Watering Restrictions — Landscape & Irrigation

Colinas del Sol Subdivision | Summary of Governing Document Provisions

Sources: *Amended and Substituted Declaration of Restrictive Covenants* (CCRs, recorded Feb. 16, 2018, Instrument #1850222) and *Declaration of Water Restrictions and Conservation Covenants* (Water CCRs, recorded Feb. 16, 2018, Instrument #1850220). Both run with the land and are enforceable by the Santa Fe County Land Use Administrator, the Association, and individual Lot Owners.

POTABLE WATER PROHIBITION — EXACT SOURCE	
CCRs §19.11, Page 16 (Greywater Systems): *"Greywater systems must be installed while building, or a multi-flow septic system that recycles household use for landscape.* ***Use of potable water is prohibited for landscape purposes.****"*	**Water CCRs, Art. II §3, Page 2 (implied prohibition):** *"Lawns of non-native grasses shall not exceed 800 square feet and shall* ***only be watered with harvested water or grey water.****"*

1. Landscaping Methods Required

Both documents mandate **low water use landscaping and xeriscaping** for all development. Drip irrigation and landscape mulching are specifically required as the primary delivery method for all landscape watering.

Source: Water CCRs, Art. II §1; CCRs §19.09(e)

2. Permitted Plant Types

Only low water use grasses, shrubs, and trees appropriate to the New Mexico climate are permitted. **Sod or grass seed containing Kentucky bluegrass is expressly prohibited.**

Source: Water CCRs, Art. II §2

3. Lawn Size Limits & Watering Source Restrictions

The two documents contain differing limits on non-native grass lawns. The CCRs, as the more recent controlling document, governs:

CCRs §19.09(e): Non-native grass lawns shall not exceed **200 square feet per Lot** and may only be watered with rain water collected on the property or recycled household grey water.

Water CCRs, Art. II §3: Sets a higher limit of 800 square feet, but restricts watering to harvested water or grey water only — consistent with the potable water prohibition.

In the event of any conflict between this Declaration and the Sustainable Land Development Code, the SLDC shall govern (CCRs §19.10).

4. Time-of-Day Watering Restrictions

Outdoor watering or irrigation is prohibited between 11 a.m. and 7 p.m., from May through September of each year. The automated irrigation system requirement extends the restricted window to May through November for timed drip systems.

All irrigation systems must be equipped with a **rain sensor** so they do not operate during or shortly after rainfall. Evapotranspiration-based controllers are listed as approved technology.

Exceptions to the time-of-day prohibition:

(a) Plants being prepared for sale; (b) Manual watering by landscape maintenance and contracting personnel; (c) Water from rainwater catchment systems or grey water re-use systems; (d) Water from an acequia or other agricultural irrigation.

Source: Water CCRs, Art. II §§5–6

5. Establishment Period vs. Ongoing Watering

During the **first and second years** of growth, landscaping may be watered as needed to become established. After establishment, vegetation shall receive only **minimal water as required by each species** to maintain viability.

Source: Water CCRs, Art. II §4; CCRs §19.09(e)

6. Irrigation System Operation & Leak Repair

An outdoor irrigation system **may not be operated if leaking.** Water leaks must be repaired promptly and in **no event later than 10 days** from the start of the leak. Proof of repair must be provided upon request.

Source: Water CCRs, Art. II §§8–9

7. Water Harvesting for Landscape Irrigation

Each Lot Owner is required to collect roof drainage for a **minimum of 85% of roof area**, to be reused for landscape irrigation.

Homes of **2,500 sq ft or greater** must install underground, partially buried, or insulated cisterns, and all landscaping must be connected to a drip irrigation system.

Homes **under 2,500 sq ft** must submit a rainwater catchment plan with their development permit application.

Source: CCRs §19.10

8. Greywater Systems

Greywater systems must be installed during construction, or a multi-flow septic system that recycles household water for landscape use must be provided. **Use of potable water is prohibited for landscape purposes.**

> Source: CCRs §19.11

This summary was prepared for informational purposes. Lot Owners should consult the full governing documents and, where appropriate, legal counsel for interpretation and compliance guidance. In any conflict between this Declaration and the Santa Fe County Sustainable Land Development Code, the SLDC governs.