

## **SOUTHERN BLUFFS HOA – DEVELOPMENT AND CONSTRUCTION STANDARDS OVERVIEW**

**INTRODUCTION** The Development and Construction Standards as amended September 2023 are part of the restrictions governing the development of Southern Bluffs. The Homeowners Association expressly reserves the right to modify or amend the guidelines. Re-evaluation and updating will occur as deemed necessary. These guidelines deal with both the site and development concepts. As necessary, certain details of construction and landscaping are discussed to enhance the architectural quality and aesthetic value of Southern Bluffs. To ensure compliance with these guidelines a review process evaluated by the Architectural Review Committee (ARC) has been included to guide development and construction

**ARCHITECTURAL REVIEW COMMITTEE (ARC)** The Architectural Review Committee, ARC, has been formed to promote and enforce the Development and Construction Standards. This includes the review procedures for house and landscaping designs. The members of this committee shall consist of 3-5 members appointed by the Board of Directors of Southern Bluffs. Each member of the committee shall have an equal vote, and the majority of all members shall constitute a decision to recommend approval or denial of an application to the HOA Board (CCR Article VI). The ARC shall meet as needed to review applications.

### **DESIGN REVIEW PROCESS**

The purpose of the Design Review Process is to assure the protection of covenants, the environment, and individual property values. The review process will consider the merits of home design and landscaping that will provide benefits to the community as a whole. The process may also consider the lack of conformity of design as objectionable to the community as a whole.

- 1. APPLICATION FOR HOME CONSTRUCTION.** Each lot owner desiring to build a new single-family residence within Southern Bluffs must submit a completed application along with application fees **before** construction begins on any lot. A building permit from the City of Cortez is also required for all construction.
- 2. APPLICATION FOR ADDITION, IMPROVEMENT, ALTERATION OR MODIFICATION.** Each owner who plans to add or modify the exterior of a structure or any other change to the property must first submit an Architectural and Plan Submittal application. A building permit may be required by the City of Cortez. The primary goal of this design review procedure is to determine whether the proposed addition or modification conforms to the development standards and architectural criteria adopted by the Homeowners Association and is in harmony with the overall design of the community. Plants, trees, bushes and/or flowers will not require written permission as long as the plantings are not a nuisance to neighbors or the neighborhood. Water-wise landscaping is encouraged.
- 3. COMMENCEMENT OF CONSTRUCTION.** The builder must begin construction within 90 days of approval of the application. For purposes of definition, construction commencement shall mean the pouring of footers, or in the event of an addition, improvement, alteration or modification as determined by the ARC. If construction has not started within 90 days, the application must be re-submitted along with additional fees. In addition, construction must be completed and a Certificate of Occupancy obtained within 365 days of the commencement of the construction.
- 4. VARIANCES.** All variance requests shall be made in writing. Any variance granted shall be considered unique and will not set a precedent for future decisions.

5. **START OF CONSTRUCTION.** No lot clearing may be started until all city permits are approved and formal written approval from the ARC has been granted.
6. **CONSTRUCTION HOURS AND NOISE.** Construction hours shall not start before 6:30 am and shall end no later than 8 pm Monday through Saturday and 10 to 6 on Sunday. Loud radios/music is not permitted on the construction site.
7. **SITE CLEANUP AND EQUIPMENT.** All construction sites must be maintained in a neat and orderly manner. Trash must be contained in a covered dumpster. The builder is responsible for trash that blows off the site and shall retrieve such trash immediately. There will be **no stockpiling of materials on the streets.** Mud/dirt that is attributed to the construction of the property must be removed from the streets. Site cleanup will be billed back to the builder if not taken care of in an orderly and prompt manner. **Construction equipment shall not be parked on the streets for more than 72 hours at a time.**
8. **CONSTRUCTION REFUSE:** No dumping of dirt, concrete, lumber, or any other construction refuse off site. Refuse will not be left on other lots unless permission is granted by owners. No dumping on any Southern Bluff property, including on empty lots to the west of Bluffs Blvd.
9. **CONSTRUCTION DAMAGE.** Any damage to the community's infrastructure or other property by a builder must be repaired by the builder in an orderly and prompt manner. If not repaired by the builder, it will be repaired by the HOA and billed back to the builder.

**NOTE: For more information see the CCR's section 7 - Use and Architectural Restrictions**

**SOUTHERN BLUFFS GENERAL INFORMATION  
ARCHITECTURAL AND LANDSCAPING PLAN SUBMITTAL – 2024**

**GENERAL INFORMATION** - The Development and Construction Standards as amended March 2024 are part of the restrictions governing the development of Southern Bluffs. The Homeowners Association expressly reserves the right to modify or amend the guidelines. Re-evaluation and updating will occur as deemed necessary. These guidelines deal with both the site and development concepts. As necessary, certain details of construction and landscaping are discussed to enhance the architectural quality and aesthetic value of Southern Bluffs. To ensure compliance with these guidelines a review process evaluated by the Architectural Review Committee (ARC) has been included to guide development and construction

All building codes are enforced by the City of Cortez and design standards are enforced by the ARC (Architectural Review Committee) with final approval by the Board. For further information visit the City's website ([cityofcortez.com](http://cityofcortez.com)) and the HOA's website ([southernbluffshoa.com](http://southernbluffshoa.com)).

Construction/landscaping **CANNOT** begin before plans are approved by the ARC and the Board.

**NEW HOME/LANDSCAPING SUBMITTAL INFORMATION REQUIRED**

|                           |  |
|---------------------------|--|
| <b>Lot Number/Address</b> |  |
| Owners Name               |  |
| Owner's Current Address   |  |
| Owner's Phone Number      |  |
| Owner's Email             |  |
| Contractor Name           |  |
| Contractor Address        |  |
| Contractor Phone Number   |  |
| Contractor Email          |  |

**PLAN SUBMITTAL INFORMATION CHECKLIST FOR BUILDERS  
ALLOW 30 DAYS FOR REVIEW PROCESS**

| Approved | Criteria  |
|----------|---|
| Yes No   | <b>ELEVATION:</b> One-story site-built homes only designed for single-family use.   |
| Yes No   | <b>SQUARE FOOTAGE:</b> Minimum home square footage is <b>1,200 sf.</b>  |
| Yes No   | <b>FOUNDATION:</b> Concrete slab foundations must be approved by ARC.   |
| Yes No   | <b>ROOF HEIGHT:</b> Maximum roof height above the sill plate is <b>24'</b> .  |
| Yes No   | <b>ROOF PITCH:</b> Minimum of <b>5/12</b> roof pitch, maximum <b>6/12</b> roof pitch.   |
| Yes No   | <b>ROOF LINES:</b> A minimum of two separate roof lines house is required.  |
| Yes No   | <b>ROOFING TYPE:</b> Dimensional/architectural shingle preferred. Asphalt shingles must meet fire rating standards.   |
| Yes No   | <b>FRONT CORNERS:</b> Minimum of 5 outside corners; 3 of which must be on the front. If the lot is large enough, 4 outside corners with one inside corner on the front of the house is preferred.   |
| Yes No   | <b>EXTERIOR FINISHES:</b> Minimum of 2 exterior types of approved finishes on the front of the house.   |
| Yes No   | <b>GARAGE:</b> 2 car attached garage required. Minimum <b>20'x20' outside dimension</b> with inside unobstructed by mechanical room placement (water heater/furnace).   |
| Yes No   | <b>DRAINAGE:</b> Indicate plans to guarantee adequate drainage for the site, including avoiding all impacts on drainage to adjacent and other properties potentially affected. French drains or retaining walls may be required.  |
| Yes No   | <b>SIDING MATERIALS:</b> Stucco, wood/manufactured wood, and horizontal concrete are acceptable. <b>No log type</b> sidings are allowed.  |
| Yes No   | <b>EXTERIOR COLORS:</b> Samples of siding and roofing colors to be used must be provided. <b>Muted colors</b> are required; earth tones preferred.  |
| Yes No   | <b>SECONDARY SIDING:</b> Two different styles of siding are required on the front of the home. Required on the front of the home <b>10% of frontal square footage</b> which includes any front gable is used in the required square footage for the secondary siding.   |
| Yes No   | <b>WINDOWS:</b> Vinyl, wood, and composite are acceptable. No unfinished aluminum. Windows should be in harmony with exterior coloring.   |
| Yes No   | <b>FIREPLACES</b> - Interior gas and pellet fireplaces are permitted, but wood burning fireplaces are not. Small backyard wood burning fires pit are allowed. Firewood must be placed behind the fence line and not be visible from the street. Only cured firewood is allowed to be burned.  |
| Yes No   | <b>EXTERIOR AIR CONDITIONERS:</b> Exterior air conditioning units or heat pumps may be located or added provided there is no adverse visual impact to adjoining properties. New individual air conditioning units extending from front or visible windows are prohibited except for a medical necessity.  |
| Yes No   | <b>HOUSE NUMBERS/ MAILBOXES:</b> House numbers are required for building permits and must be attached to the house in a visible location and at least 4" tall.  |
| Yes No   | <b>HARMONY WITH NEIGHBORING STRUCTURES:</b> Approval shall be based on conformity and harmony of exterior designs, colors and materials with neighboring structures, relation of the proposed improvements to the natural topography, grade and finish elevation of neighboring structures and conformity of the plans and specifications to the purpose and general plan and intent of these restrictions. |

**REQUIRED PLAN SUBMITTAL INFORMATION  
ALLOW 30 DAYS FOR THE REVIEW PROCESS**

**Please submit:**

- **1 COPY OF LANDSCAPING AND HOME PLANS.** Home plans require exterior drawings.
- **COPY OF THE SITE PLAN.** Show dimensions/square footage of home/garage including setbacks from property line. Concrete sidewalks and garage approach are required. For landscaping and fencing, also include setbacks.
- **1 COPY OF PLANS TO MANAGE DRAINAGE**
- **DESCRIPTION OF MATERIALS BEING USED.** Include siding paint samples and roofing color samples, fencing if known.
- **IMPACT FEE OF \$800** required for new home construction (unless paid to HOA by owner)
- **MAILBOX FEE OF \$100** (unless paid to HOA by owner)
- **REFUNDABLE DEPOSIT FOR TREE OF \$300**

**TOTAL FEES = \$1200**

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| Construction <b>cannot</b> begin without plan <b>approval</b> and payment of all <b>fees</b> .<br>Landscaping <b>cannot</b> begin without plan approval (no fee required). |
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**YOU WILL BE NOTIFIED BY EMAIL/PHONE OF ACCEPTANCE OR DENIAL OF PLANS.**

DATE SUBMITTED: \_\_\_\_\_

CONTRACTOR SIGNATURE: \_\_\_\_\_

OWNER SIGNATURE (if applicable): \_\_\_\_\_

**By signing above, I agree to follow the requirements specified in this document.**

PLAN. (ACCEPTED) or (DENIED)      DATE: \_\_\_\_\_

ARC CHAIR: \_\_\_\_\_

REVISIONS REQUIRED AND COMMENTS:

## GENERAL INFORMATION FOR OWNERS, 2024

The Southern Bluffs Subdivision is incorporated into the City of Cortez, but the streets, clubhouse and green spaces are maintained by the HOA. All building codes are enforced by the City of Cortez and design standards are enforced by the ARC (Architectural Review Committee) with final approval by the Board. For further information visit the City's website ([cityofcortez.com](http://cityofcortez.com)) and the HOA's website ([southernbluffshoa.com](http://southernbluffshoa.com)).

**Clubhouse:** The clubhouse may be reserved by appointment through the Clubhouse Manager. Rental contracts for both residents and non-residents are available on website: [southernbluffshoa.com](http://southernbluffshoa.com). Rental rates are reduced for residents. A basic cleaning fee is assessed with additional charges if the clubhouse is not restored to its original condition after use. The park along 7<sup>th</sup> Street is also open for use to residents.

**Mail:** Mailboxes are located next to the clubhouse. There is a mailbox fee of \$100 payable to the HOA for new homes. Sign up for mail service at the Cortez Post Office.

**Trash and recycling:** These services are set up with the City of Cortez. Trash is generally picked up on Monday mornings and recycling is picked up on Tuesday mornings. Subdivision rules require that trash and recycling containers not be left on the street and must be put inside an enclosed space at the rear or side yard.

**Issues with neighbors:** It is the strong desire of the Board of Directors of Southern Bluffs that homeowners with concerns regarding their neighbors, first discuss those concerns with their neighbor and try to resolve the issue without Board intervention. Many times, a friendly discussion can bring an awareness of an issue and an easy solution to a concern. If this does not resolve the concern, or if you desire some guidance/help setting up a discussion, please contact an ARC member or a member of the Board of Directors.

**Architectural Control Standards  
for Additions, Improvements, and Landscaping, 2024  
for Owners and Contractors**

**Addition, Improvement, Alteration or Modification of Property.** Each owner who plans to add or modify the exterior of a structure or any other change to the property must first submit an Architectural and Plan Submittal application. A building permit may be required by the City of Cortez. The City may also require permits for the shed, sprinkler system, and fencing.

The primary goal of this design review procedure is to determine whether the proposed addition or modification conforms to the development standards and architectural criteria adopted by the Homeowners Association and is in harmony with the overall design of the community. Plants, trees, bushes and/or flowers will not require written permission as long as the plantings are not a nuisance to neighbors or the neighborhood. Water-wise landscaping is encouraged. All building and improvements to the exterior of homes, including color choices, additions of patios, fencing, and storage units will require review and approval by the Architectural Review Committee (ARC). An application form and guidelines will be made available by any ARC or board member.

All construction and installation of any improvements shall comply with city, state, and federal building and land use code regulations. Compliance with these regulations is the responsibility of the homeowner. ARC review and approval is not a review, nor an approval, for compliance with any local, state, or federal building or land use regulation. Building, electrical, or plumbing permits may be required. The determination and acquisition of any necessary permits is the responsibility of the homeowner. Changes to the proposed plan necessitated by permits or compliance with local, state, or federal building or land use codes are subject to additional review by ARC.

**Antennas/Solar Panels:** No exterior radio, television, microwave, or other antenna or antenna dish or signal capture or distribution device in excess of 3 feet high or 24 inches in diameter shall be permitted on any lot. Antennas must be placed behind the first half of the home's roof line or on the off-street side of the home and should not be obvious from the street. Solar panels should be as inconspicuous as possible without reducing efficiency.

**Awning and Patio Covers:** The ARC must approve any exterior permanent and/or retractable awning. This restriction does not apply to table mounted umbrellas in the backyard. The awning shall be clearly compatible with the architectural design and qualities of the home. Colorado Law indicates that an association shall not prohibit the installation of an awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption (Title 38.33.3, p. 10).

**Defensible Space:** Landscaping is the responsibility of each lot owner. In addition to enhancing the appearance of homes in the subdivision, property owners should consider the fact that this subdivision is surrounded by extensive undeveloped areas that create a wildfire danger. Consequently, landscaping plans should provide a "defensible space" around houses, porches, and decks to help reduce the threat of fire to their homes and those of their neighbors.

**Exterior Air Conditioners:** Exterior air conditioning units or heat pumps may be located or added provided there is no adverse visual impact to adjoining properties. New individual air conditioning units extending from front or visible windows are prohibited except for a medical necessity.

**Exterior Lighting:** Exterior lighting should not cause glare on adjacent properties and must conform to dark sky requirements. Downward facing lighting with shields and motion-detector lights are encouraged. Replacement of existing exterior lighting does not require ARC approval. Floodlights and

spotlights mounted on poles above 24" are prohibited. All holiday lights must be turned off from the exterior of the house no later than thirty (30) days following the holiday.

**Exterior Paint Colors and Materials:** Applications are not required for any repainting which does not change the material or color of the existing paint; however, approval is required if the resident desires to change the paint color. An application for changing the color scheme of the home is required before beginning to paint. Homeowners should include with the application the specific color(s), description of application and any other information deemed pertinent. Only muted colors are permitted, and earth tone colors are preferred. The ARC must approve any design change to the exterior of the home if it is changed from the original product used, including stonework or brickwork.

**Fences:** Fences can be used for the following purposes: to visually define the property lines; to provide security; as an architectural feature intended to enhance the physical appearance of the house or property. As indicated in the CCRs, no Lot shall be fenced in its entirety, fences must be approved by ARC, and no front yard fences shall be permitted except for lots facing 7<sup>th</sup> Street. No fences over 6' are permitted. Fence materials must be approved by the ARC.

- Chain Link Fencing: Not permitted under any circumstances.
- Vinyl Fences: Permitted with ARC approval.
- Wood / Metal / Combination Fences: *May be* permitted with ARC approval.

**Garbage, Yard Waste and Recyclables:** No lot, vacant lot, open space, common property, or street shall be used as a dumping ground for trash or rubbish of any kind. All garbage, yard waste and recyclables shall be kept in appropriate sanitary containers for proper disposal. Containers should be kept in the garage, behind a fence in the side yard of the home, or next to the garage. Containers should be put out no earlier than the night before collection; then stored appropriately by the next day.

**Garden Architecture:** ARC approval is not required for the installation of gardening structures; however, owners are encouraged to discuss with immediate neighbors the installation of gardening structures that exceed fence height.

**Grandfather Clause:** The restrictions outlined in this document shall apply to all builders and homeowners beginning in 2024. Previous ARC Control Standards apply until this time. Restrictions shall not be applied retroactively to existing properties unless safety is an issue.

**Hot Tubs/Spas:** Exterior hot tubs or spas must be located in the rear yard. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which it is attached or closely related. The installation of Hot Tubs/Spas requires notification to the ARC with any necessary permits from the city.

**House Numbers:** House numbers within Southern Bluffs are required for reasons of security and public safety as well as for aesthetic appearance and community standards. They must be a minimum of 4" high, visible from the street and easily located.

**Landscaping:** Southern Bluffs is owned by the homeowners and the appearance of every home within its boundaries affects not only the overall look of the community but the individual property values within it.

Ongoing improvements to and maintenance of existing landscaping for individual homes is required. All new homes are required to have landscaping done within 12 months from the Certificate of Occupancy being issued whether the home is being occupied or not. Weeds and untrimmed trees, shrubs, etc. are not permitted. If yards are not cleaned within two weeks, the ARC will give written notice to the homeowner. The Association reserves the right and authority to provide maintenance as



necessary and charge the Owner a Default Assessment in accordance with the CC&Rs if the Owner fails to perform the maintenance within the time period specified in the letter.

The front yard must have at least one tree with a minimum 2" caliper and minimal height of 6'. Additional shrubs and plants are also encouraged to enhance curb appeal. Xeriscaping is encouraged and is defined as a landscape design that uses low-water-use or drought-tolerant or drought-resistant plants that require little to no supplemental irrigation. A list of water-wise trees and plants is available from the ARC and the Board. Yards may be landscaped with gravel, but residents are required to plant at least one tree, and the gravel must be maintained with weeds removed. Lawn mowing should be confined to the following hours: Mon –Sat 8 am to 8 pm and Sun 10 am to 8 pm.

**On-Street Parking:** On-street parking is allowed within the Lot's frontage extents (i.e., no vehicle parking in front of other Owner's Lots); however, vehicles must be parked facing the direction of traffic flow and shall not be parked closer than 20 feet to a fire hydrant or an intersection, nor on Southern Bluffs Parkway where it is divided (Seventh Street to the clubhouse).

**Recreational Equipment:** Semi-permanent play equipment over 8 feet in height must be placed in rear yards. Examples include playhouses, swing sets, and trampolines.

**Roofing:** Dimensional/architectural asphalt shingle roofing are preferred. Colors must blend in with the surrounding homes. No wooden shingle roofing will be permitted.

**Siding:** Siding on new homes must have ARC approval prior to installation and should be included in the application form. Replacement siding on existing homes does not need ARC approval if the materials used are the same. If changing to something new, ARC approval will be needed. Acceptable siding materials include stucco, fiber cement siding (i.e. hardiplank), or brick. Metal siding consistent with approved building styles can be used pending ARC approval. All homes shall have the main siding with an accent siding such as stone or brick. Siding shall not be overly reflective or brightly colored.

**Sidewalks and Driveways:** Sidewalks, driveways, and pathways located in front of the home and/or the side for a corner lot must have ARC approval prior to installation. Sidewalks and pathways located within the fenced area, rear or side, of the lot do not require ARC approval. All lots with homes must have a sidewalk in the front. Sidewalks adjacent to the street are public, but the homeowner is responsible for maintenance.

**Solar Panels:** Solar panels, whether for heating, hot water, or electrical generation are permitted, but placement must be approved by the ARC. Application for approval must include construction details, permits, etc. Solar panels should be mounted in the side or rear yard or roof to minimize visibility from the street side unless such installation would seriously impact the performance of the unit(s).

**Storage Sheds:** All permanent and removable sheds require ARC approval and should be hidden from street view and conform to the architecture of the house. The exterior walls, doors, and roofs of sheds must be constructed of either wood whose color and finish or of siding whose color, style and finish match that of the exterior materials of the house. Shed roofs must be similar in color and materials to that of the house. Heavy duty rubber or unbreakable plastic or composite storage sheds that are portable and temporary in nature, (i.e., not permanently attached to the house or a fence) may be approved providing that they are (1) minimally visible from the street, and (2) match or blend with the color and texture/finish of the house.

**Vehicles, Abandoned or Inoperable:** Abandoned or inoperable automobiles or motor vehicles of any kind shall not be stored or parked on any driveway, road, or the Common Areas within Southern Bluffs.

**Vehicles, Recreational:** Storage of full-size RV's, travel trailers, fifth wheels, motorhomes, and campers is not permitted on streets. The only outside storage permitted is defined as the driveway, side yard or backyard of the home. If a recreational vehicle is too large for the driveway, it can be parked at the curb for no longer than 48 hours for loading and unloading purposes.