

PLANNING COMMITTEE RULES FOR VILLAGE GREENS WEST

These rules as amended and adopted this 4th day of October 2023 by unanimous vote of the Tanoan Community Association Planning and Architectural Committee, organized pursuant to the Tanoan Community Master Restrictions, shall apply to that real property known as the Village Greens West subdivision.

These Rules supplement the Tanoan Community Master Restrictions and are adopted by the Planning Committee for the purpose of further enhancing and perfecting the value, desirability, and attractiveness of the Village Greens West subdivision.

Definitions contained in Article 1 of the Tanoan Community Master Restrictions are incorporated herein by reference.

PLANNING COMMITTEE APPROVAL

1. Any owner proposing to construct or reconstruct improvements or structures or to recolor, refinish or alter any part of the exterior of any improvement or to perform any work, which requires a building permit to be issued by the City of Albuquerque and to further include landscape construction which includes ponds, waterfalls, statues, retaining walls, or other structural components, or unique exterior features including, but not limited to, entry arches, decorative gates, railings, stairs, enclosures, shade structures, cabanas, exterior fireplaces, and the like, which is visible from any street, common area or the golf course, shall apply to the Planning Committee for approval, PRIOR to starting any work.
2. The owner shall make application for any such construction by submitting to the Planning Committee the following:
 - a. One copy of a completed application form provided by the Planning Committee,
 - b. By order of the Planning Committee, a complete set of construction drawings to scale (may be required depending on the scope of the new construction, addition/renovation, or remodel) which identify construction materials. Such drawings shall include a roof plan, colors and/or samples of exterior materials and colors, wall sections, the owners' proposed construction schedule, and exterior garden and retaining wall sections.
 - c. A site plan which shows the topography of the lot. Contour lines shall show existing grade and indicate any grade changes of more than one foot, which will be caused by the construction. The site plan shall also locate and identify all construction including, but not limited to, storage sheds, pool houses, etc., their roof overhang lines, and finished floor elevations, all setbacks at point of minimum perpendicular distance to each property boundary, all walks, drives, patios, decks, and walls and/or fences and their construction materials.
 - d. If deemed necessary by the Planning Committee, the following may be required as part of the application:

1. Colors and samples of exterior materials and colors
2. Wall sections
3. Roof plan
4. Landscape plans
5. Details of exterior furnishings
6. The owner's proposed construction schedule
7. A drainage report prepared by a registered engineer
8. A refundable Compliance Bond Fee shall be required for construction projects pertaining to demolition, new construction, additions/renovations, the use of a dumpster and other projects not listed as may be required and determined in writing by the Planning and Architectural Committee. **Reference Planning and Architectural Committee Resolution No. 13 – Compliance Bond Fee.**
9. Completion of the Planning and Architectural Committee Checklist. This shall be included with the application form for all new construction projects and to major modifications (exterior remodels) on existing house, building or structure. **Reference Planning and Architectural Committee Resolution No. 14 – Tanoan Planning Committee Checklist/Application.**

STEM WALL SURVEY

3. Construction may not proceed after stem walls are completed until a survey of the lot showing completed stem walls is approved by the Planning Committee. If the stem wall survey is approved by the Planning Committee, construction may proceed. The owner understands and acknowledges that if the stem wall survey is not approved by the Planning Committee, the owner may be required to remove and reconstruct the stem walls according to the following Planning Committee rules of Village Greens West, as adopted, a stem wall survey will then be resubmitted until approved by the Planning Committee.
4. Planning Committee approval or disapproval shall be given in conformity with Section 3.06 of the Tanoan Community Master Restrictions.

ARCHITECTURAL DESIGN STANDARDS

5. Residential lots constructed in Village Greens West shall have a minimum of 1,800 square feet of living area. Living areas shall include heated and/or air-conditioned areas and shall exclude garages, porches, patio decks and breezeways.
6. No residential unit, structure, or improvement shall exceed one story and shall be limited to a maximum height of seventeen feet (17') above the average grade of the lot as shown on the grading plan.
7. No structure or improvement, except where specifically permitted herein shall be constructed:
 - a. Within twenty-five (25') feet from the front property line of the lot, except on lots numbered 22 through 37, inclusive, the front setback shall be at least thirty feet (30').
 - b. Within fifteen feet (15') from the rear property line of the lot.

- c. Within five feet (5') of the side property line of the lot if not attached to another dwelling at said side property line.
 - d. Within fifteen feet (15') of the side property line which abuts a street on a corner lot.
8. Air conditioning, heating, and other machinery may be maintained in or on roof areas, but they must be shielded from view, if they are visible from any street within the subdivision, the golf course, or any common areas with the subdivision. The screening or covering used must match and blend with the improvement or structure to which it is attached and must be shown in detail on the plans submitted to the Planning Committee.
9. The roofing materials of all residential units, improvements and other structures having pitched roofs which are visible from the street, the golf course or common areas shall be one of the following: clay tile, concrete tile, wood shakes, or G.A.F. timberline or shingles of equivalent quality, or other contemporary roofing material subject to prior review and approval by the Planning Committee.
10. Solar energy collections shall be allowed only if constructed in such a manner as to create an aesthetically pleasing appearance and to be screened from adjoining properties. All solar devices must be submitted for review and approval by the Planning and Architectural Committee prior to installation. The application must include the location of the collectors and related equipment (with photos) as well as the shape, size, height, and color of panels and framing. **Reference Policy Resolution No. 27 – Solar Energy Devices**, for further information and restrictions.
11. All residential units shall have a minimum of four off-street parking spaces. Two of these parking spaces must be enclosed within a garage and an additional two off-street surface parking spaces shall be provided. All driveways and parking areas shall be hard surfaced with concrete, paver stones, or other similar materials as approved by the Planning Committee. Garage doors shall be of an overhead design, and they may not exceed 9 feet in height. Driveway additions/extensions will be reviewed on a case-by-case basis, with strong consideration of any impact on neighboring properties and the architectural standards of Village Greens. **Reference Planning and Architectural Committee Resolution No. 15 – Concrete Driveway Extension**.
12. Doors of garages which share a common wall must be offset so that one has two feet (2') greater front yard setback.
13. Detached garages, sheds, or other buildings shall NOT be constructed on the lots.
14. Exterior finishes of all residences, structures, or improvements on the lot shall be brick or stucco and shall be natural earth-tone colors or other subdued colors that are consistent with the exterior color of other structures either on the immediate lot or adjoining lots. Trim may be of wood painted or stained natural or earth-tone colors, adobe, slump-rock, or brick not to exceed three courses, painted Mexican tiles, clay tiles or black wrought iron.
15. No reflective finishes (other than glass) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including, but without limitation, the exterior surfaces of any of the following: roofs, all projections above roofs, retaining walls, doors, trim, fences, pipes, equipment, mailboxes, and newspaper tubes.

16. No residential unit, structure or improvement on a golf course lot shall exceed one story in height. The Planning Committee uses the finished floor elevations as a reference point to calculate vertical dimensions.
17. The party walls that are common parts to two or more dwelling units shall have a minimum S.T.C. rating of fifty percent (50%) or an equivalent acoustical rating. Sound Transmission Class (S.T.C.) is a rating of sound isolation of a building wall assembly.
18. The exterior appearance of the residence, and appurtenant structures and improvements, must be consistent with the high-quality standards established for the Village Greens West subdivision and the appearance must be consistent, compatible with and complimentary to preceding construction on adjacent lots and must have a definite commonly recognized architectural style which is carried out through attention to detail. Such details include, but are not limited to, window treatment, brick coping, parapet walls and/or shadow boxing.
19. No more than two living units having the same front elevation will be allowed to front onto the same street. No more than two living units having the same rear elevations will be allowed on golf course lots in Village Greens West.
20. Decorative wrought iron for windows and doors that are black or white in color, or harmonizing in color and design with the residential unit shall be subject to prior review and approval by the Planning Committee.

WALL REQUIREMENTS

21. On golf course lots, the rear lot line shall be fenced with fencing constructed of white slump block to a height of 24 inches and ornamental wrought iron from 24 inches to 60 inches. On those lots which border common areas, side yard lot line fences on the side which borders the area will be of 60-inch-high white slump block construction that matches the rear lot line fence and will extend forward from the rear property line to the rear of the house, or a maximum of 50 feet. No other fencing materials shall be used in these areas.
22. On non-golf course lots, the rear lot line wall shall be of masonry construction, and shall be a minimum of 56 inches high, or 42 inches above finish grade of the lot on the high side, whichever is greater.
23. On all lots, side yard lot line fences shall be of masonry construction, and shall be a minimum of 56 inches high, or 42 inches above finish grade of the lot on the high side, whichever is greater. All side fences must extend from the rear property line frontward at least to the rear of the house on both sides. If the rear location of one house is unknown, the side fence shall extend at least ten feet forward from the rear of the known house location. No side yard fence may be constructed forward beyond the front of adjacent structures except for necessary retaining walls.

24. Where there is a grade difference of more than 18 inches between two adjacent lots, a retaining wall will be required which will extend to a point where the grade difference becomes less than 12 inches. If dirt is to be placed against the retaining wall, it must be sealed from moisture using mastic.
25. The face and top of any wall visible from the street must be textured and colored to match the parent structure. Such walls include but are not limited to side property line fence adjacent to the street on a corner lot, any side lot line fence return, side lot line fence which extends frontward beyond the return, and any courtyard or landscaping walls located within the front or side yards. In addition, any walls visible from within the rear of side yards and fully enclosed from street view must also be color coated to match the parent structure.
26. Walls for purposes of visual screening, privacy, protection of swimming pools, etc. may be constructed between the front and rear setback lines, provided their style, color and materials are compatible with those of the residence and other structures and improvements on the lot.
27. Walls which are constructed within the front yard setback areas and the side yard setback area adjacent to a street, may not exceed three (3) feet in height. Walls located on the property line between two adjacent lots may not extend frontward beyond the front of both houses except for necessary retaining walls.
28. No chain link, barbed wire, welded wire, or welded pipe fence shall be permitted on any lot.
29. All gates providing access between the front and back yards must be of black ornamental wrought iron construction, or of materials that are designed to blend as an integral part of the residential unit. The location and design of all gates shall be subject to prior review and approval of the Planning Committee.

LANDSCAPING

30. All front yards, side yards facing the street on corner lots and rear yards on golf course lots must be landscaped within six months of completion of the residential unit on the lot. In situations where additional landscaping and/or revisions to existing landscaping are contemplated with respect to an existing residential unit, a Landscape Plan must be submitted unless the additions and/or revisions are minor and consistent with a previously approved Landscape Plan. All lots shall be landscaped, and open areas not covered by patios, swimming pools, porches, driveways and flower beds and other normal and customary improvements shall be planted in grass, or other ground cover (including "Xeriscape" style landscaping) approved by the Planning Committee. No yards visible from the street or the golf course shall be covered with rock, gravel or other non-growing ground cover unless specifically approved by the Planning Committee.

Landscaping shall be in conformance with the following, **Reference Policy Resolution No. 26 – Community Landscape Rules and Guidelines**, for further information and restrictions.

- a. Turf Amount Requirements - Front and Side Yards. Minimum forty percent (40%) of all front yards and minimum forty percent (40%) of the side yards adjacent to the street on corner Lots must be natural grass. **EXCEPTION:** There is no natural grass requirement on Lots with 400

square feet or less of front yard landscape area. No synthetic turf is allowed in any front or side yard. All other rules apply to those lots. **Reference Policy Resolution No. 26 – Community Landscape Rules and Guidelines.**

- b. Forty percent (40%) of all front yards and forty percent (40%) of the side yards adjacent to the street on corner lots must be natural grass. To determine the size of the yard, front yards and side yards shall be defined as that area between the back of curb and the front and/or side facade of the dwelling excluding the sidewalk adjacent to the curb (street walk).
- c. The grass must be placed so that it is adjacent to the street walk and furthermore, if two lots have adjacent front yards and if the grade difference is less than twelve inches (12"), the grass must flow from one yard into the next creating the visual impression of one large expanse of grass.
- d. The remaining sixty percent (60%) shall include the lead walks to the dwelling unit and balance may be grass, flower beds, rock, or other ground cover. If rock is used as an accent material, it shall not be volcanic rock or cinder, and there shall be one five-gallon plant for every 25-square feet of rock.
- e. If planters are built adjacent to the golf course wall and if dirt is to be placed against the golf course wall, it must be sealed from moisture using mastic.

MISCELLANEOUS

- 31. Mailboxes shall be located adjacent to the street, shall be 40 inches (40") above the curb. The location design and materials of all mailboxes shall be subject to prior review and approval by the Planning Committee.
- 32. No radio, television, citizens bank, HAM, or other aerial, antenna, or tower, whether for transmitting or receiving, or any support therefor shall be erected, installed, placed, or maintained, except those devices which may be erected, installed, placed, or maintained and used entirely under the eaves or enclosed within a building or structure which do not extend above the highest point of the roof. However, a television antenna and satellite dish less than one meter in diameter may be mounted on the roof provided it is inconspicuously located so as not to be easily visible from the street, common area or golf course.
- 33. Outside clotheslines or other outside clothes drying or airing facilities, above ground trash and garbage receptacles, ground mounted solar energy collections and equipment, ground mounted air conditioning compressor and equipment, shall be enclosed within a fenced service area or areas for which fencing or screening in harmonious with the overall design or the structures on the lot and which shield these structure in such a way as not to be visible from streets or the golf course.
- 34. Exterior artwork and landscape decorations in front yards or areas visible from any street, common area or the golf course shall apply to the Planning Committee for approval. The color for exterior

artwork, landscape decorations, sculpture or any other special features should be muted tones chosen to blend rather than contrast with the residential unit and its surroundings. The location and design are subject to prior review and approval by the Planning Committee.

35. Holiday decorations will not require approval if installed on earlier than forty (40) days before a holiday and removed no later than thirty (30) days after the holiday. Any variation from these time periods will require approval from the Planning Committee. The Planning Committee reserves the right to request reasonable modifications to the holiday decorations if deemed necessary.
36. Address identification must be attached to the residential unit. Such identification markers must be subtle in design and reflect the residential unit's design and character. All address identification must be clearly visible from the street.
37. Permanently installed sporting goods equipment may not be constructed or installed in any front or side yard facing a street or within any setbacks. Any temporary sporting goods equipment in the backyard should be shielded from view or taken down when not in use. Sporting goods equipment shall include, but is not limited to, basketball goals, batting nets, soccer goals, trampolines, etc.

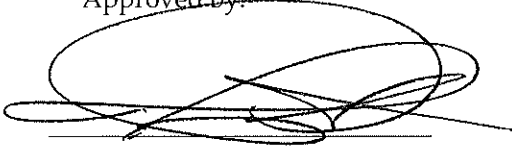
POLICIES

38. Applications and plans will not be considered for approval if any outstanding indebtedness exists against the subject lot (i.e., Tanoan Community Association Assessments).
39. Plans will not be considered for approval if the applicant is in violation of any existing Tanoan Planning Committee Rules, and requirements and/or Master Restrictions.
40. Upon the completion of any construction or reconstruction of, or the alteration or refinishing of the exterior of, any improvement, or upon the completion of any other work for which approved plans are required, Owner shall give notice thereof to the Planning Committee, and within thirty (30) days thereafter the Planning Committee, or its duly authorized representative, may inspect such improvement to determine whether it was constructed, reconstructed, altered or refinished in substantial compliance with approved plans.
41. The Planning Committee shall have the exclusive power to control all construction and/or improvements within the Village Greens West subdivision in accordance with Article 4 of the Tanoan Community Master Restrictions, and any exceptions to the above rules.

NOTE:

The amended Planning Committee Rules for Village Greens West were unanimously approved by all members of the Planning Committee during a regular meeting session.

Approved by:



Date:

10-4-2023

Thomas Plunkett
Member and Chairperson
Planning and Architectural Committee