

# Desert Oasis Community Association

## DESIGN GUIDELINES

**As adopted by the Desert Oasis Community Association Architectural Review Committee and approved by the Association Board of Directors on June 6, 2019.**

# **Desert Oasis Community Association**

## **DESIGN GUIDELINES**

These Design Guidelines have been promulgated pursuant to the Declaration of Covenants, Conditions, and Restrictions for Desert Oasis Community Association, recorded on March 25, 2019, in SEQUENCE 20190840204, official records of Pima County, Arizona, and as may be amended or supplemented from time to time. The Design Guidelines are binding upon each Owner who at any time construct, reconstruct, refinish, alter, or maintain any improvement upon a Lot or make any change in the existing surface, drainage, or plant life thereof. The Design Guidelines are administered and enforced by the Architectural Review Committee (ARC) in accordance with the Declaration and the procedure herein and therein set forth.

The Design Guidelines may be amended from time to time in an effort to enhance Desert Oasis. It is the responsibility of each Owner or other person to obtain and review a copy of the most recently revised Design Guidelines.

This document is subject to revision or amendment by Declarant or by the ARC with the approval of the Board of Directors of Desert Oasis Community Association, and such revision or amendment may occur at any time without notice, and at the sole discretion of the Declarant or the Board as approved in the Declaration. None of the provisions hereof shall in any way vest any right in any person or entity. In the event of any conflict with the terms hereof and the terms of the Declaration, the Declaration shall control. Please contact the Association Management Company to verify that you have the most recent copy of all governing documents:

Platinum Management Inc.  
7225 E. Broadway Blvd., Suite 140  
Tucson, AZ 85710  
Phone: 520-623-2324 \*\* Fax: 520-722-5039

Approval by the ARC, at any phase of the design review process, as outlined herein, refers only to the Design Guidelines as administered by the ARC, and in no way implies conformance with any governmental rule or regulation, nor shall approval constitute any form of representation with respect thereto. It shall be the sole responsibility of the Owner to comply with all applicable government regulations, ordinances, and procedures and to adequately coordinate such required governmental reviews with the process and procedures outlined in these Design Guidelines. Any consideration, action or approval by the ARC shall not constitute an approval, ratification, or endorsement of the quality or architectural and engineering soundness of the project or improvement. Further, neither the ARC, its members, the Association, nor the Declarant shall have any liability in connection with or related to the project, its plans, its specifications, or its execution.

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## **Desert Oasis Community Philosophy**

Desert Oasis is nestled in a beautiful area on the Northwest side of Pima County in Marana, Arizona. Design standards and restrictions have been developed for the community. Minimum standards of design provide direction to Homeowners in the development of their projects to ensure compatibility with the existing community and the overall context of Desert Oasis. The purpose of the Architectural Review Committee (ARC) Design Guidelines (DG) is to provide a framework for development and help create a cohesive community appearance at Desert Oasis.

What this means for you the Homeowner is that any and all modifications, alterations, additions or changes to your property must be submitted to, and approved by, the ARC prior to construction or implementation. Any changes in the rear yard that will not be visible above the wall need not be submitted to the ARC, with the exception of the landscaping and other items identified within this document. For more details, please refer to Section 2, Design Review Process and Submittal Requirements.

## 1. COMMON PROJECT DESIGN STANDARDS

Be courteous of your neighbor's views when planning your projects and designs. The homeowner is responsible for all required state and local permits and restrictions.

### 1.1 Lighting

The following are common Lighting Projects:

- (1) Accent Lighting
- (2) Holiday Lighting
- (3) Security/Motion Lighting, Wall/Safety Mounted Lamp Lighting

In general, other than for reasons of safety, the Association advocates the use of lighting at a minimal level. The illumination of lighting shall be directed on the homeowner's own property and away from neighboring property.

#### 1.1a Submittal requirements for lighting projects (needed for ARC review)

All lighting projects require approval, the following information must be submitted: a layout showing placement/location of lights; direction and elevation of illumination; color of lights; wattage of each light; type of lighting; duration of usage for each light; and whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors). A post-installation inspection may be required to determine if the intensity of the light meets the community standard of low intensity/low usage level. Homeowners are advised that all applicable municipality lighting codes must be met.

#### 1.1b Common Lighting Projects:

- (1) **Accent Lighting** – Accent lighting can be used for landscape illumination, safety lighting of pathways, sidewalks, and pools. Accent Malibu type lighting requires approval but will generally be approved if less than 15 lights are installed and bulbs are white/yellow in color, not exceeding 18 watts per bulb, including accent/mini strung in/on, and around patios, eaves, porches, trees, plants, shrubs, and cactus.
- (2) **Holiday lighting** can be installed 30 days prior to the recognized holiday and must be removed within 30 days after the holiday associated with the lighting.
- (3) **Security/Motion Lighting, Wall/Safety Mounted Lamp Lighting** – Both of these types of lighting can be used to highlight areas and create safety enhancements. Both of these types of lighting shall require approval. All types of lighting are to be installed with illumination directed at owner's property away from neighboring property (lighting of rear yard features, recreation areas, trees, cactus, and ornamentation shall not reflect onto adjacent properties). Security motion detectors should shut off approximately 5 minutes after triggering and be hidden when possible. **The quantity and actual wattage of above-mentioned lighting would be reviewed with submittal.**
- (4) Pole lighting is **Prohibited**.

## 1.2 Structural Additions

The following are common Structural addition projects:

- (1) Ramadas/Pergolas – require submittal
- (2) Gazebos – require submittal
- (3) Sheds – require submittal
- (4) Detached Structures – prohibited
- (5) Appropriately Sized Shade Structures- require submittal
- (6) Patio (porch) Additions – require submittal
- (7) Patio (porch) Enclosures- require submittal
- (8) Outdoor Fireplaces - require submittal

If permits are required from the local jurisdiction, it is the homeowner's responsibility to obtain them.

### 1.2a Submittal requirements (needed for ARC review)

Design layout with structural specifications, noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color sample of structure, lighting installation, relationship to existing house structure, location of structure on property, setbacks clearly defined, pictorial and/or photo of proposed structure, if available.

### 1.2b General guidelines (expected approved uses) for structural additions

In general, the Association reviews structural addition plans for architectural continuity within the community. The Association encourages Owners who are planning any of these projects to consider minimizing neighboring property interference (views, color clashes, lighting).

### 1.2c Specific approval conditions, exclusions, etc. for structural additions

- (1) Attached structural additions require the material and color selection to match the architectural construction of the existing house structure. This could include a matching of the existing house roof form and material.
- (2) For appropriate color selection, refer to **Section 1.6** Paint Colors.
- (3) For lighting specifications, see **Section 1.1** Lighting.
- (4) Outdoor fireplaces must meet all of the following criteria:
  - a. Cannot be visible above the wall.
  - b. May ~~be~~ not be attached to a wall that is a shared (common or party) wall and must be equipped with a spark arrestor and/or firebox.
  - c. Fireplace must be located a minimum of five feet from the home or any shared wall.

- (5) Ramadas, Gazebos, and Pergolas  
Total allowed square footage is 200 square feet. The maximum height (measured from grade to the tallest point) which will be considered for approval of Ramadas, Gazebos, and Pergolas without written input of immediately adjacent neighbors shall be eight (8) feet. An architectural submittal for any such structure which exceeds eight (8) feet at its maximum height must include written approval from all adjacent neighbors. In no case will the maximum height of any such improvement be permitted to exceed eleven (11) feet.~~(5) – Ramadas and Pergolas may not exceed eight (8) feet in height. Total allowed square footage is 144 square feet.~~ Required setback from all walls is five (5) feet, color of structure must be stained wood color, which is subject to approval or match the base color of home.
- (6) Screen Porch/Patio Enclosure. Framing must match color of house with screening to match color of house or gray or black screening; Approval Required.
- (7) Carports are not permitted.
- (8) Permanent tent structures are not permitted.
- (9) Sheds require submittal with preference given to those that are lower than the wall. Maximum height is seven (7) feet, required setback from all rear yard walls is five (5) feet.

### **1.3 Playground/Sports Equipment**

Plans for play structures and similar recreational equipment must be submitted for approval since in most instances they extend over the wall height. This is not to eliminate play structures, but to consider privacy and noise issues for adjacent neighbors, and to assure the aesthetic appeal.

The maximum height which will be considered for approval of swing sets and other play equipment without written input of immediately adjacent neighbors shall be eight (8) feet. An architectural submittal for any such structure which exceeds eight (8) feet at its maximum height must include written approval from all adjacent neighbors. In no case will the maximum height of any such improvement be permitted to exceed ten (10) feet. The maximum height for any deck/platform is four (4) feet above ground level.

The setback requires that the play structure may be placed no closer than height of the structure to Lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or brochure of the structure, total dimensions, materials and a plot map or sketch indicating the proposed location and its proximity to adjacent property lines.

The color of canopy of the play structure must be one of the following in the order listed:

1. Canvas covers shall be of a “neutral” color, beige or light brown.
2. A single solid color of red, blue, green or yellow.
3. Stripped with white and one (1) other color either red, blue, green or yellow.

Except that prints and multi-colored striped canopies are strictly prohibited.

Neighbor approval shall include a signed statement acknowledging the proposed equipment, its height, material, and color. Neighbors name, address, lot number and date signed must be noted.

## **Trampolines-** require submittal

Trampolines are permitted so long as any safety netting is not visible from the street and are placed exclusively within the walled or screened rear yard areas and as may be subject to any further restrictions in the CC&Rs. Required setback from all rear yard walls is eight (8) feet.

## **Basketball Goals-** require submittal

Basketball goals may, with the prior approval of the Committee, be used or installed pursuant to the following guidelines:

1. Permanent pole-mounted goals are acceptable in rear yards only and will be approved on a case-by-case basis. Backboards shall not be attached to the house, garage, or roof. Location of placement is subject to review and neighbor input may be required depending on Lot conditions.
2. Basketball poles must be black or painted to match the color of the body of the home.
3. Backboards must be of a predominantly neutral color (gray or similar neutral color) or match the color of the body of the exterior of the home. Clear Plexiglas backboards are acceptable.
4. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped or peeling paint, and other states of disrepair are a violation.
5. Only nylon or similar cord nets are acceptable. Metal or chains are expressly prohibited.
6. Portable free standing basketball goals must be removed on a daily basis when not in use and shall only be used during daylight hours. In no event shall backboards be visible from neighboring properties, from the street, sidewalk, or common areas when not in use.
7. Portable free standing basketball goals cannot be placed in the street or upon sidewalks at any time. There is no street play allowed in the Desert Oasis community.

## **1.4 Utility Equipment**

### **1.4a Submittal requirements for utility equipment projects:**

Painting of utility equipment is **prohibited**. Access to utility equipment may not be obstructed in any way.

## **1.5 Mechanical Equipment**

The following are common mechanical equipment projects:

- (1) Air Conditioning Units
- (2) Evaporative Coolers
- (3) Water Softeners/Conditioners- rear yards only

### **1.5a Submittal requirements for mechanical equipment projects (needed for ARC review)**

Layout includes area to be screened and/or painted, designating what colors are to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.



### **1.5b General guidelines (expected approved uses) for mechanical equipment projects**

- (1) It is required that mechanical equipment is to be placed in garages or behind privacy walls to shield it from neighboring views.
- (2) No mechanical equipment installed on any roof. (For solar equipment guidelines refer to **Section 1.14**)

### **1.6 Exterior Paint and Yardscape Color Standards**

Exterior house color – the only paint colors to be used are the original Mattamy Homes at Desert Oasis exterior color palettes. If requesting a change to another Desert Oasis color scheme, please keep in mind that no two homes adjacent to one another may be of the same color.

#### **1.6a Specific approval conditions, exclusions, etc. for exterior paint and yardscape color projects:**

- (1) Front/side/rear door - Match existing color.
- (2) Security door – Black, bronze or match main color of house.
- (3) Garage door and trim - Match existing color.
- (4) Rear patio/balcony - If wood, approved wood stain color or match main color of house. If stucco, paint to match main color of house.
- (5) Window screening – Black or match existing screen color.
- (6) Roof tiles - Match existing type and color as applicable.
- (7) Flat roof coating - Match existing color.
- (8) Privacy walls - Exterior/interior to match existing finish and color.
- (9) Entryway walkway/driveway – May be sealed with a matte, clear concrete sealer (no sheen).

Driveway extensions will be reviewed on a case-by-case basis with strong consideration of any impact on the natural features of the Lot. The maximum driveway width (existing and addition) shall not exceed thirty (30) feet of contiguous area and/or 50 percent of the Lot width and must be developed beyond the front setback. Approved driveway extensions will be for the purpose of access to side/back yard gates and temporary guest parking only. Use of driveway extensions for permanent parking of vehicles is not allowed. All driveways must be kept clean and free of debris, oil, rust, and other stains. The use of planting material between the street and driveway extension is required whenever possible. Other contemplated related Improvements, such as driveway entrance columns, parking spaces or similar features will not be allowed.

Driveway extensions shall be surfaced with concrete, brick paver or a similar material, all as approved by the Committee. Asphaltic concrete will not be permitted. Chip seal, loose

gravel, decomposed granite, and other non-hard surfaces materials will not be permitted.

- (10) Wall/door ornamentation - Minimal use of other colors to provide alternative complementary accents.
- (11) House-mounted utility boxes - Match main house color. See **Section 1.4c**
- (12) Wrought iron - Black or match existing community wall color.

### **1.7 Pools/Spas (and related equipment)**

Pools and spas require the prior approval of the Committee as provided below:

- 1. Perimeter walls on lots bordering Common Areas and shared Association walls may not be torn down to allow access to rear yards.
- 2. Access must be gained by removing a portion of the front wall on the side of the home.
- 3. Repairs to the wall must be made in a timely fashion and include repairing the wall to match the texture and color of the remaining wall.
- 4. All pool and spa equipment must be screened from view of neighboring property.
- 5. Pool motors and associated equipment should be concealed from view from adjacent lots and Common Areas (including streets) and placed in a location on the lot so that the noise generated from such equipment will be the least disruptive to neighbors.
- 6. Except for hot tubs or whirlpool spas, above-ground pools are not permitted.
- 7. Plans and specifications for a pool or spa, as prepared by the pool or spa contractor, must include any proposed fencing.
- 8. To the greatest extent possible, hot tubs and spas shall be located in such a manner that they will be unobtrusive and not visible from adjacent Lots and Common Areas (including streets).
- 9. Backwash water from pools and spas (including water drained from pools or spas in order to perform maintenance on pools or spas) must be contained wholly on an owner's lot and may not be permitted to seep or flow onto an adjacent lot or Common Area (including streets).
- 10. Pools must be placed a minimum of three (3) feet from an adjacent property line.

#### **Pool Fencing**

The specifications for rear yard wrought iron pool fencing installation on a lot with view fencing shall be neutral earth tone color to match or blend with the existing home color or match the existing wrought iron fencing color. The applicable municipal authority may have specific rules governing swimming pool fence enclosures, and an owner should submit a proposal for a swimming pool fence only after being assured by the applicable municipal authority that the proposed fence will not violate those rules.

### **1.8 Yardscaping**

The following are common yardscaping projects:

- (1) Vegetation (ground cover, shrubs, trees, cactus, vines, grass, flowers)
- (2) Gravel (rocks, boulders, landscaping bark)
- (3) Irrigation and drainage
- (4) Accent walls/planter boxes

- (5) Trellises
- ~~(6) Staking, fencing, staking,~~ plant protection, cloth screening (temporary)
- ~~(7) Fencing, (rear yard only)~~
- ~~(86)~~ Fountains (rear yard only)
- ~~(97)~~ Flagstone, brick/pavers, concrete, steps

#### **1.8a Submittal requirements for yardscaping projects (needed for ARC review)**

Front and side yardA conceptual landscape layout plan identifies location of vegetation, botanical and common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples. Submittals for trellises should include location, color, and types of plants to grow on trellises.

Trees must be submitted and approved. No tree may be planted within 5 feet of any wall area. All plants which require water must be placed a minimum of 1 foot from any wall or structure to avoid water damage to the wall. No landscape or other improvement will be permitted between sidewalks and street curbs.

#### **1.8b General guidelines (expected approved uses) for yardscaping projects**

The Desert Oasis landscape concept is based on a philosophy of compatibility with the existing Sonoran Desert, sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants ensuring minimal water usage and compatibility with the built and natural environments. The Association promotes:

- (1) Water conserving design
- (2) Low water use/drought tolerant plants
- (3) Reduction in turf areas
- (4) Appropriate irrigation methods
- (5) Proper maintenance practices.

#### **1.8c Specific approval conditions, exclusions, etc. for yardscaping projects:**

- (1) All plants incorporated into any yardscaping project must comply with the Planting Guidelines (see **Appendix A**), or as otherwise approved by the ARC. Plants on the Prohibited Plant List shall not be permitted (see **Appendix B**).
- (2) All landscaping must be maintained within property lines.
- (3) All landscaping should reflect the Southwest character of the development:
- (4) All trees must be planted at least five feet from any wall or structure. No tree, shrub, or plant of any kind on any Lot may overhang, or otherwise encroach upon, any shared wall.
- (5) Turf is an approved ground cover in areas completely confined by privacy walls. Turf must be installed and maintained in compliance with the following conditions:

- a. Common Bermuda grass, Fountain grass and all other grasses listed on the Prohibited Plant List of this document, together with all Pima County restricted grasses, shall be prohibited on any area, of any lot. Installation of grasses shall not interfere with lot drainage or cause seepage problems or flooding of adjacent properties through property walls, etc.

- | (67) When installing landscaping and/or irrigation, care should be given to maintaining proper grading on the lot and avoid drainage onto neighboring lots. Irrigation systems should not produce excessive watering on walls so as to cause structural damage to party walls.
- | (78) Temporary fencing, staking, and plant protection shade cloths must be properly maintained when visible from neighboring property.
- | (89) For color selections on yardscaping materials, refer to **Section 1.6 Exterior Paint & Yardscape Color Standards**. Decorative gravel and crushed rock must match the existing rock installed as part of the original development.
- | (910) Theme Landscaping (i.e., sculptured trees/bushes that reflect animals and/or other architectural designs) are to be reviewed on a case-by-case basis.
- | (1011) Trellises may be used sporadically in the backyard near the structure, providing the height does not exceed the height of the existing wall; color to match existing color of structure and/or fence.
- | (1112) Trellises near property walls, may not exceed the height of the privacy fence.

## **1.9 Signage**

The following are common sign projects:

- (1) Political signs
- (2) Yard/Garage Sale signs
- (3) Lot Identification signs
- (3) Construction signs
- (4) Vehicular signs
- (5) For Sale/Open House signs

### **1.9a Submittal requirements for signage projects**

Signs requiring ARC submittal, review and approval must designate the number of signs to be placed, location of each sign, size of all signs, design and message content of each sign, colors associated with each sign, and construction material type of each sign. Signs requiring Management Company approval only will not require an ARC submittal process.

### **1.9b General guidelines (expected approved uses) for common signage projects**

- (1) Political Signs: A political sign may be placed on an association member's property during the 71 days before the day of an election and the 3 days after the election. A lot owner may have one (1) political sign with a maximum dimension of 24 inches by 24 inches.

(2) Yard/Garage Sale: Signs are allowed on property lots, association common areas, and buffer zones for the day of the event only. Once the event has been completed, all the signs are to be removed immediately. Signs are not allowed on postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, buffer walls/plantings.

(3) Lot Identification Signs: Alarm/security identification signs are permitted, providing signs are placed on lots within three feet of structure, no more than 18" to top of sign and such signs may not be self-illuminating.

(4) Construction Signs: Temporary construction signs as required by governmental agencies, and not self-illuminating. Signs shall be removed upon completion of the project.

(5) Vehicular For Sale Signs: No Vehicular For Sale signs are allowed for posting on lots, vehicles within common area parking or driveways, parcels, common areas, model homes, postal/mail units, regulatory poles/signs, utility boxes, Town of ~~Marana~~~~Oro Valley~~ rights-of-way, fire hydrants, or buffer walls/plantings.

(6) "For Sale Realtor/Owner": No "For Sale" or "For Rent" signs are allowed within the subdivision in any Association maintained common area or City of Tucson right of way adjacent to the project.

### **1.9c Approvals Required**

Other signs, as deemed appropriate and necessary, may be permitted within the community, if prior approval is granted from the ARC.

### **1.10 Ornamentation**

The following are common ornamentation projects:

- (1) Yard furniture
- (2) Exterior wall ornamentation
- (3) Flagpoles (permanent, ground installation)
- (4) Yard ornaments
- (5) Holiday decorations
- (6) Roof ornamentation
- (7) Statues
- (8) Hanging ornamentation (flags, windsocks, banners)

#### **1.10a Submittal requirements for ornamentation projects (needed for ARC review)**

Required layout of area where ornamentation is to be installed, with description of ornamentation, proposed color, design, and dimensions of ornamentation. Sample brochures, pictorial drawings, or photographs are helpful. No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday. No submittal is required for lawn furniture or lawn ornaments placed in the rear yard area.

### **1.10b General guidelines (expected approved uses) for ornamentation projects**

Furniture, wall ornamentation, and yard ornamentation should be used in unobtrusive proportion to the size of the house and yard. Observance of holiday and patriotic events with appropriate colors and decorations are permitted by the ARC.

### **1.10c Specific approval conditions, exclusions, etc. for ornamentation projects:**

- (1) Permanent placement of lawn/garden patio furniture or decorative wrought iron furniture/benches in front yard requires approval.
- (2) For specific color choices on ornamentation projects, refer to **Section 1.6** Exterior Paint and Yardscape Color Standards.
- (3) Holiday decorations - can be installed 30 days prior to the holiday and must be removed no later than 30 days after the holiday associated with the decorations.
- (4) Permanent roof-mounted ornamentation is not permitted.
- (5) Permanent placement of lawn/garden ornamentation in driveways is not permitted.
- (6) THE AMERICAN FLAG CAN BE DISPLAYED AT ANY TIME in accordance with adherence to the proper procedures for display.

Flagpoles must be installed in a respectful manner and meet the following guidelines:

1. No flagpole shall be installed without the prior written approval of the Committee.
2. Poles must not exceed 20'±5' in height, and only one flagpole is permitted per lot.
3. Poles must be black, a neutral color or painted to match the house.
4. Flag size may not exceed 4'x 6'3"x 5'.
5. Flag must be removed during inclement weather.
6. Flag must be kept in good repair.
7. Owners installing flagpoles must take reasonable efforts to mitigate the noise created by the flagpole and all related hardware.
8. Illumination of the flag and/or flagpole must be approved by the Committee.
9. The Committee will consider the height of the flagpole, the requested location of the flagpole, the efforts of the owner to mitigate noise created by installation of the flagpole and related hardware, and the request, if any, to illuminate the flag and flagpole. The Committee shall not unreasonably deny a request to install a flagpole but retains the right to approve the flagpole subject to the above height, location, noise and/or light restrictions.
10. If the flagpole, or its installation, causes physical damage to any other lot or the Common Areas, the owner of the lot shall be responsible for all damage caused.
11. All flags are prohibited, except (a) those permitted under A.R.S. § 33-1808(A), as it may be amended from time to time.
12. Location to be reviewed based on space available.

### **1.11 Enclosure Projects (Walls, Gates, Wrought Iron, Railings)**

The following are common enclosure projects:

- (1) Walls (privacy, party, buffer)
- (2) Gates/Gate Screening
- (3) Wrought Iron
- (4) Railings

### **1.11a Submittal Requirements for enclosure projects (needed for ARC review)**

Layout of existing enclosures on property, noting height of existing walls, proposed height of additional courses of brick/block, etc. materials of construction, including finish and color and gate/screening material. If submitting plans for screening, color of screen and/or sample of material required.

### **1.11b Specific approval conditions, exclusions, etc. for enclosure projects:**

- (1) In the event of rebuilding a party wall or party fence, or with respect to the sharing of the cost thereof, such adjoining Owners shall submit the dispute to the Board for resolution. The decision of the Board will be binding and final.
- (2) Any fences or perimeter walls installed as part of a home's original construction will not be removed, altered or painted without the ARC's prior written approval.
- (3) All CMU block walls visible from any street, parking area or open space within the community will be constructed and finished to match the community's original construction standards.
- (4) Increase in rear or side yards wall height shall require the prior written approval of the ARC. In addition, a request for changes made to a "shared" wall must be by a joint request signed by all Lot owners affected by the change. Any increases in wall height must also have the approval of the Town of ~~Marana~~Oro Valley.

### **1.12 Antennas/Satellite Dishes**

The following are common antenna projects:

- (1) Conventional
- (2) Dish/Microwave
- (3) Cabling/mounting hardware

### **1.12a Submittal requirements for antenna projects (needed for ARC review)**

Required layout of area where antenna would be installed on property/structure, type of antenna or satellite dish, dimensions, and screening/camouflaging, if applicable.

### **1.12b General guidelines (expected approved uses) for antenna projects**

Antenna definitions:

- (1) Antennas are defined as any antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including related hardware, cables, brackets), that shall be erected, used, or maintained outdoors on any Lot, whether attached to a building or structure or otherwise located within the Lot.
- (2) The definition of antennas is universal and pertains to all manufacturers and technologies.
- (3) In general, antenna installations will conform to the Federal Government regulations as defined

in FCC 96-328 or as currently amended.

**1.12c Specific approval conditions, exclusions, etc. for antennas**

- (1) Prior to installation of an antenna or satellite dish, it is advisable to submit plans, depicting the location and type of the device, to the Management Company for review, in order to assure that an Owner will not have to modify location, and thereby incur unnecessary cost, at a later date. In general, antennas and satellite dishes should be placed so as not to be visible from neighboring properties, i.e., ground-mounted, or, as an alternative, they should be screened with landscaping, or camouflaged, to mitigate visual impacts. In no event, however, per FCC regulations, shall any satellite dish/antenna installations be restricted so as to:
  - a. Impair an Owner's ability to receive signals,
  - b. Unreasonably delay or prevent installation, maintenance, or use of such a device,
  - c. Unreasonably increase cost of installation, maintenance, or use of such device, or
  - d. Preclude reception of an acceptable quality signal.

**1.13 Doors/Windows/Awnings/Gutters**

The following are common Door/Window/Awning/Gutter projects:

- (1) Internal Window Treatments- do not require submittal, street side color must be neutral solid
- (2) Screen Doors- require submittal
- (3) Security Doors- require submittal
- (4) Gated Entries- require submittal
- (5) Window Framing- require submittal
- (6) Sunscreens (solar and film) - require submittal
- (7) Gutters- require submittal
- (8) Rolling Shutters- prohibited

**1.13a Submittal requirements for door/window/awning/gutter projects (needed for ARC review)**

Layout of house area where project would be installed, with description, proposed color, design, and dimensions; sample brochures, pictorial drawings, or photographs are required.

**1.13b General guidelines for door/window/awning/gutter projects**

Exterior additions and changes should be used in unobtrusive proportion to the size of the house and yard. Exterior treatments are subject to weathering conditions and will require periodic maintenance to remain in good condition.

**1.13c Specific approval conditions, exclusions, etc. for door/window/awning/gutter projects:**

- (1) The color of gutters and downspouts shall match the surface to which they are to be attached (highly reflective aluminum is prohibited).
- (2) Sunscreen material and frames shall be black, bronze, or match existing screen or house colors (no white or bright color screening material).



- (3) Plastic sheeting material, when visible from neighboring property is not permitted as an awning for patios and balconies.
- (4) No aluminum foil type material may be installed in windows or doors. Any window covering visible from the street or neighboring property shall be a solid neutral (white, cream, beige) color.
- (5) Exterior wrought iron window treatment (bars) will be considered on a case-by-case basis, and window-by-window basis, and will be required to meet the highest aesthetic standards. All wrought iron window treatment submittals will require prior written approval from the ARC to include the specific windows approved and wrought iron design for each window. Generally speaking, any approved window wrought iron must be installed flush with the surrounding wall section, painted the color of the home with custom design characteristics. Installation of well-designed, custom wrought iron window treatments may be considered for approval, whereas, less aesthetically pleasing "bars over windows" would be less likely to be approved.

#### **1.14 Roof-mounted devices**

The following are common roof-mounted device projects:

- (1) Solar Panels
- (2) Solar Heaters
- (3) Solatube
- (4) Skylights
- (5) Roof Ventilators

##### **1.14a Submittal Requirements for roof-mounted device projects (needed for ARC review)**

Layout of area where roof-mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed. Mechanical equipment, including evaporative coolers, will not be allowed on any roof. As such, all mechanical equipment is to be ground-mounted and screened.

##### **1.14b Specific approval conditions, exclusions, etc. for roof-mounted device projects:**

- (1) Solatubes/Skylights - Roof-mounted devices, such as these solatubes and skylights shall have flashing colored or painted to closely match the adjacent roof color. All glazing shall be solar bronze or clear with no white glazing allowed.
- (2) Solar Panels/Solar Heaters -Solar applications such as these panels or heaters will require submittal to the ARC. It is preferred that solar applications shall be an integral part of the Structure, further concealed by it or be ground-mounted within a private yard area, further concealed by landscaping. Any installation is preferred to minimize its exposure when viewed from any other Lot, Common Area, or from the surrounding Desert Oasis Community. The Association supports the use of solar power and follows Arizona Statute in regardregards to the installation of solar panels in Desert Oasis.

## **1.15 Roofing**

Materials and colors of roof materials are to be maintained and shall remain as originally specified and installed. As such, no submittal with respect to maintenance (if applicable) or repair work is required. All other roofing projects require prior approval from the ARC.

### **1.15a Specific approval conditions, exclusions, etc. for roofing projects:**

- (1) Roof-mounted devices, such as solatube and skylights shall have flashing colored or painted to closely match the adjacent roof color. White is prohibited.
- (2) Structural addition roofing color/style materials shall match the existing house color/style roof material and installation. Aluminum flashing material must be painted to match the existing house color. Roof vents, and other miscellaneous roof penetrations must be colored or painted to match the adjacent roof color.

## **1.16 Solar Applications**

Solar applications will only be considered on a design specific basis by the ARC. Solar panels or collectors can result in excessive glare and reflection. Any solar applications shall be an integral part of the Structure and be concealed by it or be ground mounted and be concealed by landscaping so as to minimize its exposure when viewed from any other Lot, Common Area, or from the surrounding Desert Oasis Community. Solar requests are subject to the follow:

1. All Solar Installation projects must be submitted to the Architectural Review Committee prior to installation.
2. All Submittals must include the specifics regarding the installation project, such as number of panels, dimensions, placement, and angle.
  - A. Homes with a flat roof must provide specifics as to the height of the panel above the parapet.
  - B. Homes with a pitched roof must indicate if the panels will be flush with the roof or the height of the panel (distance between the roof panel and the tile roofing material).
3. The Board asks that each Owner when contemplating the installation of solar panels, consider the impact of the appearance of these panels and the appearance of the panels be mitigated as much as possible.
4. The Board of Directors also requests that the Solar Installation consider the visual impact that the panels will have on the home, as well as to the surrounding neighbors and Common Area.
5. The Architectural Review Committee and/or a Management Company Representative may request an onsite meeting with the Owner of the property and a representative from the Installation Company to insure that the placement is in the optimum location, both for efficiency of the device and from an appearance perspective.
6. All conduits shall be colored or painted to closely match the adjacent roof color. White is prohibited. Bare metal is prohibited.

## **1.17 Miscellaneous items**

The following are common miscellaneous items:

- (1) Refuse/Recycle Containers
- (2) Maintenance Equipment (tools, ladders, hoses)

### **1.17a Specific approval conditions, exclusions, etc. for miscellaneous items:**

- (1) Trash and recycling containers may be left at the curb for pickup no earlier than 6:00 pm on the day before the scheduled pickup is to occur and may remain at the curb no later than 8:00 p.m. of the day that the scheduled pickup is to occur.
- (2) Trash and recycle containers will be stored in such a place that they are not visible from the street.
- (3) All tools and equipment used routinely to maintain the house structure and landscaping must be stowed in a neat, attractive manner and, except for hoses, such equipment and tools must be stored in a location not visible from the street.

## **2. Design Review Process and Submittal Requirements**

### **2.1 Commencement of Construction**

In general, no construction activity related to any proposed common project shall be allowed to commence until the project has been approved, per these Design Guidelines by the ARC.

### **2.2 Submittal Fees**

According to Declaration of Covenants and Conditions (Declaration) for Desert Oasis Community Association the ARC shall have the right to charge fees for reviewing requests for approval of construction, installation, alteration, addition, repair, change, or other work pursuant to Section 5.2 of the Declaration, which fee shall be payable at the time the application for approval is submitted to the ARC.

### **2.3 Submittal Fees Adjustments**

All fees as outlined (see **Section 2.2** Submittal Fees) are subject to periodic adjustment as determined by the ARC. In addition, under most conditions, the design review process is a linear one with continued movement in a forward direction. However, certain projects might back track and repeat a particular phase of the total design review process. When this occurs, an additional design review fee over and above the initial amount required shall be paid on a pro-rated basis as determined by the ARC considering the particular phase of the design review process that was required to be duplicated or repeated.

Approval by the ARC, at any phase of the design review process as outlined herein, for any Improvement refers only to the DG and in no way implies conformance with any government regulations. It shall be the sole responsibility of the Owner to comply with all applicable government regulations, ordinances, and procedures and to adequately coordinate such required governmental reviews with the process and procedures outlined in these DG.

In addition, any consideration, action, or approval by the ARC shall not constitute an approval, ratification, or endorsement of the quality or architectural and engineering soundness of the project or Improvement. Further, neither the ARC, its members, the Association, nor the Declarant shall have any liability in connection with or related to the project, its plans, its specifications, or its execution.

## **2.4     Reviews of Submittals**

The ARC, or its duly appointed representative, shall conduct reviews of submittals at such times as it deems appropriate. Failure of the ARC to provide written approval or denial within 60 days will deem the project denied.

## **2.5     Enforcement**

These Design Guidelines shall be enforced by the ARC or the Association as provided herein or in the Declaration. The ARC, acting as an ad-hoc committee of the Association Board, reserves the right to waive, vary, or otherwise modify any of the standards or procedures set forth herein at its discretion, as deemed appropriate and necessary, on a case-by-case basis. Notwithstanding this, the DG may not conflict with the provisions of the Declaration.

**Appendix A**  
**Prohibited Plant List**

**The following vegetation types and varieties are expressly prohibited:**

Olive Trees (*Olea europaea*)

Oleanders (*Nerium oleander*) other than the dwarf variety and *Thevetia* (*Thevetia* species)

Fountain Grass (*Pennisetum setaceum*) and Pampas Grass (*Cortaderia sellonana*).

Common Bermuda Grass (*Cynodon Dactylon*)

All varieties of dwarf Citrus are permissible within the confines of the rear yard only.

Mexican Palo Verde (*Parkinsonia aculeata*).

Eucalyptus (all species)

All varieties of Mulberry trees.

All varieties of Pine trees, Cypress (*Cupressus*), False Cypress (*Chamaecyparis*), Juniper or Cedar (*Juniperus*).

All varieties of Oak trees.

Any tree that will grow taller than ~~twenty-five~~ten feet at full maturity. \_

All species of Palm trees.

**Desert Oasis Community Association**

c/o Platinum Management Inc.

P.O. Box 14198

Tucson, AZ 85732

**ARCHITECTURAL REVIEW COMMITTEE SUBMITTAL FORM**

Date: \_\_\_\_\_

1. Owner's Name: \_\_\_\_\_ Lot #: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

2. Contractor Name, Address and Phone, if applicable: \_\_\_\_\_

License #: \_\_\_\_\_

3. Description of work to be done: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date work is to begin: \_\_\_\_\_ Estimated completion date: \_\_\_\_\_

4. Type of materials to be used: \_\_\_\_\_

\_\_\_\_\_

5. Color(s) to be used: \_\_\_\_\_

6. Other information: \_\_\_\_\_

\_\_\_\_\_

7. Do you have State & Local Permits (as required) \_\_\_\_ Yes \_\_\_\_ No

**An accurate drawing must be attached using your lot dimensions showing the location of the proposed structure. For room additions, or anything that must tie into the roofline, an elevation of the proposed structure must also be attached. All work must be completed in a timely manner.**

Architectural Review Committee requests will be reviewed as soon as possible. Requests will be approved, denied, or returned for additional information after review.

If you have any questions, please feel free to call the above listed phone number.

FOR ARC COMMITTEE USE:

ARC Meeting Date: \_\_\_\_\_ Response Sent to Homeowner: \_\_\_\_\_

Action taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Desert Oasis Community Association**

**Member Concern Form**

**Date:** \_\_\_\_\_ \*required for any action to be taken

**Your Name\*:** \_\_\_\_\_ **Lot #:** \_\_\_\_\_

**Your Address\*:** \_\_\_\_\_

**Your Phone Number\*:** \_\_\_\_\_ **Other phone:** \_\_\_\_\_

**Your E-Mail Address:** \_\_\_\_\_

**Your Signature\*:** \_\_\_\_\_

**The nature of your concern must include a specific address or location.**

**Address/Location:** \_\_\_\_\_

\_\_\_\_\_

**Nature of Concern:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Have you spoken with your neighbor regarding the situation?**    ☐ YES    ☐ NO

\_\_\_\_\_

\_\_\_\_\_

**If the situation continues, would you be willing to attend a Board meeting to discuss this matter?**

☐ YES    ☐ NO

**Any other comments:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PLEASE RETURN THIS FORM TO:**

**Platinum Management, Inc.**

**P.O. Box 14198**

**Tucson, AZ 85732**

**Phone: 520-623-2324**

**Fax: 520-722-5039**