

Agua Fria Ranch Homeowners Association

Architectural Design Guidelines

The Declaration of Covenants, Conditions and Restrictions for Agua Fria Ranch (the “CC&Rs”) provides for a Design Review Committee (the “DRC”). The DRC reviews additions, modifications and alterations (collectively referred to in this document as an “Alteration”) to all lots within the Agua Fria Ranch community and establishes rules and guidelines for such Alterations so that a uniform standard for maintenance can be achieved. The DRC is a committee of five people, all residents of Agua Fria Ranch.

The direction followed in the development of the Guidelines was common sense and consideration of our neighbors. The DRC created the guidelines:

- To assist homeowners in preparing acceptable applications to gain DRC approval,
- To increase resident’s awareness and understanding of the CC&Rs, and
- To help maintain a reasonably uniform appearance for the Agua Fria Ranch community so that the investment of all homeowners will be maintained.

This document provides Design Guidelines (the “Guidelines”) for Agua Fria Ranch homeowners to follow when considering changes to the exterior of their homes and property. **The Guidelines do not replace the CC&Rs but rather help to clarify and supplement them.** Compliance with the Guidelines as well as the CC&Rs is a prerequisite to the alteration or addition to any lot within Agua Fria Ranch. If there are any conflicts between the CC&Rs and the Guidelines, the CC&Rs shall govern.

The Guidelines may eliminate the need to submit certain Alterations for approval, but if an owner determines approval is necessary after reading the CC&Rs and these Guidelines, the owner shall submit the following to the DRC for approval prior to construction or installation of the Alteration:

- The completed request form.
- Plans and specifications for the proposed work, including, if applicable:
 - a) Site plan for the lot, showing the Alteration in its proposed location along with all other improvements on the lot. Dimensions from the Alteration to the nearest existing improvement should also be shown. If plants are a part of the Alteration, the type of plant should be shown on the site plan.
 - b) Plans and specifications for all above ground construction showing materials, height, width and paint color(s).
 - c) The time frame for beginning and completion of the work. The DRC may request additional information.

The DRC shall either approve or disapprove each request within forty-five (45) days after receipt of the request. If the DRC sends no notice within the forty-five (45) days, then the Alteration requested is deemed approved. If a request is denied within forty-five (45) days, then written denial shall be forwarded to the owner stating the reason for denial.

Pulte Home Corporation has a right to appoint the members of the DRC until control of the Association has been turned over to the homeowners, thereafter the members of the DRC are appointed by the Board of Directors of the Agua Fria Ranch Homeowners Association.

The committee members that worked together to create this document are all volunteers. They will continue to work together to review requests for Alterations, to inspect the changes made, and to continually review this document and make changes to the Guidelines as times and trends change.

Alterations made by Pulte Home Corporation or offered as an option **SHALL NOT** require DRC approval when installed by Pulte Home Corporation at the time the house is being constructed. Approval is required for the same alterations if they are installed by anyone other than Pulte Homes.

1. ANTENNAS/SATELLITE DISHES

DBS antennas (satellite dishes) less than one meter in diameter (39") **SHALL NOT** require pre-approval. These dishes must be screened where possible to minimize the visual impact on neighbors. We encourage you to place the dish so as to not be seen from the street. Satellite dishes and other antennas larger than one meter **SHALL NOT** be allowed. TV and radio antennas are encouraged to be placed in the attic crawl space; all other locations **SHALL** require architectural approval.

2. AWNINGS

Awnings over windows **SHALL** require written requests and approvals of the DRC. Color should be complementary to the dwelling.

3. BASKETBALL GOALS AND BACKBOARDS

As stated in Article 4.15 of the CC&R's, permanent basketball goals and backboards are not allowed. Portable basketball goals or backboards are allowed; however, when they are not in use they **MUST NOT** be visible from any common area (including streets) or neighboring property. **Portable basketball goals or backboards are only allowed to be used between the hours of 9:00 a.m. and 10:00 p.m.**

4. DRIVEWAY MODIFICATIONS, MAINTENANCE, AND EXTENSIONS/GARAGES

All modifications to existing driveways, including sealant, painting or dying of concrete **SHALL** require written requests and approval of the DRC prior to installation. A submittal for driveway coating approval must indicate any pattern to be applied, and color samples must be included. Coatings, sealants, painting or dying of existing driveway must be a desert shade to coordinate with the house. Widening of a driveway **SHALL** require approval. Submittals for such extensions must include a plot plan of the existing lot and the exact measurements, location, and nature of the proposed modification. A reasonable setback from the property line may be imposed.

5. FLAGS

The display of *one* American flag mounted on the front of the home on either side of the garage is permitted and **SHALL NOT** require pre-approval. Flagpoles may not exceed 4-ft. in length and shall be mounted on the stucco portion at a height that will not allow the flag to touch the ground. Only *one* flagpole of any type is allowed on a lot. The Association does permit display of a reasonable number of additional American flags on the following National holidays only (to be removed no later than 5:00 p.m. of the following day): Memorial Day, Flag Day, July 4, Labor Day, and Veterans Day. The Association only permits display of the American flag as a cloth flag on a flagpole/staff. For example, it may not be displayed by attaching flat to a wall or flat on the inside or outside of a window or by hanging from eaves or on a garage door. No other type of American "flag" shall be permitted, such as "flags" made solely out of lights or paint or other materials. Homeowners wishing to display flags other than the American flag (i.e., seasonal flags, state flags, etc.) **SHALL** require written requests and approval of the DRC prior to displaying any such flag. However, holiday flags will not require approval if installed no earlier than thirty (30) days before a holiday and removed no later than fifteen (15) days after the holiday. The addition of flagpoles on common property **SHALL NOT** be allowed. Stand-alone flagpoles **SHALL NOT** exceed 20 feet in height or 3 inches in diameter, **SHALL** have a flag proportional to the height, and **SHALL NOT** encroach on neighboring property.

6. GATES

Staining gates the natural wood color originally installed by the builder **SHALL NOT** require approval of the DRC. All changes and modifications to the appearance, color, structure, location, or placement of an existing gate **SHALL** require written requests and approval of the DRC. New gate installations must be substantially the same as those originally installed by the builder and **SHALL** require prior written approval of the DRC. New gates will only be permitted on the front wall of the residence and may not open onto common areas.

7. GAZEBOS, RAMADAS, PERGOLAS AND PATIO COVERS

General - All gazebos shall be placed in the rear yard and be located a minimum of 10 feet from neighboring boundary walls

Temporary gazebos (5-7 days) **SHALL NOT** require approval if their size is not larger than 12 ft. X 12 ft. and their height at the peak of the gazebo does not exceed 8 ft. from the grade. The awning cover must blend with the color of the house or trim.

Permanent gazebos, Ramada's, pergolas and patio covers **SHALL** require the written approval of the DRC should the structure exceed the height of the wall and be visible from neighboring property or common area (including streets). Submittals must include all pertinent details as to size, style, and proposed location of the structure.

8. GUTTERS AND DOWNSPOUTS

The installation of gutters and downspouts **SHALL NOT** require approval of the DRC if they are painted to match the color of the house or trim adjacent to where the installation occurs.

9. LANDSCAPING/IMPROVEMENTS FRONT YARD

New front-yard landscaping and any Alterations (**except for trees and landscaping rock/gravel**) **SHALL NOT** require approval of the DRC. However, an Owner is required to comply with the following Design Guidelines with respect to front-yard landscaping and other improvements:

- Plant material must be irrigated by a permanent, underground watering system.
- No tree, shrub, or planting of any kind on any lot shall be allowed to overhang or otherwise encroach upon any sidewalk, street, pedestrian way or other area from ground level to a height of eight (8) feet.
- Any plant or tree that has died must be removed.
- All areas visible from neighboring property must be kept reasonably free of weeds.
- All areas visible from neighboring property or common area (including streets) must be covered by plant material or decorative rock; no bare earth surfaces may be visible.
- Hardscape accents (i.e., Saltillo tile, brick pavers, flagstone) may be used to construct stepping stones and borders if the colors are compatible with the community. Acceptable colors include desert hues and other earth tones.
- Holiday lights and decorations will not require approval if installed no earlier than thirty (30) days before a holiday and removed no later than fifteen (15) days after the holiday, provided that the DRC reserves the right to request reasonable modifications if deemed appropriate.

The following front-yard improvements **SHALL** require approval of the DRC prior to the installation thereof:

- All trees
- Addition of landscaping rocks or any change to the decorative rock/gravel
- Lawn Ornaments (bird baths, fountains, statues, furniture, etc.)
- Hardscape materials (i.e., concrete, brick, flagstone, or tile) used to construct:
 - a) New or modified walkways, except if the present walkway is extended to provide access to side gate and such extension matches present walkway or if a standard walkway made of flagstone or concrete is added not to exceed 30 inches in width.
 - b) New driveways or drive extensions.
 - c) Free-standing walls or retaining walls
 - d) Porch, patio, or seating area

The DRC reserves the right to request reasonable modifications to front-yard landscaping if deemed appropriate.

10. LANDSCAPING/IMPROVEMENTS ALL REAR & SIDE YARDS

Rear- and side-yard landscaping enclosed by solid boundary wall **SHALL NOT** require approval of the DRC and may be installed at any time. Although approval by the DRC of rear- and side-yard landscaping is not required, an owner is required to comply with the following Design Guidelines with respect to rear- and side-yard landscaping and other improvements.

- No tree, shrub, or planting of any kind on any lot shall be allowed to overhang or otherwise encroach upon any neighboring property or common area.
- All areas visible from neighboring property must be covered by plant material or decorative rock; no bare earth surfaces may be visible.
- Any walls removed during construction of a pool, spa, or other improvement shall be walls situated on the owner's lot; removal of walls abutting a common area shall not be allowed without approval. Any wall removed shall be replaced in its original state immediately after construction is complete, including stucco and paint (if originally constructed with stucco and paint).
- Backwashing of pools and spas must be contained entirely on the owner's lot. Backwashed water **SHALL NOT** be permitted to seep onto an adjoining lot, common area, or street.
- Rear- and side-yard lighting shall be confined to patio and pool areas and shall not cause glare or light spillage onto adjacent lots or common areas.
- Strings or ropes of lights on patios or wrought-iron fences are forbidden except for the Holiday period referenced under front-yard landscaping/improvements and in Lighting Section below.

The following rear- and side-yard Improvements **SHALL** require approval of the DRC:

- Ancillary components of pools (slides, gazebos, waterfalls, etc.) if visible from neighboring property, or common area (including streets).
- Any structures (i.e., storage sheds, patio fireplaces, patio covers, gazebos, etc.) that are visible from neighboring property or common area or streets.

The DRC shall reserve the right to request reasonable modifications to rear and side yard landscaping if deemed appropriate.

11. LIGHTING

A reasonable number of low-voltage landscape lights **SHALL NOT** require pre-approval so long as they are not directed at adjacent properties or common area. The addition of new or replacement of existing wall-mounted fixtures on the front of the house **SHALL** require written requests and approval of the DRC if they deviate greatly from the existing lighting or the overall southwest style of the homes. Any other exterior lighting, including patio areas, that is visible from neighboring property or from common area (including streets) **SHALL** require written requests and approval of the DRC. Strings or ropes of lights on patio or fences visible from neighboring property or common area are forbidden except for the above-referenced Holiday periods.

Security lights, including spot lights or floodlights **SHALL** require pre-approval by the DRC.

12. POOLS AND SPAS

Pools and spas **SHALL NOT** require pre-approval of the DRC. Access to rear yards for construction shall be gained by removing a *front* wall adjacent to the house. Removal of a *common wall* (opening on side or back yard) **SHALL** require written requests and approval by the DRC. All walls must be restored to their original state at *the owner's expense* as soon as possible. The homeowner is also responsible for the cost to repair or replace any damaged landscaping on common property. Reasonable care for the safety of others must be given by the homeowner and the pool company while the wall is down.

Pool slides or aboveground pools visible from neighboring property or common area (including streets) **SHALL** require written requests and approval of the DRC. Consideration will be given to the proximity of the adjacent neighbors.

Backwashing (or draining) pools and spas onto common areas or streets is prohibited at all times.

13. PLAY EQUIPMENT/SWINGSETS

All Play Equipment that (a) exceeds the height of six feet (6') from ground level to the cross bar, and/or (b) has a play platform, and/or (c) is not placed a minimum of five feet (5') from all neighboring boundaries and is visible from neighboring property or from common area (including streets) **SHALL** require DRC approval. The DRC shall consider Play Equipment if it adheres to the following guidelines:

- Climbing platforms and slides shall be placed not higher than two (2) feet below the highest point of the rear yard fence to protect the privacy of neighboring owners.
- Play Equipment exceeding the height of six feet (6') and/or not placed a minimum of five (5') from all neighboring boundaries shall be screened from adjoining properties and/or common area (including streets) by shrubs or trees which will equal the height of the Play Equipment within a reasonable time period. The DRC may require that the equipment be painted a color compatible with the house on the Lot.
- Brightly colored canopies, roofs, or other visual distractions that are attached to the Play Equipment **SHALL NOT** be visible from neighboring property or common area (including streets).
- No lights or nighttime illumination of the Play Equipment shall be allowed, except ground mounted low-voltage lighting not visible from neighboring properties or common area (including streets).
- Play Equipment (without play platforms) that does not exceed the height of six (6') from ground level to the cross bar and is placed a minimum of five feet (5') from all neighboring boundaries and is not visible from a common area (including streets) **SHALL NOT** require the approval of the DRC, but all such equipment must comply with the foregoing requirements, except that screening and painting the Play Equipment will not be required.

14. REPAINTING OF HOUSES AND WALLS

Use of the builder's original exterior color options **SHALL NOT** require approval from the DRC. Any other color combinations **SHALL** require prior written requests and approval of the DRC.

15. SCREENS AND /SECURITY DOORS

Security or screen doors **SHALL NOT** require the approval of the DRC if they are metal and painted: (a) the same color as the house or trim, or (b) the same color as the window frames. Security or screen doors constructed of any other material or color **SHALL** require approval of the DRC. Sunscreens on windows **SHALL NOT** require pre-approval of the DRC *if* the sunscreen material is a color: (a) coordinated with the house and trim color, or (b) does not present the appearance of a solid wall without windows. Patio sunscreens **SHALL NOT** require approval of the DRC if they are a color that is complementary to the dwelling.

16. SIGNS

This section clarifies Article 4.10 of the CC&R's regarding signage on owners' lots. Signs on any lot **SHALL NOT** block any sidewalk traffic or traffic visibility. Notices of garage sales and notices of real estate open houses are allowed on the common area, but such signs must be removed immediately following the event. No signs, notices or advertisements of any kind are allowed on post office boxes. Owners **SHALL NOT** erect any other signs in common areas without prior written request and approval of the DRC. Landscaping and pool installation signs are to be removed within 30 days of the completion of the work.

NO ALTERATION OF ANY KIND is allowed to the original house number plaque installed by the home builder. Addition of any other house numbers ON THE HOUSE **SHALL** require approval of the DRC.

17. SOLAR PANELS

Solar panels placed in a location visible from neighboring property or common area (including streets) **SHALL** require written requests and approval of the DRC (subject to any applicable statutes or laws). Consideration will be given to the size, style, placement, and overall appearance of the device.

18. STORAGE SHEDS

Storage sheds kept below the height of the privacy or perimeter wall **SHALL NOT** require approval by the DRC. Any storage sheds that would be visible from neighboring property or common area (including streets) **SHALL** require approval of the DRC.

19. TRASH CONTAINERS

See Article 4.5 of the CC&R's for rules governing trash containers. Trash containers may not be visible from common areas (including streets) or neighboring property except to make them available for collection. **Trash containers may be placed at the curb no earlier than 5:00 p.m. on the evening prior to collection day and must be removed no later than 9:00 a.m. on the day following collection day.** Installation of any screen or structure designed to hide a trash container in the front or side yard **SHALL** require approval of the DRC.

20. NUISANCES

See Article 4.3 of the CC&R's for rules governing nuisances on your property during construction. In addition, front yards must be kept free of recreational, landscaping, and other equipment when not in use.

Attachment: DRC Request Form