

TierraLuz Community Alliances (Covenants)

Last updated 12/14/2014

Rules & Regulations, Community Management and Green Point System

This document has been created to support, encourage, inspire and sometimes require systems and standards that we believe will help the community of TierraLuz have a lighter footprint on the earth and inspire others to do the same. Having these guidelines in place ahead of time we hope will reduce misunderstandings and potential conflicts later on. We intend for these to be simple, effective and perhaps inspiring!

Rules & Regulations are the requirements, **Community Management** is to keep things simple in our interactions, and **Green Point System** is to help inspire and support our efforts towards sustainability.

MISSION : *Serenity in Sayulita. Stewarding a refuge from the pace and patterns of business as usual. Exploring ways to live simply, more lightly on the earth, in balance with nature and in harmony within ourselves and our community.*

VISION: *A community of neighbors where there is a shared interest and commitment to using less resources, producing less waste, producing our own renewable energy, and enjoying a more tranquil and sustainable life that enhances health and well being. We share land/open space that holds possibilities for growing food, gathering with friends, walking, sitting or practicing yoga in nature at a beautiful meditation vista. Our homes are modest sized, ideally built with natural materials such as compressed earth blocks, cobb, adobe, bamboo, etc, that are easier on the environment than more processed materials such as cement. We each have incorporated at least a few sustainable technologies such as photovoltaics, wind power, solar hot water heating, low impact development, grey water recycling, rainwater harvesting, composting toilets, etc. Living this way, perhaps we may be closer to the suggestion by Mahatma Gandhi to, “Be the change you wish to see in the world”.*

TONE: *Smile!...It’s Mexico! Let it go...Relax! Tranquilo! Find your gratitude and let it be known. Ask periodically, “How can I do this with a lighter footprint?” Also, take the time to pause, breathe, sit in nature listen and let the sacred land speak to us.*

Part 1: TierraLuz Rules & Regulations:

1. Maximum 130 m2 footprint and 165m2 under roof per lot. Site plan must be reviewed by community appointed/approved person before breaking ground for house building.
2. Incorporate as many sustainable technologies as possible into your building project. Achieve a minimum number of green points as follows. (See Green Point System in Part 3) Renewable Energy category: 9, Water Efficiency and Erosion: 9, Materials: 5, Recycling and Trash: 1, Traffic and Transportation: 2

3. Prevent erosion and offsite drainage using systems to infiltrate water into soil or into storage container.
4. Exterior lighting downward facing, or use solar ground lights, LED string lights, soft sconces, etc. so that the nighttime sky ambiance is preserved for all.
5. If a pet becomes a consistent nuisance to others (barking incessantly, biting, etc.), the owner will be obliged to try remedies suggested by the community. If such remedies are unsuccessful, the community council may decide that the pet must be removed.
6. Construction timeline: Exterior of current living area to be esthetically complete with some landscaping planted within 18 months.
7. If not using waterless composting toilets, must use low flow toilet and septic tank with 3 stage system.
8. No burning trash other than dry yard waste, or paper trash in a campfire. Keep trash containers secure from animals and screened from neighbors view. Haul your own trash and recyclables to the proper disposal area in Sayulita, until such time that the community sets up central trash and recycling area.
9. Keep view corridors clear of vegetation and construction to specified height for that lot. If owner fails to keep view corridor clear of annual vegetation growth, community may clean that area at owners' expense.
10. Build within established building envelopes/setbacks and according to height restrictions for each lot. Palapa roof top points (pitch greater than 45 degrees) may exceed the specified height restrictions at the pitch by 2 meters. Maximum 3 floors in one structure. One "Floor" or "Nivel" equals 3 meters. Setbacks along 5 meter wide middle road may be reduced by 2 meters for lots 4,5,6,7.
11. Privacy fences shall not impede view corridors and will be limited to 8 foot heights on sides of property and 6 feet on front and rear of property. Use of living plant screens preferred or natural materials such as earthbag, compressed earth block, bamboo or stone. Plant screens may be taller than fence height limits if they don't impede views of neighbors.
12. No commercial pesticides on common land. We'd like to be a pesticide free community. We encourage the use of natural alternatives.
13. RV's are not meant to be permanent living structures at TierraLuz. Maximum time allowed is 3 years. If an RV is on the property longer than 6 months, it should be aesthetically screened with plants or other fencing.
14. Use community parking area to reduce automobile traffic within neighborhood as much as possible. East side lots 9,10,15,16,17 park on their own lots. Bikes, electric cars, carts encouraged.
15. Propane tanks, on-site tinacos and other utilities should be screened whenever possible.

16. All property / homeowners to install a water meter so usage can be monitored and leaks identified.

OBLIGATION OF OWNERS:

1. Pay annual dues.
2. Participate in semi annual meetings.
3. Make sure contact info is current with manager.
4. Community Work and Volunteer Contribution: Volunteer for jobs necessary to make the community work! Expectation is for each owner to contribute a minimum of 25 hours per year. If unable to contribute this amount, members pay additional 1200 pesos per year into annual maintenance fund at the end of the calendar year. Owners of lots 4 and 5 exempt from this requirement until calendar year 2015.
5. Achieve minimum # of Green points.
6. When/if selling property, give 30 days notice prior to putting it up for sale so there is time for others in the community to have a chance to find great buyers.

VIOLATIONS: Penalties for violation of these covenants will be determined by community decision. Agreement to 3rd party mediation if all other efforts fail.

Part 2: TierraLuz Community Management:

GUIDELINES FOR USE OF COMMON LAND:

*Farmland/Garden/P patch: Those with passion/interest in this will meet to coordinate these activities. Costs and benefits of such activities borne entirely by those involved. Community may vote to lease the land to others in Sayulita or hire a gardener.

*Native Plant Restoration and Permaculture Infrastructure: Subcommittee may choose to enhance native plants in the forest/jungle area of the land and/or implement aspects of overall Permaculture design. Plant purchases to be a community expense but not to exceed a specific \$\$ amount each year agreed upon by the Community Council.

*Farm Animals: Subcommittee to share responsibilities if there is interest in livestock (chickens, goats, sheep). Those interested parties are responsible for all activities related to the animals and need to find or hire help to tend animals when they are absent. Chickens may be kept in those areas or on individual lots provided there are no roosters. Chickens to be in enclosed coups if they become a nuisance to any member when free range.

*Community palapa, community kitchen, caretaker casita, etc. are possible future structures that may be constructed using Future Projects Fund money as there is interest and funds. Ideally we could build them together as a community perhaps with the compressed earth block maker.

* Community palapa/kitchen and community shower/toilet area designated location is in front farmland area, or above huerta. Location to be decided by the community. Garden shed and caretaker sleeping area could be incorporated into the design or a separate caretaker casita could be built at the entry so that we could have a year round live on the land caretaker.

*Community tent spots (platforms or just flat earth) if created , would be available for guests on a limited basis and for people doing work trade on community land.. Details of such pay or work to camp options to be decided by CD.

*Home/land based businesses, creative enterprises encouraged provided they don't bring a lot of traffic (more than 4 or 5 cars per day) or noise. Part of sustainability is the ability to sustain ourselves economically. Fred and Laurie may have camping rentals on the East side of the property on their reserved lots to provide them some ongoing income.

*Roads, water system, fences, trails, and whatever else the community decides to build are the common property of the Community and will be maintained by the Community Funds.

* The community land at the very top is reserved for contemplation, retreat, yoga, meditation, prayer, creative inspiration, expression, and transformation. All traditions honored. Please respect others silence while enjoying this sacred space.

*Possible Future structures: Future Projects Fund money (see Finances below) can be used for any of the above (but is not limited to) as decided by community decision. Advocates of a project can solicit supporters to contribute additional funds for projects such as these. These projects will be constructed only if there is community support and interest.

1. Community kitchen, shower & composting toilet
2. Garden Shed/Community tool storage
3. Caretaker casita
4. Improving trails
5. Community View/meditation structure (Palapa, deck, patio, etc.)
6. Trash & Recycling Center
7. Covered Parking area
8. Community Solar Station
9. Tent platforms
10. Pool and/or pond
11. Barn

FINANCES

1. Designated Fund in a bank to be set up in Escrow for Community Finances. Categories to include: General Maintenance Fund (GMF), Future Projects Fund (FPF), and Special Circumstances Fund (SCF). The latter will be dollars to pay for unforeseen legal or maintenance needs to come.

2. Annual Maintenance Fee to cover but not limited to the following costs: accounting and management fees; maintenance of common land, roads, trails, vegetation, fence, well and water system; maintenance of any community owned structures that may be built in the future, taxes on community land, any legal fees, permits, etc. required for the common land.

3. Cleaning of trails, community open space and repairing of roads to be done each year after the heavy rains. A second trimming/cleaning may be needed in late winter/early spring as well depending on rainfall that year.

4. Annual Maintenance Fee to be paid Jan 1st each year based on the actual costs of the previous year plus 15%. New owners pay prorated rate for the months before the new year. Additional fees may be charged if the actual expenses are greater than the funds in Maintenance section of Community Account. Leftover money (if any) will be transferred to Special Circumstances Fund. Community may decide to transfer a portion of SCF to FPF or refund to owners after 5 years. Penalty for late payment of dues is 4% of Maintenance fee every month beginning 1 month after due date.

5. Future Projects Fund: This is seed money to allow the community to embark on capital improvements for the community as a whole. Original lot sellers (Fred and Laurie) to deposit \$2000 US dollars per lot sold into the Future Projects fund related to the sale of lot numbers 4, and 11. Sale of lot 3 and 5 shall not accrue future projects credit. Additional lots sold shall accrue a 4% future projects credit to be paid by original lot seller. Individual gift contributions to the Future Projects Fund encouraged. Additional money for future projects may come from other creative ideas by CD. Possible uses of these funds include but not limited to: earthworks and landscaping, plant purchases, community palapa/kitchen, caretaker casita, garden/tool shed, community toilet and shower, improved trails, etc. If the Community decides not to use the money to complete future projects, then the money would be put in the General Maintenance Fund or the Special Circumstances fund by CD.

6. Annual maintenance fee and any other extra costs for the Community are divided equally by the number of owners at the time. If any one person or couple owns up to 2 lots, they still pay as one owner. If an owner(s) has 3 or more lots they pay 2 shares of community expenses. For example, if there are 5 owners by December 31st of a given year, general maintenance costs will be divided by 5 for the next year starting January 1st. If one of the 5 owners has 3 or more lots, the community expenses shall be divided by 6 and the owner with 3+ lots will pay for two shares. Maintenance of reserve land and unsold lots will be paid for by their owner.

7. Council will elect a treasurer to keep track of community funds and oversee an accountant. Another community volunteer will review the accounts twice a year or more as needed.

MANAGEMENT & DECISION MAKING PROCESS

1. The Community consists of all property owners. Until the community is established and at least 10 are sold, there will be one vote per lot. After 10 lots are sold, there will be one vote per owner. If one person owns more than one lot, they still get just one vote. In the case of Laurie and Fred and their "Reserved" and unsold lots, they get just one vote each. The Community as such may vote to create an elected or volunteer council that is a subset of all owners to handle business of the community as needed.
2. The community will pay for accounting, escrow and management services.
3. Fred Geisler and/or Laurie Keith will lead community/council meetings. They may appoint someone to take this role as needed. After 10 lots are sold, or beginning Jan 2018 (whichever comes first), leadership of meetings will be an elected position within the community.
4. TierraLuz neighbors shall have semi annual meetings (fall and spring). Members may participate via Skype (or other similar service) from a distance.
5. For meeting to proceed, 60% of Community members need to be in attendance. One person from each lot will represent any other owners of that lot at meetings. One vote per lot.

6. Simple majority rules for all votes except revisions to the covenants. Covenant revisions require 75% of owners in attendance. Votes to change covenants require 75% majority vote.
7. A secretary will be appointed by the community and will take minutes at each meeting.
8. Special meetings may be called for as needed. Email or Skype correspondence may be used for input/ voting.
9. Agreement to 3rd party arbitration/mediation if necessary

Part 3: Green Point System

This point system is intended to be a creative and fun way to inspire and support each other going the extra mile to do it greener". "Being the change we wish to see in the world". We expect that people interested in this community will value this direction and will find this list and minimum number of points to achieve helpful and informative. Perhaps the community can give fun prizes at some point to those with the highest number of points! Additional technologies, creative sustainable ideas to add to the list encouraged!

- **Renewable Energy (minimum 9 points)**
- **Water Efficiency and Erosion Prevention (minimum 9 points)**
- **Materials and Resources (minimum 5 points)**
- **Recycling and Trash (minimum 1 point)**
- **Traffic / Transportation (minimum 2 points)**
- **Sharing the Green (minimum smile and a bit proud of the whole thing!)**

Renewable Energy All TierraLuz residents will be using Solar Energy, Wind Energy or other forms of renewable energy to provide for their needs. See Addendum for resources.

- *5pt.* Solar photovoltaic electricity system
- *5pt.* Windpower system
- *3pt.* Solar hot water system
- *1pt.* Tank less on-demand water heating system
- *1pt.* Energy star rated appliances/ no ozone depleting coolants used in refrigeration units
- *5pt.* Geo-thermal system for heating/cooling the air
- *2pt.* LED lights or compact fluorescents in at least 75%of home fixtures
- *1pt.* Solar tube for passive lighting
- *2pt.* Day light design to reduce need for daytime electric use .i.e. no lights needed during the day

- 2pt. Natural Ventilation design to reduce need for cooling systems

Water Efficiency and Erosion prevention When we “harvest” our rainwater and our grey water for irrigation or household use, we also prevent stormwater and waste water from traveling offsite and contributing to erosion. Composting waterless toilets make the biggest impact on water conservation

- 5pt. Composting/waterless toilets
- 3pt. Grey water recycling system for irrigation.
- 4pt. Recycled black water for irrigation
- 4pt. Grey water filtering/recycling to re-use within household
- 4pt. Successful elimination of well/city water for landscaping
- 1pt. 80% plus of soap/cleaners are Biodegradable and non toxic
- 1pt. Low Flow Water Fixtures for water conservation
- 4pt. Living roof
- 2pt. Create a soil erosion plan to prevent hillside erosion and unnatural water runoff on adjacent properties both during and post construction.
- 1pt. Design site to promote infiltration of storm water from roof.
- 1pt. Pervious paving of surfaces
- 3pt. Harvest rainwater water for uses such as landscape irrigation, toilet flushing, via a water catchment system and storage tank.
- 2pt. Install earthworks such as bio swales, check dams, infiltration basins and ponds, diversion swales, and terraces to promote water infiltration and irrigation of vegetation (see Addendum for resources)
- 1pt. Landscape with native drought resistant plants

Materials and Resources Use of natural materials in construction reduces the use of cement which decreases greenhouse gas and mercury in the environment. Natural materials also breathe and provide better natural temperature regulation.

- 5pt. Building main home with sustainable natural materials: Adobe, Compressed Earth Blocks, Cobb, Bamboo, Rammed earth, etc.
- 3pt. Reduce the use of finite raw building materials & long cycle renewable and use instead rapidly renewable materials such as bamboo, wheat board, cork, and linoleum. 50% finished materials .
- 2pt. Use of recycled content building materials(as defined by International Organization for Standardization <http://www.iso.org/iso/home.htm>)
- 2pt. Use of wood managed and harvested sustainably (Forest Stewardship Council certification www.fscus.org)

- *2pt.* Use of low VOC paints and adhesives in construction
- *3pt.* Use of natural plasters and paints made from lime, clay, milk, etc.

Recycling and Trash - Designated community recycling and trash center could be set up and the designated location would be the services area near the community parking. Community fees would then pay for weekly removal of recycled materials and trash to local recycling center. Construction materials and any items like appliances would be the responsibility of the individual property owner.

- *1pt.* Volunteer to set up this recycling system
- *1pt.* Volunteer to manage community recycling area
- *1pt.* Volunteer to set up community compost area/system
- *1pt.* Volunteer to manage community compost area
- *1 pt.* Compost all your own yard and kitchen waste in your own compost system on your lot

Traffic / Transportation Minimizing noise and greenhouse gas emissions and enhancing physical well being (walking and biking) through non fossil fuel means of transportation.

5pt. Own or co-own an electric vehicle or non fossil fuel vehicle: golf cart, car, electric bike, or hydrogen powered vehicle
or

5pt. Don't own a fossil fuel powered vehicle

2pt. Use small energy efficient car

Sharing the Green Expanding the vision and action beyond TierraLuz

- *2pt.* Create, maintain, update a TierraLuz booklet, website &/or blog etc. with educational facts, resources on sustainable/ecological development and living.