



Residential Design Code

SECTION 1 – GENERAL

These standards apply to all portions of building and walls visible from public streets and paths and from other yards and buildings within the village, both existing and future.

These regulations are strictly aesthetic in their intent. Locally applicable codes shall take precedence over these regulations.

TRADITIONAL ARCHITECTURE:

These regulations are intended to produce buildings which are compatible with the traditional architecture of Santa Fe, however, residential designs may include contemporary interpretations. For a better understanding of this architecture, please consult the following sources:

- Bunting, Bainbridge, John Gaw Meem, Southwestern Architect. Albuquerque, University of New Mexico Press, A School of American Research Book, 1983.
- Bunting, Bainbridge. Taos Adobes. Santa Fe, Museum of New Mexico Press, Fort Burgwin Research Center Publication #2, 1964.
- Seth, Sandra and Laurel. Adobe! Homes and Interiors of Taos, Santa Fe and the Southwest. Stamford, CT, Architectural Book Publishing Company, 1988.
- Warren, Nancy Hunter. New Mexico Style, a Source Book of Traditional Architectural Details. Santa Fe, Museum of New Mexico Press, 1986.
- Old Santa Fe Today. Preface by John Gaw Meem. Albuquerque, University of New Mexico Press, Historic Santa Fe Foundation Publication, 4th Edition, 1991.

You can also see pictures of various southwestern design styles and details by going to: www.osharavillage.org. From the home page go to HOA information, then to Architectural Committee.

NEIGHBORHOOD CONTEXT:

Although originality and variety is encouraged in Oshara, houses should also be designed to be compatible with the immediate neighborhood. Judgments about style, scale, massing, and whether or not a house design is appropriate for a particular neighborhood within Oshara shall be made solely by the ARC and / or the village Architectural Consultant.

SUSTAINABLE DESIGN:

Buildings shall be designed with due concern given to resource efficiency and energy conservation wherever practical, including consideration of solar access, passive solar heating and natural cooling. Water conservation is especially encouraged, both inside homes with low flow fixtures required, and in yards with xeric landscaping.

REQUIRED

- At a minimum, all homes shall be built to standards defined in the International Energy Conservation Code.
- Programmable thermostats
- Recirculating pumps on water heaters
- Insulated hot water lines
- Low flow water fixtures and appliances
- All appliances must meet Energy Star ratings.
- All homes are required to install a reclaimed water irrigation system as required by covenant. Only reused water or rain water should be used for irrigation.

ENCOURAGED

- Building to Energy Star design standards
- Cellulose, cotton batt or foam insulations
- High efficiency windows and doors
- Foam sealing around all wall penetrations
- Under slab insulation
- Low VOC carpets, cabinetry, paints
- High efficiency lighting

PROHIBITED

- Single glazed windows except when used to enclose unheated areas
- Evaporative coolers
- Reverse osmosis filtration or other water filter/back washing technology
- Water softeners
- Water wells
- Outside hose bibs

ENVIRONMENTAL POLICIES:

1. All homes are encouraged to install rain barrels or roof catchment cisterns that are in accordance with Santa Fe County Code
2. All homes are required to install a conduit from the roof at the proposed location of Solar Collectors to the utility area.
3. No fiberglass or bat insulation may be used within Oshara. (Stabilized cellulose insulates better, is nontoxic and costs only slightly more.)
4. All fireplaces must have airtight flue closures.
5. It is strongly recommended that mini fluorescent and LED lighting be utilized.
6. We recommend that every home with solar exposure consider installing solar system panels.

VARIANCE CRITERIA:

Variances to the Architectural Regulations may be granted by the Architectural Review Committee (ARC) on the basis of architectural merit, limits of topography, to preserve existing landscape, or other criteria determined appropriate by the ARC.

Acceptable variance criteria (at least one of the following must be true):

- Does the proposed design satisfy the intent of the design code?
- Is it extremely difficult to comply with the rule of the code due to circumstances beyond the applicant's control?
- Would complying with the letter of the code create undue hardship for the applicant due to unusual conditions?

Unacceptable variance criteria:

- The applicant disagrees with the regulatory criteria defined in the code. (By purchasing a lot within Oshara, the applicant has agreed to meet the standards set within the community.)
- Precedent: The applicant does not want to follow a particular rule because a previous applicant did not follow that rule. (Each lot application needs to be considered on its own merits.)
- The applicant does not want to compromise the building plans they have for the site. (The intent of the code is to have all buildings in the community carefully designed for each particular site. Most mail order or off-the-shelf stock plans will need major redesigning before they will fit the particular requirements of an Oshara lot.)
- Mixing of architectural styles is discouraged. All judgment by the ARC on matters of architectural style is final.

END OF GENERAL SECTION

SECTION 2 – ARC SUBMITTAL & REVIEW PROCEDURES

DESIGN CODE:

As established by the Oshara Operating Documents, the “Design Code” establishes the plan for the development of Oshara through its regulation of land use, architecture and environment.

ARCHITECTURAL REVIEW COMMITTEE:

The Architectural Review Committee (ARC) is the panel established by the Oshara Operating Documents to administer the Oshara Design Code.

PLAN APPROVAL:

No buildings or other improvements of any nature whatsoever shall be constructed on any Lot unless the plans and specifications for such building or other improvements have been approved by the ARC.

No owner or builder shall submit a new project for review or begin construction on a new Oshara project if ARC conditions on previous projects within Oshara have not been met, or if there are any unresolved violations.

All plans must be submitted and approved by the ARC before submission of the plans for a building permit. The form for the architectural submittal can be found by going to: www.osharavillage.org or by calling Westgate Property Management (505)-995-3134.

Oshara Village Owners Association will work to make the approval process as quick and efficient as possible. A \$400 architectural fee and a \$600 administrative fee and a \$150 horticultural fee shall be paid at the time of plan submittal. The architectural fee covers the cost of architectural review. The administrative fee covers ARC functions; routine site inspection, oversight, letters of completion and compliance, for example. The horticultural fee covers similar costs. Quarterly site inspections may be deemed necessary. The builder may request to be present to answer questions. Additional site inspections may be billed at fee of \$50 per visit.

ARCHITECTURAL REVIEW SUBMITTAL:

All ARC Submittals must contain the following, where appropriate:

1. Site Plan – dimensions to proposed buildings, utilities, walkways, driveway, retaining walls
2. Grading and Drainage Plan - Existing and Proposed contours, drainage flows, retention ponds, cistern locations, elevations of driveway & finished floors, site walls
3. Floor Plan – walls, windows, doors, dimensions
4. Elevations – exterior openings, indications for all parapets, roofs, grades, floors
5. Building Sections – important vertical elements and dimensions
6. Typical Wall Sections – key materials of construction, window setback detail
7. Exterior Finishes, colors and light fixtures
8. Landscape Plan - All planting, irrigation box and line location

END OF ARC SUBMITTAL & REVIEW PROCEDURES

SECTION 3 – BUILDERS REGULATIONS

Builders shall be expected to demonstrate excellence in the three following areas:

1. Quality of design and construction
2. Business ethics and financial capacity
3. After sale service

Oshara reserves the right to approve or disapprove builders at their sole and absolute discretion.

HOURS:

All construction activities in Oshara are limited to 7:00 A.M. (summers) to 7:00 P.M. Monday through Saturday. No construction activities are allowed on Sundays or commonly recognized holidays.

PARKING:

During construction, contractors' equipment and vehicles:

- shall stay on roads, alleys or within boundaries of site,
- shall not interfere with vehicular or pedestrian access,
- shall not damage trees or other vegetation,
- shall not park overnight except within boundaries of site.

TRASH REMOVAL:

A covered dumpster or other trash bin sufficient to handle construction debris is required to be on site at all times, and shall be emptied at regular intervals, before it overflows. No open trash piles are allowed. Site shall be maintained in a clean and uncluttered condition at all times. Builders may be charged for trash removal if site is not kept clean. Builders are responsible for keeping any adjacent areas used for construction clean and free of trash and debris. Builders are responsible for any trash that blows from the site onto adjacent lots, roads, alleys or open space. This includes cement bags, insulation, roofing paper, plastic wraps, trash and toilet paper. Builders will be requested to clean areas where trash is seen to be present.

NOISE:

Radios or boomboxes producing loud music are prohibited on the job site.

JOB SIGN:

During construction, one sign, approved by the ARC, with the top a maximum of five feet above the ground, freestanding or attached, identifying the architect or contractor is allowed, and shall be located within the boundaries of the site. Other signage, banners, flags or advertising posters must also be approved by the ARC. No signage shall be attached, nailed or otherwise adhered to any tree.

MATERIAL STORAGE:

All construction material and equipment shall be stored within the boundaries of the site at all times, or may be stored on an adjacent lot with owner permission. No material shall be stored on streets or in other common areas, including open space without ARC permission.

DAMAGE TO PUBLIC OR PRIVATE PROPERTY:

The owner of the lot will be held responsible for the conduct of all personnel doing work on behalf of, or under contract to owner. All road surfaces, curbs, sidewalks and landscaping that are damaged due to construction activities will be the responsibility of the builder to repair. The builder is responsible for restoring the gravel shoulder of the road and the grading, base coarse and gravel of the alleys that adjoin the lot or have been used

for construction access to the original condition of these areas before construction. Pictures of original condition before construction begins are encouraged.

CONTRACTORS LICENSE REQUIRED:

During the entire period of construction, the builder must possess and maintain a general contractor's license issued by the New Mexico Construction Industries Division.

Builder shall at all times be in compliance with all Santa Fe County, State of New Mexico and Federal SWPPP requirements and regulations for conducting business as a general contractor.

CONTRACTORS INSURANCE REQUIRED:

The Builder shall at all times maintain worker's compensation insurance and standard builder's risk insurance, and shall provide proof of same upon request from Oshara.

TIMELY COMPLETION OF CONSTRUCTION:

Out of respect for Oshara neighbors, it is expected that new homes will be completed within two years from the beginning of construction. An extension may be requested from the ARC for unanticipated delays. It is expected that home additions and modifications will be completed in a timely manner to minimize disruption to neighbors.

OWNER / BUILDERS

Property owners who choose to do their own construction or manage their own construction projects shall meet all builder's requirements and conditions. Owner/Contractor Builders must designate an end date for completion of construction and restoration / landscaping of site.

END OF BUILDERS REGULATIONS

SECTION 4 – URBAN REGULATIONS FOR RESIDENTIAL LOTS

GENERAL

SETBACKS – Side Setbacks: Where side setbacks are 5' or less and adjoin private property, building walls parallel to property line shall have no window or door openings. Building walls perpendicular to a property line may have window or door openings within that 5' zone.

Second floor stepbacks – The second floor is required to be stepped back a minimum of 10' from the property line; not required if both properties share a common building wall.

EXTERIOR BUILDING WALLS

WALL MATERIALS—Walls shall be constructed of adobe, cast pumice, straw bale, rammed earth, Rastra, brick (on Craftsman style homes only), concrete masonry, wood or steel frame, or other materials approved by the ARC. Construction made of tires, cans or bottles is not allowed.

WALL FINISHES—Walls shall be finished in stucco, stone, or brick (on Craftsman style homes only). Walls that contain both stucco and stone shall place the stucco above the stone, except for masonry parapet caps, and the material change shall occur along a horizontal line. Exposed concrete masonry, including split face or ground face finishes, or pre-cast landscape masonry must be approved by the ARC.

WALLS BELOW FINISHED FLOOR LEVEL—Exterior walls, including retaining walls, shall be stucco covered to match wall above; if retaining wall is taller than 3', it is required to be screened with minimum 6' trees or shrubs at a maximum of 15' on center. Retaining walls shall not exceed 5' in height. If retaining walls greater than 5' are necessary, a minimum 4' offset (terrace) is required for each 5' of retaining wall. Walls below weep screed must be flush or beyond wall above and must match wall color above.

WALL COLOR—Walls shall be no more than one color per material used, with the exception that stucco walls may be painted white under portals, unless approved by the ARC.

STUCCO—Stucco shall be smooth sand-float finish or smooth hard-troweled. Stuccoed area between windows and/or doors must be at least 14 inches in its minimum dimension. Windows and Doors must be placed at least 2 feet from outside corners of exterior walls, resulting in at least 2 feet of stucco to the outside corner, except for corner windows approved by the ARC.

BUILDING MASSING—Building massing shall have a minimum 2' offset for every 35' of wall in visible façades.

EXTERIOR DOORS

DOOR MATERIALS—Exterior Doors (including garage doors) shall be stained or painted wood, or painted metal. Painted garage door color shall be similar to adjacent stucco. All doors facing the street shall be wood. ARC may approve texture and color variations if in keeping with the overall design of the building.

MAXIMUM ALLOWABLE GLASS SIZE IN DOORS—Maximum undivided glass size for doors visible from the street is 72", measured diagonally. Larger areas of glass can be achieved with the use of approved mullions.

GARAGE DOORS—Garage Doors may be a maximum of 16 feet in width and 8 feet tall. If garage is accessed from the street, or visible from the street, garage door is required to be perpendicular to the street, or setback a minimum of 40' from front façade of house. The side of the garage facing the street shall have openings or other architectural details to relieve the blank wall. A maximum of two 10' wide doors or one 16' wide door is allowed per building façade unless otherwise approved by the ARC.

HINGED DOORS REQUIRED—Exterior doors facing streets shall be hinged. Doors to private courts or yards not facing streets may be sliding type.

EXTERIOR WINDOWS

WINDOW MATERIALS—Windows shall be stained or painted wood, or metal clad wood, or painted metal, or solid vinyl, with minimum 2 inch wide and deep sash.

WINDOW TYPES—Windows shall be fixed, casement, awnings, double or single-hung, or horizontal sliding type.

GLAZING—All windows shall be glazed with clear, non-reflective glass. Frosted and textured glass will be allowed only by ARC review on side and rear elevations. Note that "low-e" coatings are allowed. Panes of glass may not exceed 60 inches measured diagonally when facing the street. Other size windows are required to be reviewed by the ARC.

For homes that are constructed without air conditioning, at least one centrally located double hung window should be on a side or rear wall of the home to allow installation of an ARC approved air conditioning unit if desired in the future.

SCREENS—Screens shall be made of brass, bronze, or black vinyl.

TROMBE WALLS—Trombe walls are allowed only with ARC review.

GLASS BLOCK—Glass block shall be allowed only with ARC review.

SHUTTERS—Shutters shall be made of wood and shall be sized and shaped to match their openings.

WINDOW SIZE—Maximum undivided glass size for windows visible from the street is 72", measured diagonally. Larger areas of glass can be achieved with the use of approved mullions.

WINDOW PROPORTIONS—Multiple window units may be joined horizontally to form bands or gangs of windows. Windows shall be rectangular in shape unless specifically approved by the ARC. All window proportions and mullion patterns must be approved by the ARC.

MULLIONS—Mullion patterns must be approved by the ARC.

BAY WINDOWS—Bay Windows shall extend to the ground outside, or be structurally supported by brackets.

WINDOW RECESS—Windows must be recessed a minimum of 3" from face of glass to face of stucco, unless they are trimmed with a minimum of 3 ½" X ¾" wood trim or trim approved by the ARC. 6% of gross heated floor area is recommended for south facing glazing for passive solar gain

ROOFS

FLAT ROOFS—Flat roofs (except portal roofs) shall be concealed behind parapets.

PITCHED ROOFS—Pitched roofs shall be corrugated, standing seam, simulated standing seam metal.

Metal roofs with visible fasteners are not allowed. In addition, architectural grade asphalt or metal shingles are allowed on Craftsman style houses only. Incidental use of tile may be allowed by the ARC. All roofing materials must be approved by the ARC. Craftsman style homes shall have 4:12 to 8:12 pitched roofs. All pitched roofs shall be non-reflective.

ROOF DECKS—Roof decks are allowed if the guard rail function is achieved by a solid parapet wall, except for Craftsman style homes, where open railings are allowed. Open railings are also allowed if the roof deck is directly adjacent to a minimum 10 feet by 10 feet by 8 feet tall solid building mass. No part of the deck shall be visible from the street. Exterior stairs to the roof are allowed only with solid side walls extending to the grade below the stair that match exterior walls in material and color. Open railings or spiral stairs must be approved by the ARC.

PORTAL ROOFS—Portal roofs may be flat or pitched.

FLASHING—Exposed Flashing visible from the ground or from any building, existing or future, shall be copper, painted steel or painted aluminum. Paint color shall match adjacent material.

CANALES—Canales may be wood, concrete, or metal. Downspouts are allowed only where mandated by circumstance and on pitched roof homes. Concrete splash blocks must be under canales, stormwater runoff addressed with swales, gravel, etc. Gutters & downspouts shall match or complement the color of building directly adjacent.

VENTS & FLUES—Roof penetrations (flues & vents) shall be hidden from view and clustered to minimize visual impact wherever possible. Flues shall be kept to a minimum, positioned out of view of adjacent streets and paths, and may extend no more than 12 inches above the parapet unless required by code. All roof penetrations shall be painted and shall match color of the adjacent roofing.

PARAPETS—Parapets shall be at least 8 inches above the adjacent roof deck along the entire length of the parapet. Parapet walls shall end in a corner not abruptly. End of parapet walls exposed to view to be a minimum 14" thick.

SKYLIGHTS—On flat roofs, skylights shall be concealed behind parapets which are at least 6 inches taller than the highest point of the skylight and must be coated with a non-reflective coating such as grey or bronze tint. On pitched roofs, only "roof window" type skylights or dormers are allowed. Bubble type skylights are not allowed on pitched roofs.

PARAPET VENTS—Parapet vents and stucco vents, if needed, shall be placed on the inside of the parapet facing the roof. Stucco vents are not allowed on visible wall surfaces.

ROOF TOP EQUIPMENT—Roof-top Equipment shall be fully screened with parapets at least as tall as the equipment. Roof-top Equipment on pitched roofs must be approved by the ARC. All roof top equipment shall be painted to match roofing or exterior walls, including flues required by code to extend above the parapet. Active solar panels are allowed if hidden from public view. Active solar panels may extend a maximum of 12" (if visible from the street) or 24" (at the rear of the lot) above the surrounding parapet of the collector is set back a minimum of 5' from the face of the parapet. No air conditioning ducts allowed on the roof.

EXTERIOR LIGHTING

No light bulb shall be visible off the property. Use fully shielded fixtures (fixtures that have solid, opaque sides and bulbs that do not extend below the bottom of the fixture) only. The

ARC may approve fixtures that have limited penetrations or perforations in the opaque sides of the fixture, or fixtures with translucent sides (for instance frosted glass, alabaster or mica), 49

if the fixtures are installed with maximum 40 watt incandescent, or 15 watt fluorescent bulbs. Transparent materials are not allowed on the sides of any exterior light fixture. All light shall be directed downwards. Up-lighting is only permitted when mounted under a portal and at a minimum height of 5'-6" above finished floor.

All exterior lighting shall be reviewed by the ARC and must comply with the Santa Fe County Dark Sky Ordinance.

DETAILS

CHIMNEYS—Chimneys shall be stuccoed or stone. Stone or brick caps are permissible on stuccoed chimneys. Extend chimneys to ground. No wood clad chimneys.

PIERS—Piers shall be stuccoed or stone, minimum 14" dimension. Engaged piers and buttresses must be at least 16 inches wide.

PORTALS—Portals shall be constructed of wood and/or stucco in a traditional configuration. Portals may be enclosed with windows or screens. Screened porches shall have screens framed in wood or metal clad wood, installed behind wood railings. Wood portal posts shall be a minimum of 6 inches square. Variations must be approved by the ARC

BALCONIES—Cantilevered balconies must be made of wood and supported by wood corbels or wood brackets.

RAILINGS—Open railings and balustrades shall be made of wood with a top and bottom rail and balusters. Wood top rails shall be eased. Top and bottom rails shall be centered on the balusters. Wrought iron railings permitted only with ARC approval.

EXTERIOR STAIRS—Railings may be solid or open. Open railings may be wood or cast iron and must be reviewed by the ARC.

PRESSURE TREATED WOOD—Pressure treated wood must be stained painted.

DECKS—All decks must have solid side walls beneath the structure unless other design is approved by ARC.

DETAILING—Traditional detailing of architectural elements, if provided, shall be limited to authentic, historically designed representations of the Craftsman, Territorial Revival, Pueblo Revival or Mission styles. No stucco wrapped details. The ARC shall be the final word on stylistic judgment.

AWNINGS—Fabric awnings are allowed over doors and windows on the street elevation on buildings on live work lots. Awnings shall be an Oshara approved solid color, or pattern approved by the ARC. Awnings shall be constructed to be permanent and weather resistant.

MISCELLANEOUS

UTILITY METERS—Utility meters shall be painted to match surrounding surface, hidden from street and attached to the building. No freestanding meters allowed, except gas meters.

PERMANENT EQUIPMENT—The following shall be required to be located on the roof (See roof top equipment requirements) or in rear yards and shall be largely hidden from view: HVAC equipment, solar panels, small satellite dishes, permanent grills, permanent play equipment, hot tubs, sports equipment including basketball hoops.

RESIDENTIAL SIGNAGE—All signs must be wall mounted, projecting a maximum of 1" beyond the face of the wall. Signage lighting must comply with Oshara code. All signage materials and colors must be approved by the ARC. No lit or neon signage. No moving, blinking or oscillating signs. Prohibited Signs include projecting, freestanding, pole mounted, roof mounted, internally lit, moving or blinking signs, advertising for any business or service not on the premises, billboards.

All signs are subject to ARC approval.

Signs must follow Santa Fe County regulations.

APPROVED COLORS—all colors are subject to approval by ARC

Walls / Stucco (including yard walls)

Permitted: all light and dark earth tones, including beiges, sages, terra cotta and tuscan reds, sepias, ochers, umbers, siennas and whites

Not permitted: bright, bold or neon colors, blacks, all blues, greens and reds not mentioned above.

Metal and Asphalt Roofs

Permitted: all medium and dark earth tones, including beiges, sepias, ochers, umbers and siennas and reds.

Not permitted: bright, bold or neon colors, blacks, blues, and greens

Fences

Permitted: white, earth tones, buff, rose, muted reds and yellows, tans, browns, greens

Not permitted: yellows, oranges, blues, blacks

Windows, Doors, Trim

Permitted: all wall colors above, beiges, blueberry blue, turquoise blue, Tuscan red, forest green

Not permitted: bright, bold or neon colors.

Garage Doors

Permitted: natural or stained wood, color shall be similar to or complementary to adjacent stucco; all wall colors above

Not permitted: colors contrasting with adjacent wall color, bright, bold or neon colors, blacks, unless otherwise approved by the ARC as consistent with architectural design of home.

Exposed structural wood

Permitted: whites, stains or paints resulting in whites, beiges, medium brown & warm gray earth tones, and traditional colors such as turquoise with ARC approval.

Not permitted: blacks, bright, bold or neon colors including blues, greens, reds

Brick

Permitted: muted reds, tans, browns

Not permitted: glazed colors, whites, yellows, oranges, blues, greens, blacks

Concrete

Permitted: integrally colored or stained, muted reds, tans, browns

Not permitted: whites, yellows, oranges, blues, greens

Stone

Permitted: earth tones, buff, rose, muted reds and yellows, tans, browns

Not permitted: whites, yellows, oranges, blues, greens, blacks

REQUIRED TREE

One minimum 2" caliper shade tree is required in the front yard, 4'-6' set back from the back edge of the sidewalk.

ACCESSORY STRUCTURES

An accessory structure is defined as a building detached from the main building, and may be a garage, a studio, a shop, an office or any combination thereof. Buildings with a kitchen are considered dwelling units, not accessory structures.

GARAGES

Garages are defined as a fully enclosed building including a roof, four walls, and a door. Buildings that are not fully enclosed on all sides are considered carports, which must not be visible from the street and need ARC approval.

Garages may be used to satisfy on-site parking requirements.

Garages must be used and maintained for the storage of motor vehicles where required for on-site parking.

Garages must be accessed from the alley where an alley is adjacent to the property.

When no garage is planned, builder must submit plans and location for an approved storage shed. Building of the storage shed by the contractor is strongly encouraged

END OF URBAN REGULATIONS FOR RESIDENTIAL LOTS

SECTION 5 – SITE DESIGN GUIDELINES

YARD WALLS & FENCES – General.

A minimum 3', maximum 6' high masonry yard wall is required along the entire street front of all lots, and on the portions of the side yard lines that are in front of the front façade of the building. This wall shall be placed directly adjacent to the sidewalk, or a maximum of 4' away from the sidewalk if an ARC approved landscaped planter is placed between the sidewalk and the wall. Picket fences are allowed only with a design approved by the ARC as an alternative to the required yard walls in front of Craftsman style homes only. A 6' high coyote privacy fence (or masonry wall) is required along all portions of the side property lines, unless the property line is adjacent to designated open space. Cedar slat fencing is allowed along the rear property lines adjacent to an alley only. For side and rear yard walls and fences, additional privacy may be obtained by placing coyote fencing above the wall, with a maximum combined overall height of wall and fence of 10 feet, measured from the downhill side. At no point shall the wall or fence exceed 6 feet high measured from the uphill side. Landscape timbers, including railroad ties, are not allowed to be used in fencing.

REQUIRED FRONT YARD WALLS:

Front Yard Walls shall be constructed of adobe, cast pumice, straw bale, rammed earth, concrete masonry, Rastra, or stone, and shall be finished with color to match or complement adjoining exterior house walls. Yard walls shall be finished on all sides.

Required yard walls shall be at least 6 inches thick, with a 12 inch by 12 inch minimum pilaster at wall ends. Grilles in openings of yard walls are encouraged and shall be made of masonry, wood, copper or wrought iron, and are subject to approval by the ARC.

COYOTE FENCES:

All fencing that coyote type shall have either wood or steel pipe posts and horizontals with inimum 1½ inch diameters. The posts and horizontals shall face towards the lot that installs it with 10' maximum spacing between fence posts or piers. Stuccoed masonry pilasters are strongly encouraged at fence corners and at regular intervals along the line of the fence. The top of the coyote fence may be cut evenly or randomly.

Where fences are required at side or rear property lines adjacent to other residential lots, the requirement may be partially waived by the ARC if the fence does not contribute to the privacy of any of the lots affected. Estate lots that border on the Arroyo Hondo will be limited for rear and side walls to 4' high to preserve openness and

views of the arroyo from the lot and neighboring lots. Some higher walls may be built due to lot elevations and in areas where view obstruction is not expected. Owners should work with the ARC's Architectural Consultant to develop a fencing and wall plan that maximizes the valuable open arroyo views and environment. The decisions and approval of the ARC and Architectural Consultant on fencing in these areas is required.

The required height of yard walls and fences shall be measured from the downhill side, and shall include any retaining wall height as a part of the required height. Yard walls taller than 3 feet high must have pilasters, buttresses, grilles or minimum 2' horizontal steps for each 20 feet of horizontal run.

Picket fences are not allowed on any lots unless approved by the ARC. A submittal may be made to the ARC to request a variance if a builder feels that a non-masonry wall would enhance the appearance and artistic effect of a home to be built. Specifics of the design, materials and long-term wear and maintenance of the proposed fence will be considered.

DRIVEWAYS

Driveways shall be designed with a minimum 24' turning radius into garage, and with an average grade of 10% or less (1 foot of drop for each 10' of length).

Driveways shall be paved with gravel, base course, stone, brick, pavers, Grasscrete or similar cellular paving products, or integrally colored concrete, with colors to be approved by ARC. Concrete or stone wheel strips, 30" maximum wide each, are also acceptable. Surface of driveway shall be flush with finished grade.

Asphalt pavement is not allowed.

SIDEWALKS

The builder/owner is required to install all sidewalks at edge of residential lots, where said lot meets a named road. Sidewalks must be installed except where not shown on the Oshara Village Masterplan. All sidewalks must meet county code. All builders/owners must work with Santa Fe County to grant an easement to the public to use the privately owned sidewalks created on any lot. The maintenance of the constructed sidewalks is the responsibility of the owner, including repair, replacement, snow removal and ensuring that landscaping does not block the sidewalk. Parking on any sidewalk is prohibited.

GRADING:

All areas not required to be re-graded shall be left undisturbed and as close as possible to the natural state.

Trees in disturbed areas shall be relocated elsewhere on the lot whenever possible.

Cut & fill – Maximum slope is 3:1 for both cut slopes and fill slopes. Maximum 5' high cut or fill banks. Provide positive drainage away from all buildings.

Erosion control – disturbed areas shall be protected until permanent stabilization is in place. Sediment containment such as straw bales or silt fencing shall be utilized to minimize runoff onto adjacent properties. All sloped or level disturbed areas on the site must be stabilized to meet EPA requirements as detailed in the NPDES & SWPPP REQUIREMENTS, including either full landscaping or erosion control material and seeding.

STORMWATER MANAGEMENT:

Stormwater runoff shall be collected and retained on site for supplemental irrigation whenever practical, with swales, ponding or buried cistern tanks. If not held on site, at a minimum runoff from roofed areas and impervious pavement is required to be collected and conveyed to the street or open space with pipes or lined swales. Runoff onto adjacent residential lots shall not increase due to development.

All stormwater runoff shall be dissipated before delivery to open space to reduce erosion.

Cistern tanks and associated equipment and piping shall be completely buried underground.

If a retaining wall is taller than 3', it is required to be screened with minimum 6' evergreen trees or shrubs at a maximum spacing of 15' on center.

Railroad ties, landscape timbers or exposed concrete blocks (including split face, ground face or pre-cast landscape blocks) are not recommended to be used for retaining walls, front yard planters or hardscaping and require ARC approval.

Finished grade shall be approximately the same on both sides of the fence. Fences are not allowed to retain fill.

END OF SITE DESIGN GUIDELINES

SECTION 6 – LANDSCAPE REGULATIONS

PLANTING:

A minimum per lot of one deciduous tree of at least 2-inch caliper shall be planted in the front yard, 4' to 6' away from the front property line.

All plants should be high desert hardy, low water use and drought tolerant.

Turf grasses that are permitted on lots in Oshara are: Blue Grama, Buffalo Grass, Blue Avena, Sheep Fescue and Maiden Grass.

All palm trees, European Olives, Tamarisk or Salt Cedar, Cypress, Elms, Poplar, Chinese Elms, Cottonwoods are not allowed on lots in Oshara.

No planting should occur within 3 feet of any foundation.

IRRIGATION:

All irrigation shall come from storm water collected from the roof or on site, or from the treated effluent lines provided at each lot.

Irrigation effluent will be delivered to each lot from a central treatment facility at a constant psi and will be regulated by a central controller system. Each lot is part of a multi-zone irrigation system that will deliver periodic flow per a schedule with electronic timing. The contractor/installer is responsible for installing a main lot control box to interface with the community irrigation lines. The main lot system should include a direct burial control box that will house at least one gate valve for lot isolation, one pressure reduction valve at 35 psi and one (100-150 micron) filter. The system should connect to the effluent delivery pipe. The installer must create a diagram of the system denoting operation and the location of buried delivery pipes for the future use by the home owner. As-built drawings must be delivered to the property manager for permanent filing. A second copy of the as-built drawings must be delivered to the owner. and a third copy clearly posted on the inside garage wall of each residence;

All irrigation shall be restricted to drip/emitter systems, except for turf areas. By federal regulation, no above ground sprinklers or bubblers may be used with recycled effluent.

Timing of effluent irrigation zones shall be communicated to owners and follow guidelines of Santa Fe County for water conservation.

OSHARA LOT TYPE IRRIGATION EFFLUENT DESIGNATIONS

IMPORTANT – any combination of permitted emitter sizes and styles may be used on any lot providing the total weekly effluent consumption figure is not exceeded. Water usage should be calculated based on 60 minutes of water time per week. This figure may or may not represent the actual time used in each zone, which will be dependent on the soil water holding capacity, weather conditions and ambient precipitation. The figure is a standard from which real-time zone timing will be calculated.

Estate lot – 7000 sq. ft. maximum landscape area

Weekly total – 1200 gal.

Single Family lot – 4450 sq. ft. maximum landscape area

Weekly total – 750 gal.

Patio lot – 1500 sq. ft. maximum landscape area

Weekly total – 275 gal.

Live work lot – 835 sq. ft. maximum landscape area

Weekly total – 175 gal.

Small Townhome lot – 600 sq. ft. maximum landscape area

Weekly total – 120 gal.

Large Town home lot – 1200 sq. ft. maximum landscape area

Weekly total – 225 gal.

LANDSCAPE DESIGN CONSIDERATIONS

Oshara Village is devoted to xeriscape horticulture. Xeriscape refers to plant species that have the capacity to adapt to low water quantities during certain parts of the growing cycle. This includes a broad range of plants that have developed over long periods in certain soil and climatic conditions, but have the ability to adjust to different conditions, within certain practical limits. A list of approved and suggested plants can be viewed on www.osharavillage.org.

END OF LANDSCAPE REGULATIONS

Fig. 1 – Oshara Village Phase 1 Master Plan



PREPARED BY: [unreadable] FOR: [unreadable]

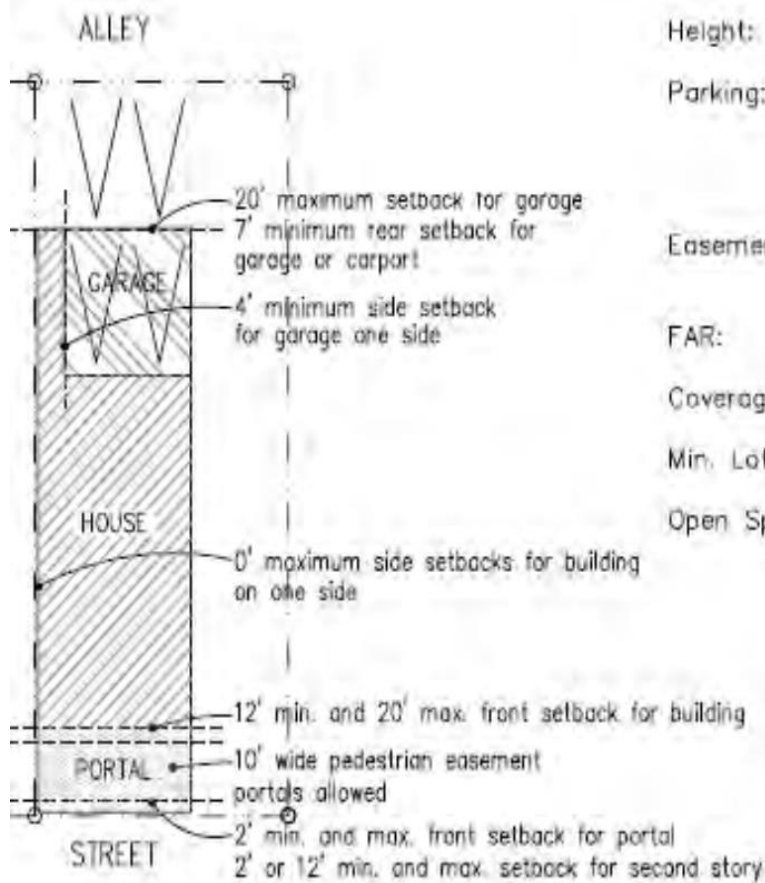
Fig. 2 – Typical Plans for Townhouse Lots



TYPICAL PLANS FOR TOWNHOUSE LOTS



Fig. 3 – Lot Typical for Townhouse Lots



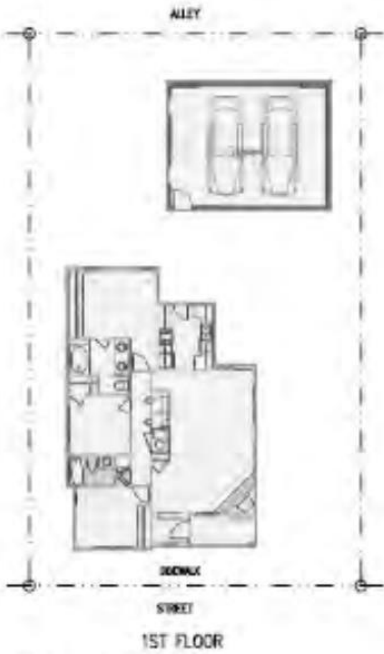
- Height: 36 feet, 25% up to 42 feet
- Parking: 1.25 space per unit, min. Parking & garage must be accessed from alley if provided on site
- Easements: 5 ft. maintenance easement Granted to adjacent property
- FAR: 0.33 to 3.0
- Coverage: No maximum
- Min. Lot: 1500 s.f.
- Open Space: 15% of res. floor area

LOT TYPICAL FOR TOWNHOUSE LOTS

Fig. 4 – Typical Plans for House Lots



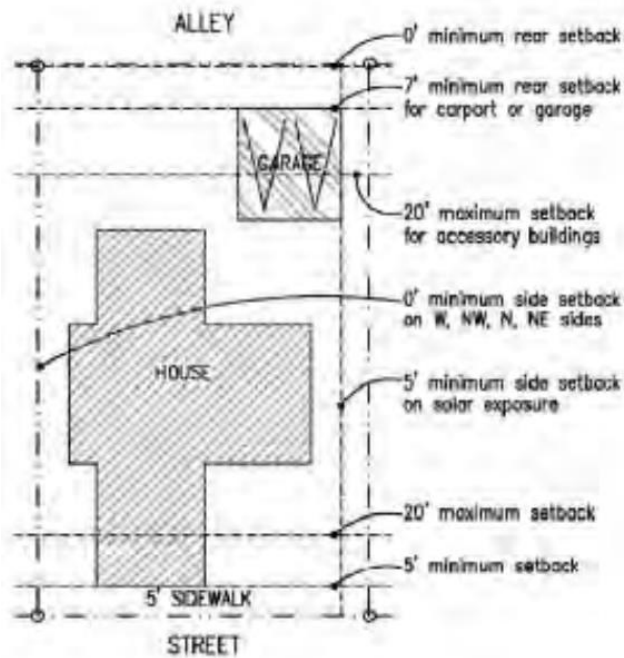
PLAN A



PLAN B

TYPICAL PLANS FOR HOUSE LOTS

Fig. 5 – Lot Typical for House Lots



- Height: 24 feet
- Parking: 2 space per dwelling, min. Parking & garage must be accessed from alley if there is an alley
- Easements: 5 ft. maintenance easement. Granted to adjacent property for common walls
- Coverage: No maximum
- Min. Lot: 1500 s.f.
- Open Space: 15% of res. floor area

LOT TYPICAL FOR HOUSE LOTS

Fig. 6 – Typical Plans for Patio Lots



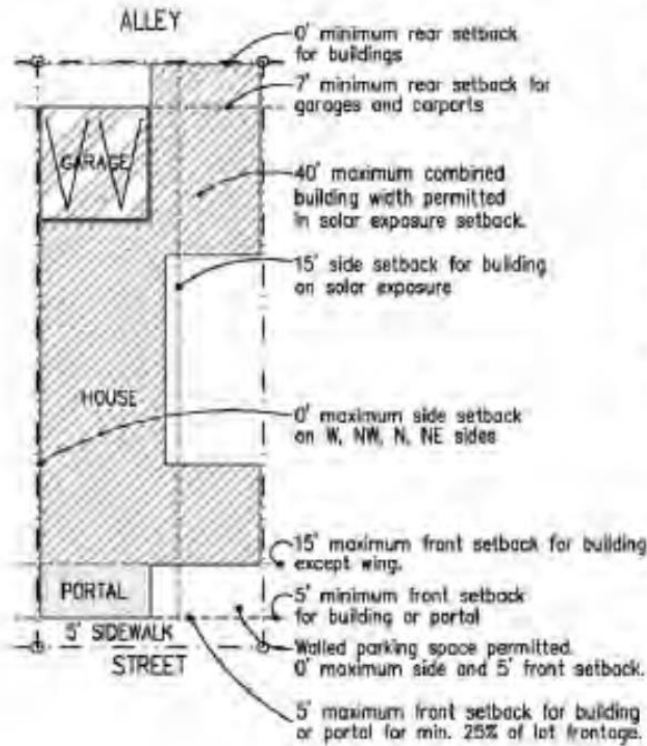
PLAN A



PLAN B

TYPICAL PLANS FOR PATIO LOTS

Fig. 7 – Lot Typical for Patio Lots



Height:	36 feet, 25% up to 42 feet, New Community Center
Height:	24 feet, Neighborhoods zone
Parking:	1.25 space per unit, min. Garage must be accessed from alley if there is an alley
Easements:	5 ft. maintenance easement Granted to adjacent property.
FAR:	0.25 to 2.0
Coverage:	No maximum
Min. Lot:	1500 s.f.
Open Space:	15% of res. floor area

LOT TYPICAL FOR PATIO LOTS

Fig. 8 – Typical Plans for Estate House Lots



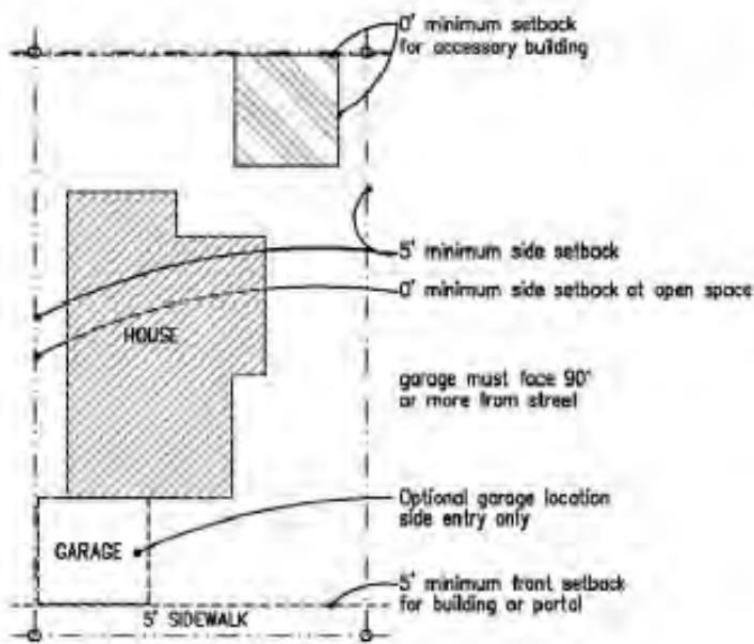
PLAN A



PLAN B

TYPICAL PLANS FOR ESTATE HOUSE LOTS

Fig. 9 – Lot Typical for Estate House Lots



- Height: 24 feet.
- Parking: 2 space per dwelling, min. Parking and garage must be accessed from alley if there is an alley
- Coverage: No maximum
- Min. Lot: 1500 s.f.
- Open Space: 15% of res. floor area

LOT TYPICAL FOR ESTATE HOUSE LOTS

OSHARA VILLAGE OWNERS' ASSOCIATION

BUILDING REGULATIONS

BEFORE STARTING CONTACT: Westgate Property Management, LLC.

1. Builder MUST provide:
 - a. Active General Contractors License number
 - b. Proof of Liability Insurance
 - c. Copy of Building Permit
2. Builder shall comply with the Architectural Review Committee's construction regulations which may be modified by the Committee from time to time.
3. If Builder fails to reasonably adhere to the Oshara Design Code after written notice is sent by the Homeowners Association and after being given an opportunity to be heard, the Homeowners Association shall have the right to assess fines up to a maximum of \$20,000 for a single violation or \$100 per day and seek injunctive relief for a continuing violation. Fines shall be charged against Builder's lot or lots or against the lot upon which Builder is building.
4. Builder is responsible for marking the location of all utilities prior to commencement of construction.
5. Prior to digging, trenching or excavating within Oshara Village, builders are required to contact NEW MEXICO ONE CALL at 1-800-321-2537 to obtain the locations of buried utility lines. Any Builder not adhering to this policy will be responsible for the cost to repair the lines and/or any damages, which occur during excavation.
6. After build is complete, a Certificate of Completed Construction will be issued. This is required under the Post Closing Agreement. The requirements for the Certificates are:
 - a. All fees paid
 - b. Construction conforms to approved plans and Oshara Village code
 - c. Landscaping conforms to approved plans and Oshara Village code
7. The Oshara Design Code requires wall or fences between lots. Oshara Village Owners Association expectation is that adjoining owners will create a fair way to distribute the cost of the common wall between builders/owners.

CONTACT FOR FORMS, SUBMITTALS AND INFORMATION

PROPERTY MANAGEMENT COMPANY

Westgate Properties, LLC

508 W. Cordova Road

Santa Fe, NM 87505

Tel: 505-995-3134

Fax: 505-982-4626

Please contact Westgate Properties for questions, information or form requests.

Forms:

ARC Submittals for Residential Alterations

ARC Design Review Submittal—New Construction Submittals, Coversheet and Checklist

ARC Notice of Completion Approval