List, are NOT permitted within the Enclave, as follows: Green Ash selections (Fraxinus Pennsylvania Cultivars), Littleleaf Linden selections (Tilia Cordatea Cultivars), Silver Linden selections (Tilia Tomentosa Cultivars), Fastigate Norway Spruce (Picea Abies Cupressina), Spruce (Picea Pungens) and Scotch Pine (Pine Sylvestris Cultivars).

The following trees may be permitted on a case by case basis by the ACC: Quaking Aspen (Populus Tremuloides) and Ponderosa Pine (Pinus Ponderosa). These will be evaluated based on location and a determination that they will not likely negatively impact views from surrounding properties.



MONTE SERENO DESIGN GUIDELINES

APPENDIX J
APPENDIX TO THE DESIGN GUIDELINES OF THE MONTE SERENO
SUBDIVISION FOR THE THE COMPOUND PHASE 4 AT MONTE SERENO

MONTE SERENO SANTA FE, NEW MEXICO

APPENDIX TO THE DESIGN GUIDELINES OF THE MONTE SERENO SUBDIVISION FOR COMPOUND PHASE 4 AT MONTE SERENO

PREAMBLE

This Appendix is applicable to the eight (8) lots (#216-223) comprising Compound Phase 4 at Monte Sereno. At the discretion of the Developer, 21 Club Holdings LLC (“Developer”) additional lots may be made subject to this Appendix J.

The Monte Sereno Design Guidelines (Guidelines) apply to the development, design and construction of a residence and other improvements on home sites in Monte Sereno. Except to the extent modified herein, the Guidelines are applicable to the Compound Phase 4 lots at Monte Sereno.

Unlike the Estate Lots of Phases 1, 2 and 3 (Parcels 1 and 2), of Monte Sereno, Compound Phase 4 at Monte Sereno is a unique residential community, which has been designed by the Developer. The homes to be constructed within Compound Phase 4 must be chosen from one of the pre-approved plans or agreed upon modifications to the plans. The plans have gone through a review and approval process at the expense of the Developer.

GENERAL

DESIGN INTENT: Compound Phase 4 at Monte Sereno is intended to create a community of predesigned homes, which can be customized at the buyer’s option. The Compound Phase 4 homes will be accessed off a shared, private (road) drive that will be gated. The home designs have been vetted and pre-approved for use on each lot within Compound Phase 4. The homes to be constructed within Compound Phase 4 must be chosen from one of the pre-approved plans or agreed upon modifications to the plans as approved by the Developer.

FINAL SUBMITTAL REQUIREMENTS: The builder of each home will complete and submit construction documents for the selected and customized home. Note that steep terrain within the subdivision does require cut slopes in excess of 6 ft. in height. These will be terraced with retaining walls and landscaped accordingly.

BUILDING SETBACKS: The minimum front yard setback is 10 ft. (20 ft. face of garage); side yard setback is 5 ft; and 10 ft. for the rear yard setback. The minimum distance between buildings on adjacent lots is 10 ft., and a privacy site wall (6 ft. ht. max) shall be permitted on the property lines between the homes.

GARAGES, GUEST PARKING & SCREENING: Garage doors are permitted to be visible from the shared private (road) drive and/or adjacent homes within Compound Phase 4. However, efforts shall be made to screen the view of garage doors and guest parking from other homes within Monte Sereno. Each home will provide for two automobiles in an enclosed garage and two additional

guest parking spaces. Due to the close proximity of the proposed Compound Phase 4 homes, landscape plantings will be utilized to soften the visibility of guest parking (not totally screened) as viewed from the neighbors or from the common roadways. Additional guest parking may be provided along the common shared access (road) drive.

SITE, SCREEN AND RETAINING WALLS: Due to the steep terrain throughout Compound Phase 4, as well as the close proximity of adjacent homes, straight sections of rock retaining walls and/or site walls in excess of 30 ft. will be permitted. The minimum distance between the retaining walls shall be 3 ft. Retaining walls may extend across property lines. Where retaining walls are not used, there shall be a maximum cut slope of 2/1 and a maximum fill slope of 3/1.

COYOTE FENCE: When used for screening purposes of utilities, trash containers, etc., coyote fencing does not require pilasters, providing there is no straight section of fencing greater than 20 ft. and fencing is accompanied by landscaping. Metal supports for coyote fencing shall not face a public road or neighboring property.

ARCHITECTURAL DESIGN GUIDELINES

BUILDING AREA: All main residences within the Compound Phase 4 shall have a building footprint of at least 2,500 SF of heated floor area excluding the garage.

BUILDING HEIGHTS: The maximum height of a building mass shall be 18 ft. Exceptions to the 18 ft. height restriction may be made only when a building mass is fully surrounded by other building masses. In such circumstances, the parapet walls may not exceed 19 ft. As per City Code, the maximum height is measured from the average of the highest point and the lowest point of the finished grade at the perimeter of the structure.

CONSTRUCTION ACCESS: The primary construction access shall be via the northern access point off the frontage road, with secondary access at the Tesuque Interchange entry at SR 84/285. No construction access is permitted via San Juan Ranch Road.

CONSTRUCTION PARKING: Construction parking shall be as directed by the developer.

PRIVATE ROAD, DRIVEWAY DESIGN AND IMPROVEMENTS: Driveways may be asphalt or may consist of chip seal asphalt emulsion. Santa Fe Brown gravel shall also be allowed. The edges of the driveways shall be moss rock, steel edging or as approved by the developer. The private (road) drive accessing all 8 lots shall be via access easements, which will cut through multiple lots.

REGIONAL ARCHITECTURE: The type of construction and architecture shall be contemporary interpretations of Pueblo or Territorial style of architecture. "Soft contemporary" modifications of the foregoing styles in reasonable, innovative and creative ways are permitted and encouraged. There will be no northern New Mexico pitched roof home designs for the Compound Phase 4.

LANDSCAPE DESIGN GUIDELINES

The design intent of Compound Phase 4 is to have common area landscaping, which is maintained by Compound Phase 4 homeowners through its separate assessments. Therefore, there is an Overall Common Area Landscape Plan for Compound Phase 4. In addition, due to the steep and unique terrain within Compound Phase 4, and a concern for preserving views from adjacent properties, certain trees identified as permitted in Appendix B of the Design Guidelines, Approved Plant List, are NOT permitted within the Enclave, as follows: Green Ash selections (*Fraxinus Pennsylvania* Cultivars), Littleleaf Linden selections (*Tilia Cordatea* Cultivars), Silver Linden selections (*Tilia Tomentosa* Cultivars), Fastigate Norway Spruce (*Picea Abies Cupressina*), Spruce (*Picea Pungens*) and Scotch Pine (*Pine Sylvestris* Cultivars).

The following trees may be permitted on a case by case basis by the ACC: Quaking Aspen (*Populus Tremuloides*) and Ponderosa Pine (*Pinus Ponderosa*). These will be evaluated based on location and a determination that they will not likely negatively impact views from surrounding properties.