

Santa Rita Ranch III Homeowners
Association
Community Guidelines

COMMUNITY GUIDELINES FOR SANTA RITA RANCH III HOMEOWNERS ASSOCIATION

I. **INTRODUCTION**

To the extent that any local government ordinance, building code or regulation requires a more restrictive standard than the standards set forth in these Santa Rita Ranch III Homeowners Association Community Guidelines or the Declaration, the local government standards shall prevail. To the extent that any local government standard is less restrictive than these Community Guidelines or the Declaration, the Declaration, Community Guidelines and Rules (in that order) shall prevail.

II. **APPLICATION AND APPROVAL REQUIREMENTS**

A. **General.**

Pursuant to the Declaration and in addition to the modifications, additions, or alterations contained therein, any owner wishing to

- construct improvements,
- modify or add to existing improvements (including painting),
- install a pool, spa, or other water features,
- construct or install walls, fences, or hard, permanent materials such as paving, brick, masonry, railroad ties, wood trim, concrete, rocks, flagstone, outdoor barbecues, fireplaces, or other inert material ("hardscape").
- landscape (including original landscape unless provided by the Builder and approved by the committee),
- awnings and sunscreens
- alter grading or drainage, or
- place any object (i.e., lighting and decorations) on his or her lot

is required to submit an application and such other materials as set forth in Section C hereof (a "Review Request") to the Architectural Committee, as described below, and receive approval of such committee **prior** to commencing construction. There are no exemptions or automatic approvals, with the exception that the submittal of an application and plans for repainting the exterior of a structure in its existing color is granted consent approval.

It shall be the responsibility of all owners to comply with all standards and procedures within these Rules and Community Guidelines, as well as all requirements of the Declaration, Design Standards, and any applicable Supplemental Declaration.

B. **Committee Structures.**

Architectural and design review and control for the Santa Rita Ranch III Homeowners Association is handled by two Committees established by the Board of the Santa Rita

Ranch III Homeowners Association, Inc. ("Association"). The New Construction Committee is responsible for all initial construction, and the Architectural Committee has been established to monitor, review and control subsequent improvements or modifications in the Association.

Architectural Committee After a lot and its structures and front landscaping have been completed according to approved plans, the Owner must submit all proposed changes to the exterior of the structure and the lot including modifications, additions, and alterations made to lots, to structures and landscaping to the Architectural Committee for review. Pursuant to Article 9, Section 9.1 of the Declaration, the Board of Directors shall appoint the members of the Architectural Committee.

Pursuant to Article 9, Section 9.11 of the Declaration, these terms shall not apply to any portions of the Property owned by Declarant, by any Declarant Affiliate, or by a trustee for the benefit of any of the foregoing so long as any improvements constructed thereon (or any additions, modifications or alterations to any such improvements) are constructed or made in a good and workmanlike fashion and are generally comparable in terms of quality of construction to other improvements theretofore constructed by Declarant, or by any Declarant Affiliate on the Property (or on other property adjacent to or near the Property).

C. **Submittal Procedures**

The following procedures shall apply to owners when submitting Review Requests to the New Construction or Architectural Committees.

1. An application (sample forms attached) requesting review by the committee is required for all Review Requests. The application shall at minimum include the following information, but may be modified at any time:
 - a) Owner's name, mailing address, and telephone number.
 - b) The Lot number and street address of the subject property.
 - c) The nature of the request. Such request shall be limited to:
 - i. Review and approval of plans.
 - ii. Review and consideration of exceptions to or deviations from the Community Guidelines.
 - iii. Review and consideration for a change to the provisions of the Community Guidelines.
 - d) A brief description of the proposed construction or modification.
 - e) Planned completion date for the construction or modification proposed in the Review Request.
 - f) An acknowledgment that the owner is responsible for scheduling all work in a timely manner and for complying with any approval issued by the appropriate committee.
 - g) The name, address and telephone numbers of owner's agent, or representative or subcontractor (if applicable).

2. In addition to the application, the owner shall submit plans for the proposed construction or modification as follows:
 - a) For changes to or additions to the home, the Owner shall submit three sets of plot plans for the site. On such plans, owner shall draw the proposed changes or additions to the exterior. If the Owner has a photograph of another house or a picture from a magazine, etc. that will assist the Committee in its review, such photo should be submitted. The application should contain a description of the materials the Owner plans to use in such changes or additions. If the change or addition affects the roof or roofline, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition. The Committees may require that plans be prepared by an architect or engineer depending upon the nature of the request.
 - b) For all other improvements, changes or additions to the lot or the home, including, but not limited to, construction, installation, or modification of walls and fences, ancillary equipment, signage, pools, play equipment, awnings, sunscreens, grading, drainage, and irrigation systems, the owner shall submit three copies of the site plan drawn to scale showing the location, height, and dimension of the proposed improvement, change, or addition, the property line of the lot, the setback requirements, any easements, the footprint of the home and driveway, sidewalks, decks, patio, walls, and existing landscaping. The Owner shall also submit a detailed description of the proposed improvement, change, or addition, the purpose of the proposed improvement, change or addition, construction specifications, material and color samples, if appropriate, and any additional information or clarification requested by the appropriate committee. Copies of all necessary permits, fees and applications shall also be submitted.
3. The committee may request additional information and clarification of the information given if deemed appropriate by the committee. For example, the committee may request that large color samples (2" to 3") be painted on key exterior walls prior to completing a project so the panel samples can be observed by the committee at various times during the day to ensure their trueness of color under different levels of sunlight. Until all requested information is provided to the committee, the Review Request shall be deemed incomplete.
4. All Review Requests should be addressed to the Santa Rita Ranch III Homeowners Association at such address as designated by the Board in written notice to the owners. Pursuant to Article 9, Section 9.3 of the Declaration, Review Requests must be sent via personal delivery or U.S. mail, postage paid, certified mail, return receipt requested. If the Owner submits the Review Request and fails to obtain a signed and dated receipt from the recipient thereof, the request shall not have been deemed delivered.

D. Review Procedures

1. The Committees shall review all requests without hearings and based solely on the information contained within the Review request; provided, however, the Committees, their committee members, and authorized agents may at any time request additional information or inspect a Lot for compliance with the Declaration, these Community Guidelines, and any approved plans for construction or modification. The meetings shall be open to community Members pursuant to A.R.S. § 33-1804.
2. The Committees will reference these Community Guidelines in reviewing requests. Although the Community Guidelines address a broad range of exterior building and site conditions, they are not intended to be all-inclusive. A committee may permit variances to these Community Guidelines so long as such variance is in accordance with the Declaration.
3. Within forty-five (45) days of receipt of a complete Review Request, the committee shall respond to the owner. The committee's decision shall be rendered in one of the following three forms:
 - a) "Approved" - The entire document submitted is approved in total.
 - b) "Approved with Stipulations" - The document submitted is partially approved. The owner must resubmit the application incorporating the committees' conditions and receive approval prior to commencing the construction or alteration.
 - c) "Not Approved" – The entire document submitted is not approved and no work may commence. Notice of such denial must include a reasonably detailed written explanation for such disapproval.

E. Implementation of Approved Plans

1. All work must conform to approved plans. If it is determined by a committee that work completed or in progress on any lot is not in compliance with the Community Guidelines or any approval issued by a committee, such committee shall notify the Board. The Board shall notify the owner in writing of such noncompliance within 30 days of inspection, specifying in reasonable detail the particulars of noncompliance and shall require the owner to remedy the same. If the owner fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance, then such noncompliance shall be deemed to be in violation of the Declaration, and these Community Guidelines.
2. If construction does not commence on a project for which plans have been approved within 180 days of such approval, such approval shall be deemed withdrawn, and it shall be necessary for the owner to resubmit the plans to the appropriate committee for reconsideration.

3. The committee may impose for any approval a maximum time period for the completion of any new construction or modification. The owner may request an extension of such maximum time period not less than three days prior to the expiration of the maximum time period, which the committee may approve or disapprove, in its sole discretion.
4. If construction is not completed on a project for which plans have been approved within the period set forth in the approval or within any extension approved by the appropriate committee, such approval shall be deemed withdrawn, and such incomplete construction shall be deemed to be in violation of the Declaration and these Community Guidelines.

Appeal of "Not Approved" and "Conditionally Approved" Decisions

Pursuant to Article 9, Section 9.10 of the Declaration, any Owner aggrieved by a decision of the committees may appeal the decision by resubmitting the Review Request and all supporting information and documents submitted therewith, along with the decision of the committee to the Board of Directors. If an Owner fails to appeal a decision of a committee or if the Board after appeal again rules in a manner aggrieving the appellant, the decision of the Board is final. The filing of an appeal does not extend any maximum time period for the completion of any new construction or modification, including the period for completion of initial landscaping.

F. Building Permits

If the plans submitted by an Owner require a building permit, it is the responsibility of the owner to obtain such permit. The approval of any committee is not a guarantee that the City of Tucson or Pima County will approve such plans.

G. Fees

The Board may establish and charge reasonable fees for review of applications. Any fee payments shall be made at the time of request and prior to review by the appropriate committee and no submittals to the committees shall be deemed complete until the fee payment is received. All fees shall be made payable to the Santa Rita Ranch III Homeowners Association and will be non-refundable.

H. Enforcement

In the event of any violation of the Community Guidelines, the Board may take any action available pursuant to Arizona law or otherwise set forth in the By-Laws or the Declaration. Additionally, any violation of the Community Guidelines may be deemed a violation of the Owner's obligations set forth in Article 4, Section 4.2 of the

Declaration. If the Board determines, after providing reasonable notice and an opportunity to be heard, that any Owner is in violation of these Community Guidelines and has failed to cure the breach within fifteen (15) days after the date of the written notice, the Association may, in the discretion of the Board enter onto the Owner's Lot to correct the violation of the Community Guidelines and the costs of doing so, together with interest from the date of expenditure at the rate set forth in Section 8.3 of the Declaration, shall be the personal obligation of such Owner and shall constitute a lien on such Owner's Lot, which lien shall have the priority and may be enforced in the manner described in Section 8.4 of the Declaration.

III. COMMUNITY GUIDELINES

A. Architectural Character: Modifications to, Additions to and Maintenance of Existing Homes.

1. The architectural design of any and all additions, alterations and renovations to the exterior of an existing home shall be harmonious with the design of the original home in style, detailing, materials and color.
2. The height of any addition to an existing home shall not be higher than the original roofline.
3. All additions to an existing home shall be built within the setback lines originally established for Santa Rita Ranch III, regardless of more lenient requirements of any local governmental authority due to the restrictions placed on the community by the approved final plat.
4. All materials used in the maintenance, repair, addition to and alterations of an existing home shall be consistent with those materials used in the original construction of the home as to color, composition, type and method of attachment. The Architectural Committee may allow substitute materials if such materials are deemed by such committee to be compatible with the theme of the community.
5. When additions, alterations or renovations are performed to an existing home, the established lot drainage shall not be altered. All new or altered roofs shall drain to the ground solely within the deeded lot area. No roof may drain directly onto a neighboring property.
6. Mirrored surfaces and all treatments which change ordinary glass into a mirrored surface are prohibited. Gray or bronze tinted glass is recommended to minimize reflectivity. Clerestory windows are recommended over skylights for their cooling principles and solar effectiveness. Non-mirrored window tinting is permitted, but must be approved.

7. Bright untarnished copper and other metallic surfaces must be treated to reduce reflections.
- 8 All maintenance and repairs of existing homes shall be consistent with the requirements set forth in the Governing Documents for Santa Rita Ranch III.

IV. MODIFICATION DEFINITIONS

Ancillary Equipment

All AC units, ground-mounted pool, spa and water feature equipment shall be adequately screened from street view by a wall at least one foot higher than the equipment to be screened and shall not be Visible from Neighboring Property or Visible from Common Areas. Such screening structures shall be considered an integral part of the architecture and shall match as closely as possible the design, color and exterior texture of the home. Screening structures shall be set back from the equipment according to manufacturer's recommendations or, if no recommendations are available, shall be placed a minimum of three feet away from the equipment, to allow for adequate air circulation around the equipment, but may not trespass on a neighboring Lot. If the setback requirements for a lot would prohibit the construction of a screening structure as provided herein, a landscape buffer *may* be approved by the appropriate committee as an alternative at the committee's discretion.

Antennas/Satellite Dishes

The Federal Communication Committee Rule prohibits associations from restricting the use of antennas intended to receive direct broadcast satellite service that are **one meter or less in diameter**. Accordingly, pursuant to the Declaration at Article 10, Section 10.8, prior approval of the Architectural Committee is not required for (i) an antenna or dish that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter, or (ii) an antenna or dish that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement. However, the Association may impose reasonable restrictions on the safety and other specific parameters allowed by the FCC Rule.

The Association must be notified of the installation of a satellite dish, antenna, Direct TV, Dish Network or Internet Access equipment. Only one antenna or satellite dish is permitted per home. Outside installation is allowed only if the specifications for location attachment, safety and screening are approved in writing by the Architectural Committee for compliance with the following standards:

1. Antenna or satellite must be properly bolted and secured in a workmanlike manner. All mounting equipment and wires must be painted to match the surface to which it is attached.

2. Antenna or satellite must be located behind a solid wall, fence or perennial landscaping to the greatest extent reasonably possible, in order to prevent it from being seen from any street, Common Area or neighboring home; and shall not be higher than the fence or landscaping that is screening it from view. The antenna or satellite must be mounted to private property, not to any party wall or shared structure.

These location, installation and screening requirements are based on aesthetics, *non-interference* with reception by neighbors, preservation of property values and safety, including avoidance of injury or property damage from improperly installed or otherwise dangerous antennas or dishes.

If an owner demonstrates to the association's reasonable satisfaction that the association's rule impairs that particular owner's reception, then the association will need to make exceptions to its rule on a case by case basis to accommodate the owner in receiving unimpaired reception. *Making an exception for one home does not mean that exception has to be allowed for other homes when the exception is not needed for unimpaired reception by these other homes.*

Barbecues, Firepits and Fireplaces

Built-in barbecue units, outdoor kitchens, firepits and/or fireplaces must be contained within the rear yard patio or courtyard and must be designed as an integral part of the home. Chimney elements should be placed to avoid obstructing views from adjacent properties and cannot be higher than the yard wall. The chimney element on fireplaces must be setback a minimum of 10 feet from any view fence panel. Both gas and wood burning types of kivas may be considered by the Architectural Committee. All such items must first receive authorization from the Architectural Committee prior to installation.

Basketball Goals/Hoops

All basketball goals shall be located on the inside edge of the owner's driveway, 50% of the distance from the garage/house to the sidewalk and may either be permanently installed or of the temporary variety. The pole/post **shall** be black or dark green. At no time can portable basketball goals be placed upon the sidewalk or streets within the community.

Basketball goals or backboards may not be mounted to the garage. Basketball goals installed in the rear yards must be 10' away from the nearest party wall. If the goal is within 10' of the party wall, neighbors consent is required.

Flag Poles

The Santa Rita Ranch III Homeowners Association encourages homeowners to use brackets mounted on the house or garage to display the American Flag. For homeowners

that desire a flag pole, the location, design, etc. must be submitted to and approved by the Architectural Committee **prior** to installation. No more than two flags may be displayed at once and any flagpoles installed may not exceed the height of the rooftop of the Owner's home.

The following are a list of approved flags that may be displayed or are otherwise permitted by Arizona law. All other flags must be approved, in writing, by the Architectural Committee before being displayed:

- (1) The American flag or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard so long as the American flag or military flag is displayed in a manner consistent with the federal flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10).
- (2) The POW/MIA flag.
- (3) The Arizona State Flag
- (4) An Arizona Indian nations flag.
- (5) The Gadsden flag.

Gates

No gates to access the Common Areas shall be permitted. Side yard access gates must be designed, constructed and finished to match gates on neighboring Lots. Consideration should be given to heavy duty steel jambs and gate frames. Automatic closures are required on gates leading to pool areas.

Holiday Decorations

Decorations in connection with any nationally recognized holiday may be displayed no more than thirty (30) days in advance of such holiday and must be removed within twenty (20) days after the holiday, and in no event may any such lights and decorations remain on display for more than sixty (60) days. No lights or decorations in connection with any other holidays that are not nationally recognized by the United States of America are permitted without the prior written consent of the Architectural Committee.

Irrigation

The use of underground drip irrigation systems rather than traditional spray type systems is encouraged for irrigating landscape areas. Spray irrigation should be limited to turf areas because of its inefficiency and the effect it has on the micro-climate. All irrigation lines in the rear yard of the Lot shall be placed a minimum of three feet from any property walls.

Landscape

Within one hundred eighty (180) days of acquiring a Lot, each Owner (other than Declarant or a Designated Builder) shall landscape such areas within the Lot not

previously landscaped by a Designated Builder including, without limitation, side and back yards of the Lot. The minimum landscape required within the one hundred eighty (180) days would be the installation of landscape rock throughout the rear and side yards in a color complimentary to the front yard rock. An Architectural Review application is required for the initial landscape installation.

No fruit bearing plants, cactus, trees, etc. will be permitted in the front yard of Lots thereby limiting food sources for local wildlife. All trees must be planted a minimum of five feet from all property walls and all plants, bushes and shrubs must be planted a minimum of three feet from all property walls.

All front yard landscape is to be maintained as originally installed by the Designated Builder, unless modifications are approved, in writing, by the Architectural Committee.

Lighting

Avoid excessive spill lights on buildings, garage doors, driveways, etc. Allow the landscape lights to create the effect and provide indirect ambient light for visibility. Any change to the original exterior lighting fixtures as installed by the Designated Builder or any additional lighting fixtures and/or elements shall require review and the approval of the Architectural Committee prior to installation.

1. All lighting should be low level and recessed to shield the source of the light.
2. The maximum height of any outdoor lighting source shall be 12' above finished grade at the base of the light standard and must be attached to the house.
3. Spotlights and floodlights are prohibited unless activated by a motion detector. Additionally, they are required to be painted to match the structure to which it is attached, the light cannot spill onto neighboring properties, including Common Areas, they must only be activated by movement *within* the owner's rear yard, and the light must turn off no later than five minutes after movement ceases.
4. Integrate exterior wall, fence or building mounted light fixtures, including spotlights and floodlights, into the architecture of the house. Design light fixture enclosures to conceal the fixture and direct the light downward.
5. String Lights may be permitted, at the discretion of the Architectural Committee, but may not be attached to the property walls.
6. Shrubs shall be used to conceal landscape lighting fixtures. Junction boxes must be placed below grade to minimize daytime visibility of the hardware.
7. All fixtures must be incandescent or halogen lamps less than 50 watts. Colored lamps are not allowed. Lighting is discouraged and not required in any circumstance. However, where accent or access lighting is desired, low voltage lighting is preferred because of its ability to produce dramatic lighting effects using extremely low wattage lamps. Lighting design requires the use of downlights over uplights to lessen the impact to the nighttime sky (Pima County Light Ordinance). Use lighting in moderation as needed to produce reasonable and safe visibility for access or accent.

Patios and Courtyards

Patios and courtyards should be designed as an integral part of the architecture of the home so they can be shaded and protected from the sun by the walls of the home.

Patio Covers shall meet or exceed original standards as designed and installed by the builder or developer of the subdivision. Colors, material and texture must match the existing body of the home.

Pools

Consideration should be given in designing pool and spa areas to provide privacy for the owner and neighbors. Pools and spas may be sunken below grade using retaining garden walls provided appropriate drainage provisions are made. Pools and spas should be located within the rear yard only. The only type of above ground pools permitted are portable varieties that are taken down at the end of the summer and must be located within the rear yard walls. All pools and spas must meet all Pima County and Tucson requirements.

1. All **permanent** swimming pools shall be of the in-ground type. Permanent, hard shelled above ground spas may be permitted if the spa will be adequately screened from street view and the view of neighboring property, including Lots and Common Area.
2. Pool equipment shall be screened from street view and the view from neighboring property, including Lots and Common Areas in the manner described in the Community Guidelines. It must be located within the rear yard walls unless previously approved by the Architectural Committee.
3. All swimming pools and pool/spas shall be enclosed as required by applicable law.
4. Pool and spa drains must connect to the street drainage system. No pools can be drained onto open space or any other property.
5. All pools and spas must be located a minimum of five (5) feet from waters edge to walls.

Prohibited Structures or Conditions

The following structures and conditions shall be prohibited in Santa Rita Ranch III:

- Clothes lines or clothes poles, unless erected, placed, or maintenance exclusively within a fenced yard, or otherwise concealed, and not Visible From Neighboring Property
- Detached garages
- Tents of a permanent nature
- Dog runs or kennels

- Chicken Coops
- Raised planters utilizing the property walls in their construction
- Temporary Shade Structures (except by permit)
- Awnings, unless approved by Architectural Committee
- Excessive Lighting
- Open Garage Doors, except that, pursuant to Article 10, Section 10.11.1, between the hours of 6:00 a.m. and midnight, garage doors may be open when the garage is being used for entry and/or exit of vehicles or persons for any purpose including, but not limited to, being open for periods of time that are reasonably necessary to access tools and items needed for the maintenance of the Lot or Dwelling Unit. Between the hours of midnight and 6:00 a.m., garage doors shall remain closed with the exception of entry and/or exit of vehicles.
- Storage of fixtures, furniture, equipment or other items visible from view of the Common Area, when not in active use.

Rain Gutters

Rain gutters may be added to residences to prevent erosion of landscaped areas. All gutter installations must be configured to the appropriate roof drainage plans for specific homes and elevations. In addition, they must be painted to match the home or trim that they lie against.

Ramadas and Gazebos

1. All ramadas and gazebos must be detached from the existing home.
2. The height of any ramada or gazebo shall not exceed 12'-0" above the floor level of the existing home, and be placed a minimum of a 10' separation from the side and rear property lines.
3. The size of such structure shall not exceed 150 square feet of area.
4. To ensure an open, airy appearance, no side of any ramada or gazebo may exceed 25% residential construction materials. In other words, at least 75% of each side must be open.
5. All ramadas and gazebos shall be constructed of stable, non deteriorating materials and shall be compatible with the design, color, and materials of the existing home so as to be an integral part of the Dwelling Unit as required by Article 10, Section 10.21 of the Declaration.

Architectural Screening, Shade Devices

Man-made screens and shade devices must appear as an integral part of the building elevation even though they may be installed after the building is completed or occupied. Materials must complement the architecture of the surrounding homes within

the Association. Awnings, colored window shading, steel or plastic shutters or wall mounted shading devices (inside or out) are not permitted. Window screening is permitted; however, screen fabric must be dark brown or black with frame painted to match color of home and frame or trim may be required to break up the screen area. Many screening and shading needs can be handled with properly placed landscape materials.

Security and Screen Doors

Security and screen door frames must be painted to match the color of the home. Screen fabric color must be designated in the application. "Invisible" roll screen doors with black or dark brown screens are approvable for doors visible from street elevations.

Sheds

Sheds cannot exceed eight (8) feet in height, or 150 sq. feet in total size and must be painted to match the house, the roof materials must be either asphalt or tile shingles in a color that matches the house roof and designed so as to be an integral part of the Dwelling Unit as required by Article 10, Section 10.21 of the Declaration. Sheds must be set back from all walls a minimum of five feet, and must be maintained to the standards set by the Architectural Committee and the Board of Directors.

Signage

In order to preserve the overall aesthetics of the Santa Rita Ranch III Community, and to maintain and enhance property values, the following guidelines have been established.

- No signs of any kind may be installed or displayed to public view on any portion of the properties, or on any public street without the prior written approval of the Architectural Committee except: one (1) "For Sale" or "For Rent" sign and one (1) sign rider shall be allowed per lot and placed in the window or post mounted in the front yard, on a post not exceed four (4) feet in height, so as to be visible to persons approaching the house so long as the signs comply with the following guidelines.
- Post and trim must be painted white.
- "For Sale" or "For Rent" sign and the accompanying sign rider may not exceed the industry standard issue size as set forth pursuant to A.R.S. § 33-1808, as amended from time to time.
- Must be professionally designed and mounted, no hand written or homemade signs of any kind will be permitted.
- All real estate signs must be removed within two days of close of escrow or of renting of unit.
- Signs must be maintained in good condition.
- Signs are not permitted in any Common Areas, walls or structures, without the prior written approval of the Architectural Committee.
- Signs shall not be illuminated.
- A clear dispenser may be attached to display house information sheets.

- Temporary “Open House” sign that are industry standard sizes may be placed on the Lot in addition to the “For Sale” sign, but may not be placed on the Common Areas. No open house may be held before 8:00 a.m. or after 6:00 p.m.

These guidelines are to assure consistency of appearance and presentation throughout the community. Signage not addressed or contemplated in the guidelines above must be approved by the Architectural Committee prior to installation.

NO VENDOR SIGNS ARE PERMITTED WITH THE EXCEPTION OF ONE SECURITY SIGN (NO LARGER THAN 8” x 10) IN THE FRONT YARD.

Solar Panels

Solar panel installation shall be reviewed and approved by the Architectural Committee prior to installation and shall conform to the requirements set forth in Article 10, Section 10.7 of the Declaration. Solar panels shall be ground mounted or mounted on a flat roof such as a patio cover to the extent possible. All conduit shall be painted to match the portion of the home it crosses.

Swing Sets/Play Equipment/Trampolines

Wooden playsets shall be painted with a natural non-colored wood preservative or painted to match the home. No sets or items of any material or any portion of the set shall be approved that is greater than thirteen (13) feet in height. All equipment shall be at least five (5) feet from any party wall. Any colored canopy or cover that exceeds the thirteen-foot limitation is subject to Architectural Committee approval.

Trash and Recycling Containers

No garbage or trash shall be stored in a yard. Trash and recycling containers may not be stored in the front yard of any home and shall be removed from the trash pick-up area on the same day that trash pick-up service is provided. Trash containers may be stored in rear yards or in side yards behind the wall enclosing the side yard or in the garage.

Walls and Fences. – All Walls and Fence modifications must be approved by the Architectural Committee

1. Nothing shall be attached to or mounted on property walls.
2. No alterations, changes or additions shall be allowed to walls constructed by the Builder or Declarant or adjacent to any Lot without the prior written approval of the Architectural Committee. Nothing shall be attached to or encouraged to grow on the wrought iron view fences or block walls.
3. Unless installed by Builder, no courtyard wall (wall attached to home) shall be greater than 3' above finished grade elevation nor be constructed in the front yard of any lot closer than ten feet to the front yard property line and must be approved by the Architectural Committee.

3. Decorative walls (free-standing walls) shall not exceed three (3) feet in height and must be setback a minimum of 10 feet from the edge of the sidewalk or, if no sidewalk is located on the lot, a minimum of 15 feet from the back of the curb. Height is measured from finished grade along the exterior side (street side) of the enclosure.
4. Rear yard, side yard and patio wall surfaces shall be masonry, stucco or wrought iron. Acceptable wall materials are described below. Wall materials shall be selected to reflect the character of the home and Neighborhood in which the lot is located.
5. Masonry must match the existing masonry used by the Builder for constructing walls within the Neighborhood in which such lot is located or shall be stuccoed and painted to match the home on the exterior sides.
6. Wrought iron must match existing wrought iron both in style and color used by the Builder or Declarant in the Neighborhood in which such lot is located.
7. No chain link or similar material shall be used as fence material on lots in Santa Rita Ranch III. The Builder or Declarant may utilize any temporary fencing material it deems necessary to protect its construction sites and maintenance yards.
8. Variance in wall height may be granted by the appropriate committee for walls adjacent to public rights-of-way.
9. Unless otherwise specified, maximum height of walls shall be measured from the finished ground elevation on the highest side of the submitted wall.
10. Retaining walls, which are partially below the finished grade or walls used as planters, shall be properly moisture-proofed to avoid unsightly water staining.
11. Walls used to retain floodwaters shall be constructed to a minimum of one foot above the water level of a 100-year storm.
12. Walls built by the developer can not be removed or altered to allow access between the backyard and Common Area, or for any other reason.
13. To move property line walls forward and/or to raise the existing wall, the owner must get written approval from all affected neighbors, including the Association if it affects a shared wall with the Association.

IV. NONLIABILITY FOR APPROVAL OF PLANS

The Declaration (Article 9.6) contains a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an owner. PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE DECLARANT OR COMMITTEE TO EXPLAIN IT TO YOU OR SEEK INDEPENDENT LEGAL COUNSEL

V. CHANGES AND AMENDMENTS TO THE COMMUNITY GUIDELINES

The Community Guidelines may be amended as follows:

- A. Changes to these Community Guidelines may be proposed by the Declarant, the Board of Directors, or the New Construction or Architectural Committees of the Association.
- B. Such amendment shall be distributed to owners or posted in a prominent place within the Properties.

- C. All amendments shall become effective upon adoption by the Board of Directors. Such amendments shall not be retroactive to previous work or approved work in progress.
- D. In no way shall any amendment to these Community Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration, or the Articles or By-Laws of the Association.

Capitalized terms that are not defined in these Community Guidelines shall have the same meaning as set forth in the Declaration.

These Community Guidelines have been prepared by the Declarant appointed Architectural Committee and approved by the Declarant for use at Santa Rita Ranch III.