

Architectural Control Committee Loghill Village Units I, II, & IV

Please note that Ouray County has adopted new Building Codes in addition to the adoption of new Wildfire Mitigation Regulations. Both of these protocols will affect new construction or additions to determine if a permit from the county will be issued.

The necessary documents for codes and regulations can be found on the county website in the Land Use, Planning and Building page at ouraycountyco.gov

Summary of Covenants and ACC Criteria & Standards

Written approval from the Architectural Control Committee (ACC) is required before a county building permit can be issued and before commencement of any tree removal, excavations, driveways, constructions, remodeling, or additions to any structure.

A Pre-construction Approval Form can be found on the LHVH&POA link at the www.loghillvillage.org website.

Current ACC review fees are \$2500 for a house, of which \$1000 is a nonrefundable application fee. Smaller projects such as remodeling, additions, garages and accessory structures have a fee of \$600, of which \$100 is nonrefundable. Minor projects such as fences, decks, and exterior color changes not requiring a building permit may have no fees, but must be approved by the ACC. After a project is completed, the ACC will make a final inspection and issue written approval. This will be required before the deposit minus the retained ACC application fee will be refunded.

New and existing property owners and their contractors are responsible for familiarity and compliance with all items in the Covenants and ACC Criteria and Standards (paragraph 2a, Units I & II Covenants, or paragraph 3a of Unit IV Covenants). All forms and documents are available online at www.loghillvillage.org. One set of plans is required to be given to the ACC. ACC inspections in Units I, II or IV may be performed by elected ACC members living in any of the three Units.

All ACC members will be elected or reelected by being placed on the LHVH&POA ballot along with H&POA Board members who are also up for election or re-election, usually every other year. Vacancies may be filled by appointment until the next election.

Abbreviated Summary of Covenants and ACC Criteria & Standards (not comprehensive)

1. Only one (1) detached one or two-story, single-family residence and one (1) accessory building are allowed per lot. Minimum dwelling size is 1000 square feet for one story and 1500 square feet for multiple stories, excluding open porches and garages. Enclosed garages are required. For purposes of this section, a building can be considered a “single structure” if the components are connected, or are in such proximity that the appearance is visually integrated and the structure functions as a single unit. However, a guest house containing facilities for cooking and sleeping is considered a second dwelling unit and is not allowed. Similarly, an attached lock-off guest suite with a separate outside entrance and facilities for cooking and sleeping is not allowed. Accessory buildings are typically garages or storage units.

- In addition to the one (1) single-family residence and the one (1) accessory building as defined above, small, storage, utility or auxiliary buildings, as defined in Covenants Section 19 Unit I, or Section 16 Unit II, or Section 17 Unit IV, may be permitted if placed so as to be inconspicuous from any adjoining street or lot. Accessory and auxiliary buildings should match or blend with the residence. In addition to those examples mentioned in the Covenants, a small unobtrusive building such as a greenhouse, a dog house or a small tool shed may be considered acceptable storage, utility, or auxiliary buildings for the purposes of this section at the discretion of the ACC. Auxiliary building foundation perimeter/pad site may not be larger than the home pad site.
- Unregistered cars, boats, campers, trailers etc. may not be stored on the property if they will be visible from adjacent properties or roads.
- Camping is not permitted on vacant lots.
- No grading of the land surface shall be done except upon written approval by the ACC. Such approval may be conditioned upon the installation of appropriate drainage facilities including, but not limited to culverts, to be installed at applicant’s expense.
- A Ouray County Road and Bridge Department permit is required before excavation and creation of a driveway. The permit will also establish an official address for the lot. A driveway must be designed to prevent excessive water runoff and road damage. Driveways typically require culverts.
- A pre-constructed or factory-built home is allowed only if it resembles a site-built home. Manufactured houses of the simple “double-wide” style will not be approved.

- Exterior colors, including the color of a flat roof, trim, doors, etc, must be approved with actual samples by the ACC. Most darker earth tones or muted colors, but not white, may be acceptable. Blending with the surroundings is desirable. Most commonly used residential exterior siding and roofing materials are acceptable, but these materials must be approved by the ACC. Shake shingles are not allowed.
- Highly reflective metal roofs are not allowed. ACC approval must be obtained before changes are made to previously approved plans, colors, or exterior finishes for proposed structures and before exterior color or material changes are made to existing structures.
- To prevent sun glare, metal or light colored chimneys including flues and caps and other roof penetrations, must be enclosed in wood, stucco or rock and/or painted to match the roof color. The top of the chimney or flue shall not be greater than 3 feet above the roof within 10 feet of the chimney.
- The ACC will assist in locating proposed structure sites to prevent unreasonably adverse impact, including impairment of views from adjacent houses. The ACC will make the final decision whenever there is conflicting opinion about options.
- Propane tanks must be buried or placed in an inconspicuous location and enclosed with suitable materials approved by the ACC in order to shield them from view from roads and adjacent properties. Connecting to a natural gas main is encouraged.

2. The maximum building height for Unit I is 26 feet above the minimum point of the natural grade occurring within 5 feet of the perimeter of the structure or 22 feet above the highest natural grade point within the lot, whichever is lower. The 22' limit comes in especially when the building site is near the high point of the lot or on a fairly flat lot. The maximum building height for Units II and IV is 30 feet above the average natural grade occurring within 5 feet of the perimeter of the structure. Parapet walls are included in the height measurement. Additions to structures, considered on their own, must comply with height restrictions and may not in any event exceed the maximum allowable height of the original structure nor unreasonably impair views from other homes. An addition shall not be considered to change the original maximum height.

3. Setbacks for all structures or improvements shall be 40 feet from the right of way boundary of any streets in Unit I, 40 feet from the right of way boundary of any street in Unit II, and 80 feet from the right of way boundary of any street in Unit IV. A road boundary is the marked property line and not the edge of the road itself. All structures must be at least 25 feet from any lot boundary in all units. A driveway is not considered a structure or improvement for the purposes of setback requirements.

4. Exterior Lighting Guidelines. All exterior lighting must comply with LHV Covenants and the Ouray County Light Ordinance. No light shall radiate above a level that is five degrees below horizontal. All exterior lights must be placed to direct light away from houses and roadways. Exterior lighting must be subdued and understated. The direct source of any light shall be shielded (full cutoff down lighting). High intensity lights, including yard lights, barn lights or security lights, are prohibited. Glare or light trespass or light pollution on adjacent properties or roadways must be avoided. Lights should be turned off when not needed and no exterior light shall be left on all night. No extraneous decorative lighting, such as that illuminating trees or other structures, is permitted.

- Fully opaque fixtures that enclose the bulb and direct light down are recommended. The bulb itself must not be visible below the bottom of the fixture.
- Decorative glass fixtures are allowed only if the glass is heavily frosted, darkly colored or otherwise made opaque so that the glare from the bulb is not visible. A 40 watt equivalent bulb or less must be used. Translucent fixtures with multiple bulbs exceeding 40 equivalent watts total are not allowed. Fixtures using other than incandescent bulbs may not exceed 800 lumens. No clear glass fixtures are allowed irrespective of wattage.
- Floodlights with or without motion detectors are very strongly discouraged because of potential glare. They may be used only if the bulb is fully enclosed so that it is not visible from the side, and the fixture must be aimed straight down.
- Exterior and interior lighting may not exceed 10,000 lumens.
- Driveway lights and post lights at driveway entrances are discouraged. Low-watt low intensity shielded lights of the type used to mark driveways or illuminate street numbers are allowed although reflectors and reflective numbers are preferred in most instances.
- Holiday lighting is permitted from Thanksgiving until January 15. No roof installations or flood lighting are allowed.
- Many manufacturers of compliant lights are listed on the Dark Sky Association web site, www.darksky.org. See also www.loghillvillage.org, LHVH&POA Dark Sky “How To” or contact the ACC.

5. Fencing and landscaping. New fences, walls, and gates must be approved by the ACC prior to installation. A new fence that is unapproved must be modified or removed. Plans, drawings and pictures indicating location on lot, type of fence, height of fence and materials must be provided. The goals of the ACC’s fencing guidelines are to

preserve the open semi-rural feeling of LHV with minimal interference with wildlife migration. Fences and walls must be setback at least 25' from the front property lines, or 100' from all property lines for fences enclosing horses. For horses the area enclosed must be the lesser of 20% of lot area or 2 acres.

The fencing should be unobtrusive from adjacent properties, roads or trails. Natural materials and earth tones are recommended. The height of fence and area enclosed must be the minimum necessary to accomplish the purpose of the fence. No chain link, stockade-style, or barbed wire fences are allowed. The fence must be designed so that it will not injure or trap deer and other wildlife that might try to pass over, through or under it.

Fencing to protect landscaping or gardens from deer and other browsing animals should be limited to the extent of the planted area. In Units I and II lawns must be limited to no more than two times the square footage of the house. Lawns are discouraged in Unit IV per Covenants, sections 14.

6. Cutting and thinning of trees and brush. The Colorado State Forest Service (CSFS) office in Montrose encourages thinning of crowded trees and removing overgrown fuels for purposes of fire mitigation, improving forest health and enhancing wildlife habitat (see www.logbillvillage.org). ACC review and approval are also required before live trees taller than 8' are removed. The goal of fire risk reduction should be balanced with the desirability of preserving some degree of privacy, screening and acceptable appearance from nearby roads and properties. The aesthetic preferences and rights of the property owner must also be considered. Modifications to a CSFS-prescribed plan may be suggested, but Colorado State Statute CRS 38- 33.3-106.5 effectively prohibits rejection of reasonable officially sanctioned thinning projects.

The CSFS cautions that cutting or pruning of Piñon trees at times other than between November and March is more likely to increase the risk of Ips beetle infestation. Also, they discourage stacking and storage of Piñon wood because it may attract the beetles until the wood completely dries out. Chipping, hydro-axing or hauling away are the optimal approaches to reducing future tree loss. Burning is NOT allowed at any time in Greater Log Hill Village. The same tactics apply to preventing loss of Ponderosa Pines to the Mountain Pine Beetle and mistletoe infected Ponderosa Pines.

Reseeding of cleared areas may be required in more extensive projects prescribed by CSFS (Colorado State Forest Service) and NRCS (National Resources Conservation Services) to prevent erosion and growth of invasive weeds, and to encourage growth of plants desirable to wildlife. Using seeds from plants native to south Loghill Mesa may be preferred by some owners, although this may not always be possible or cost effective. Choices of seeds and method of application are ultimately up to the property owner working with professionals from the Department of Agriculture (NRCS).

7. Horses and other livestock. Except as specified below, no animals other than domestic household pets such as dogs and cats may be kept on any property. ACC approval is required for all new applications for horses irrespective of any prior uses of the property or prior approvals for horses. Approval for horses does not run with the land. As required by previous ACC Criteria and Standards, permission for horses can be requested only for larger lots verified by County records (> 7.5 acres in Unit IV or > 5.0 acres in Units I & II). The applicant must notify contiguous neighbors in writing before applying to the ACC. The potential horse owners must demonstrate that they can and will satisfy all provisions of the Covenants and ACC Criteria and Standards, and provide and comply with an ACC approved waste disposal plan. No more than 20% of the lot may be fenced. The fencing must comply with fencing Criteria and Standards and must be more than 100' from any lot line. The ACC will use its judgment and experience in approving or disapproving all applications for horses.

8. One sign with the Owner's name is allowed. Such signs may not exceed one square foot. Contractor's signs are not allowed in any unit. One for sale or for rent sign up to five square feet advertising that lot may be placed on a lot in all units. Reflective address number signs are encouraged to assist emergency personnel in identifying property. (See Loghill Village Phone Directory at www.loghillvillage.org for sources.)

9. Small Satellite dishes may be used if approved by the ACC. They must be placed to be inconspicuous from adjacent properties and roadways. They should not be installed on the roof or extend above the roofline.

10. Pets shall be restrained from leaving the lot and they shall be controlled to such extent and in such manner that they shall not interfere with the pleasurable use and occupancy of any other property. Barking must be minimized. This is enforced by the H&POA Covenants Enforcement Committee in addition to the County Sheriff.

11. The state and county require home owners to control noxious weeds. Weeds often follow disturbance of natural vegetation that occurs during construction. Common weeds in Loghill Village include Russian knapweed, hounds tongue, Canadian thistle, musk and bull thistle, ox-eye daisy, mullein, stickweed and cheat grass. The ACC can provide additional information about identification and control of these weeds. Additionally there is information on the www.loghillvillage.org website under the Nature link that helps in identifying noxious weeds and native plants with comparative images.

12. Outdoor burning is not allowed at any time. Outdoor fireplaces and fire pits are prohibited except for those using gas.

13. Solar energy collectors must be sited to minimize visibility from roads and neighbors. Solar power structures may not be placed on the escarpment edge or face. The ACC and property owner must strive to achieve a reasonable balance

between aesthetics from the point of view of the neighbors and the property owner, while preserving adequate functionality and avoiding excessively increased cost of installation. The final decision will be made by the ACC. All projects must be accompanied by drawings and photographs as needed, and reviewed and approved in writing by the ACC before purchase and installation.

14. Construction sites must be maintained so that minimal mud, rock and other debris is tracked onto the public road. Typically a 4" base gravel driveway should be constructed from the road to the home site before construction. Builders will be responsible for maintaining the adjacent public road in a clean condition. If the public road is not so maintained, costs for cleaning the public road will be deducted from the deposit.