

ARC Guidelines

September 24, 2022

1. General Notes

- 1) The term “Covenants” is used in the Sol y Lomas Homeowner Association as an informal way to refer to the Building Restrictions that govern each Unit as well as the Association as a whole. These documents are available at <http://solylomashoa.org/forms-documents/>.
- 2) The Architectural Review Committee (“ARC”) is made up of members of the Sol y Lomas Board of Trustees. The Covenants describe the makeup, powers, and responsibilities of the ARC in detail.
- 3) The mission of the ARC is to enforce the Covenants, which are legally binding on each homeowner. The purpose of these Guidelines is to supplement the general language of the Covenants with details that allow the Covenants to be applied fairly and uniformly to all Lot owners.
- 4) The role of the ARC as described in the Covenants is part of a legally binding contract, and nothing in this document should be construed as limiting the authority or responsibilities of the ARC.
- 5) Similarly, while the ARC will always consider historical precedent as part of its decision-making process, the fact that any particular structure or project was, or was not, allowed in the past should not be construed as limiting the authority or responsibilities of the ARC.

2. Building And Screening Materials

Materials for Dwelling and Non-dwelling Structures

This expands on the requirements in the Covenants, such as this:

4.4. General Requirements. The ARC shall exercise its best judgment to see that all improvements, construction, and alterations on Lots conform and harmonize with the natural surroundings and with existing structures as to external design, materials, color, siting, height, topography, grade and finished ground elevation. The ARC shall protect the seclusion of each home site from other home sites insofar as possible.

Appropriate materials for structures include stucco and lumber. Manufactured wood products, if used, should have the appearance of site-built lumber construction. Metal, plastic, and similar materials are not appropriate. Metal roofing may be acceptable depending on type and finish, and on the size and visibility of the roof. Glass or other transparent materials are acceptable, provided that neighbor- or street-visible glare is carefully avoided.

Materials for Screening

The Covenants address screening as follows (emphasis added):

*5.9. Service Yards and Trash. All clothes lines, equipment, service yards, woodpiles, or storage piles on any Lot, shall be kept **screened by adequate planting or fencing** so as to conceal them from the view of neighboring Lots and streets and access roads. All rubbish and trash shall be removed from all Lots, and shall not be allowed to accumulate and shall not be burned thereon.*

*5.14. Motor Homes and Recreational Vehicles. Motor homes, boats, campers, trailers, and similar mobile structures shall be **screened** from view of other Lots and the roads of the Subdivision by means of a **coyote fence, wall, landscaping or similar treatment, which shall be constructed in accordance with these Covenants and specifically Article 4.2.***

Acceptable screening methods include trees and shrubs, as well as fencing that conforms to the requirements in section 4 below. Plants are preferable to fencing where feasible, for reasons discussed in Section 4. Metal, plastic and concrete are examples of unsuitable screening materials.

3. Large Non-dwelling Structures

This section pertains to structures other than dwellings (the main house, and the guest house if any, on a single lot).

Any non-dwelling structure, including but not limited to outbuildings, sheds, carports, vehicle storage structures (open or enclosed), boat storage structures, etc., which is more than 12 feet tall from ground level to the highest point, or has a length or width of more than 25 feet, will be considered a “large structure.” Such structures are very difficult to screen adequately from street or neighbor view, and if such screening is dependent on vegetation, it can be reduced by conditions such as drought, and take years to replace. So a large structure must conform to the same visual standards as dwellings (main houses and guest houses). It must be of a style and materials compatible with existing dwellings in the neighborhood, and must obey both the height limits in the city code, and the setback rules set out in the Covenants for dwellings. For example, from the Building Restrictions for Units 1 and 2:

5.19. Setbacks. On all Lots, no building including porches shall be so located that any part thereof shall be nearer than fifty (50) feet to the front Lot line or nearer than fifty (50) feet to any side street line.

(Note that the actual setbacks vary by Unit; refer to the Covenants for your Unit, or ask an ARC member.) Any large structure should also be made to resemble a dwelling structure, for example by having residential-style windows and doors to break up large, blank exterior walls.

Though it may not be possible to screen a large structure as completely as would be required for a smaller structure, it is still required that the structure be screened from neighbor and street view as completely as it can be, using screening methods as described above, and as approved by the ARC.

Structures that are taller than would be allowed for a one-story dwelling are not compatible with the intended uses of the neighborhood as defined in the Covenants, and are not permitted.

4. Fences

Covenant Article 1.2 states:

...the present natural beauty, the natural growth and native setting and surroundings of the Subdivision shall always be protected.

This protection requires that fencing be used sparingly. “Lot-line fences” – fences located on or near property boundaries, and enclosing all or a substantial fraction of a lot – are discouraged. Fences that only enclose enough space for their particular purpose (such as an outdoor area for pets, protection of plants, socializing, screening of various features as required by Covenants, and so on), and which are as far from lot boundaries as possible, are preferred. These preserve the connected areas of open space between homes that support wildlife, vegetation, and the native setting.

Materials for Fencing

The most traditional fencing design in the neighborhood is coyote fencing, so it is almost always a good choice. Stucco walls are also traditional, but long walls, especially near lot lines, are visually obstructive and are discouraged. Wire fencing with wooden poles is also common in New Mexico, and does not obstruct views to the same extent that walls or coyote fences do.

Fence Height

The City of Santa Fe limits residential fences to 6 feet in height. The ARC will not approve fences taller than this.

5. Mobile Structures

Covenant Article 5.14 states:

Motor homes, boats, campers, trailers, and similar mobile structures shall be screened from view of other Lots and the roads of the Subdivision by means of a coyote fence, wall, landscaping or similar treatment, which shall be constructed in accordance with these Covenants and specifically Article 4.2.

Article 4.2 states that all Lot improvements require Architectural Review Committee (ARC) approval.

Excessively large mobile structures simply cannot be screened from view using the aforementioned treatments. Maximum size limits for mobile structures are listed below:

Motor homes, campers, or trailers:

- Maximum length: 33 ft
- Maximum height: 13 ft

Boats:

- Maximum length: 20 ft

Storage of motor homes, campers, trailers, or boats that exceed these size limits is prohibited.

Outdoor storage of more than one mobile structure at any Lot is prohibited.

Motor homes and campers, and trailers on Lots shall not be occupied. Occasional, brief housing (< 2 weeks) for out-of-town guests is permitted.

Long-term outdoor storage of large moving containers, *e.g.* PODS, is prohibited. Large moving containers may be stored on Lots only during active move-in and move-out periods. Similarly, outdoor storage of large metal containers for construction waste is prohibited except during active construction projects.