

SAGUAROS VIEJOS EAST COMMUNITY ASSOCIATION

December 1st, 2020

SAGUAROS VIEJOS EAST COMMUNITY ASSOCIATION ARCHITECTURAL COMMITTEE RULES

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**SAGUAROS VIEJOS EAST COMMUNITY
ASSOCIATION
Architectural Committee Rules**

I. INTRODUCTION

Saguaros Viejos East Community Association is a community designed to respect the climate and regional character of its location minimize environmental impact and maximize water and energy conservation principles. In order to implement and preserve these principles, these Architectural Committee Rules have been established to maintain certain standards by which the community may grow and develop.

The Architectural Committee Rules provide an overall framework and a comprehensive set of guidelines by establishing criteria for the design, size, location, style, structure, materials and color of architecture and landscaping, as well as relevant criteria for the construction or modification of all Improvements made by any party other than the “Declarant”. They also establish a process for the judicious review of proposed Improvements or alterations. However, the Architectural Committee Rules are not the exclusive basis for decisions of the Architectural Committee, and compliance with the Architectural Committee Rules does not guarantee approval of any application.

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for Saguaros Viejos East Community Association (the “Declaration”) and any supplements or amendments thereto, unless the context requires otherwise. The Architectural Committee Rules will be administered by the Architectural Committee pursuant to Section 5.22 of the Declaration.

In the event of conflict between the Architectural Committee Rules and any government ordinance, building code or regulation, the more restrictive standard shall prevail.

II. ARCHITECTURAL REVIEW PROCESS

Submittal

Application and plans (which will be kept on file with the Association) should be forwarded to:

**Saguaros Viejos East Community Association c/o
Platinum Management
7225 E. Broadway Blvd, Suite 140
Tucson, AZ 85705**

The following information must be included with each submittal;

1. Application Form – a completed application form (copies of which can be obtained from the Management office, also at the end of the Design Guidelines)
2. Plot Plan – A site plan showing dimensions, relationship to existing dwelling and property lines (setbacks). All measurements must be written on plans.
3. Elevation Plans – Plans showing finished appearance of the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
4. Specifications – Detailed description of materials to be used and color samples.

All buildings and structures erected within Saguaros Viejos East Community and the use and appearance of all land within Saguaros Viejos East Community shall comply with all applicable County zoning ordinances, building codes and other ordinances as well as the Declaration and these Guidelines.

NOTE: Only Lot owners may request approval. Requests for approval may be submitted only after the closing on a Lot.

Review – Approval and/or Disapproval - The Architectural Committee shall have 60 days after submittal of plans to approve or disapprove plans. Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

The Architectural Committee, Board, Declarant and Designated Homebuilders shall not have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Architectural Committee is for aesthetic purposes only.

Approval Expiration – Construction must be started within 90 days of the date of the Architectural Committee’s approval of the applicable application or the Architectural Committee’s approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Guidelines.

Construction Period – Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Architectural Committee’s discretion), such construction shall be completed within six (6) months after the date of the Architectural Committee’s approval of the applicable application.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE ARCHITECTURAL COMMITTEE MUST APPROVE ALL PLANS. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE ARCHITECTURAL COMMITTEE.

III. ARCHITECTURAL AND DESIGN CHARACTER

1. The architectural design of all additions, alterations and renovations to the exterior of any Residential Unit shall conform to the design of the original Residential Unit in style, detailing, materials and color.
2. The height of any addition to an existing Residential Unit shall not be higher than the original roof line.
3. All additions to Residential Units shall be built within the setback lines originally established for Saguaros Viejos East Community Association or as changed by the Declarant or Developer with the requisite approval of the Town of Oro Valley.
4. All materials used in the maintenance, repair, addition and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type and method of attachment. The Architectural Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
5. No addition, alteration or renovation of an existing Residential Unit or any other activity on a Lot may alter the established Lot drainage (as established by the Declarant).
6. Any addition or change to a Residential Unit shall be within the model selection choices offered by the original Builder, or if it was not offered by the original Builder, may not exceed ten percent (10%) of the footprint of the Residential Unit.

IV. ARCHITECTURAL COMMITTEE RULES

- A. ACCESSORY STRUCTURES** - Accessory structures shall include gazebos, ramadas, pergolas, etc. These structures must be set back at least five (5) feet from all surrounding property lines and shall require shielding with approved landscaping material on Lots with view fencing. They require Committee approval if they are taller than the surrounding fences or are Visible from Neighboring Property to include other Lots or association Common Areas. The intent is to use colors that are consistent with the Community; however, materials are subject to review by the Committee. If it is felt that the materials will not last in the Arizona weather, the Committee has the authority to request additional information or require that the materials be better suited to our climate. Any lighting proposed for accessory structures must be included in the submittal and approved by the Committee prior to installation.

Accessory structures may be erected in rear yards only, subject to prior review and approval by the Committee and subject to the following guidelines: (a) the maximum roof height is ten (10) feet at the highest point; (b) ramadas or gazebos must be painted or stained to complement the house color (White color is not acceptable); (c) pergolas must contain an open slatted roof and must be painted to complement the body color of the home (White color is not acceptable); (d) support pillars must be painted to complement the body color of the home or faced with stone accents as applicable to the Community (White color is not acceptable); (e) palapas or tiki huts will not be considered for approval.

See STORAGE SHEDS below for additional information in regard to Storage Sheds.

- B. ANTENNAS AND SATELLITE DISHES** - This section applies to antennas, satellite television dishes, and other devices (“Receivers”), including any poles or masts (“Masts”) for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one (1) meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations (“Federal Regulations”) and shall be installed in the following locations, listed below in order of preference, if such placement will not unreasonably delay or prevent installation, maintenance or use of the Receiver, unreasonably increase the cost of installation, maintenance or use, or preclude the reception of an acceptable quality signal:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements;
2. An unscreened location in the backyard of the Lot;
3. On the roof, but completely below the highest point on the roof line;
4. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements;
5. On the roof above the roofline;
6. An unscreened location in the side yard;
7. A location in the front yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.

Notwithstanding the foregoing order of locations, if a location stated in the above list allows a Receiver to be placed so as not to be Visible from Neighboring Property, such location shall be used for the Receiver rather than any higher-listed location at which a Receiver will be Visible from Neighboring Property.

All brackets and cables used for installation of the dish must be securely attached and painted to match the color of the surface to which they are attached.

- C. AWNINGS AND OTHER ARCHITECTURAL FEATURES** - Awnings, canopies, shutters, security shields, tile, iron, stone or other such architectural features on the front of the Residential Unit must conform to the theme and color scheme of the Residential Unit and Community. Awnings or canopies must be a high quality and durable fabric of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not

exceed ten percent (10%) of the livable square footage of the Residential Unit. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired or replaced due to weathering, fading, tearing, etc.

All plans shall be submitted to Committee for approval, prior to installation.

- D. BASKETBALL GOALS** - No basketball goal, backboard or similar structure or device shall be permitted except in accordance with the Architectural Committee Rules.

No basketball backboard, hoop or similar structure shall be attached to a Residential Unit or other structure. Basketball backboards, hoops or similar structures attached to a free-standing pole may be placed in the front yard to the side of the driveway provided the location, style, and color of the basketball backboard, hoop, and free-standing pole or similar structures are approved in writing by the Architectural Committee. Basketball hoops must be located a minimum of 20 feet from all side and rear property lines of the Lot.

Portable goals may be placed on a Lot without prior written approval of the Architectural Committee, provided, however, that such portable goal are promptly stored as not to be Visible from Neighboring Property when not in use. All basketball equipment must be maintained in like new condition at all times.

Please use common sense and courtesy in regard to voice levels, unnecessary noises and boisterous conduct. After 10:00 P.M. outdoor play should be significantly reduced to keep from disturbing other residents.

- E. CLOTHES DRYING FACILITIES** - No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot, Parcel or other property so as to be Visible from Neighboring Property.

- F. DECORATIVE ART ON HOUSES/LAWN ART** – Front yard item(s) must be submitted to the Architectural Committee for approval prior to installation by the Owner. The Architectural Committee understands that decorative items are a matter of personal taste. Each application will be reviewed as to how the item(s) complements the design of the Dwelling or Lot/Unit. The Architectural Committee will review the size, location, design, placement, scale and color of all proposed items to determine whether they are in harmony with the Community aesthetic. The Application must include pictures, dimensions and proposed placement to assist the Architectural Committee in their review of the Application.

The Board of Directors and the Architectural Committee reserve the right to require the removal of any decorative items located anywhere on the Lot/Unit that have not been granted approval based on size, quantity, color, location and any other criteria that impacts the overall aesthetics of the installation. Decorative items will be reviewed on a case-by-case basis.

Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if Visible From Neighboring Property.

- G. DRAINAGE** - No Residential Unit, structure, building, landscaping, fence, wall or other Improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for the Community, or any part thereof, or for any Lot or Parcel as shown on the drainage plans on file with the Town of Oro Valley. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot or Parcel in proper condition free from obstruction. Drainage water shall not be permitted to pool and shall not be directed toward the building foundation or toward any neighboring Lot/Unit or Common Elements (unless originally part of the "established drainage

pattern"). Drainage must not be altered to create any condition that could lead to off-site soil erosion in open spaces or neighboring Lots/Units.

H. DRIVEWAY EXTENSIONS AND SIDEWALKS/WALKWAYS – Driveway extensions must be submitted to the Architectural Committee for approval, prior to the installation by homeowner. The following conditions must be met:

1. Plans must include a plot plan of the existing lot and the direction in which expansion is proposed. The exact measurements of the proposed paved surface must be stated on the plan. Proper drainage away from house and from the rear yard to the street must be maintained within the lot. The extension may not interfere with the lot or adjoining lots drainage.
2. One foot between the extension and the side lot line is required and the extension to the driveway must be angled off the existing driveway and may not start at the sidewalk.
3. The driveway extension must be a maximum of two (2') feet or less in width on each side of the driveway.
4. Extension must be hardscape material (concrete, earth toned pavers/brick, etc.)
5. Hardscape material between sidewalk and back of curb will be reviewed on a case-by-case basis.

Sidewalks/Walkways installed to utilize the side gates must be submitted for approval prior to installation by homeowner. The following conditions must be met:

1. A single sidewalk/walkway from the side of the driveway to the side yard gate will be permitted provided that the sidewalk/walkway is no wider than thirty-six (36") inches or less and is setback one (1) foot or more from the property line and one (1) foot or more from the home. Sidewalk/walkway must be tied into the 50% of the driveway closest to the home.
2. Such setback areas between the property line and the sidewalk/walkway and the home and the sidewalk/walkway must have groundcover installed to match the existing front yard ground cover (i.e., decomposed granite, grass).
3. Hardscape material to be of concrete, earth toned pavers/bricks, etc.

Additional sidewalks/walkways in any other location must be submitted to the Architectural Committee for approval.

I. EXTERIOR LIGHTING – The Town of Oro Valley and Pima County have an Outdoor Lighting Ordinance. Any outdoor lighting must conform to the current ordinance. (Oro Valley - Section 27.5 Outdoor Lighting)

Except as initially installed by Declarant, no spotlights, floodlights, or other high intensity lighting shall be placed or utilized on any Lot which will allow light to be directed or reflected on any other Lot or any public street.

Exterior lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible from Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; and (iii) such lighting conforms with such other requirements as may be imposed by the Architectural Committee. Neighboring property for this section shall include Lots and Parcels, common areas, streets, and open mountain or field areas. Notwithstanding the foregoing, but subject to reasonable regulations by the Architectural Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Motion detection lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible from Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; and (iii) such lighting conforms with such other requirements as may be imposed by the Architectural Committee.

Owners may display holiday lights and/or decorations located or visible from outside their Residential Unit, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other Owners in the Community by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 1 until January 31 and during other times of the year, from one week prior to and one week after any nationally recognized holiday.

No post lights will be permitted, outdoor string lights cannot be strung across the back yard to the house. String lights must be submitted for approval.

The Board of Directors and the Architectural Committee reserve the right to require the removal of exterior lighting located anywhere on the Lot/Unit that have not been granted approval based on size, quantity, lumens, watts, and any other criteria that impacts lighting ordinance.

All plans must be submitted to the Committee for approval, exterior lighting items will be reviewed on a case-by-case basis.

J. FIREPLACES – Outdoor fireplaces are permitted within the rear yard areas and need not be submitted for approval provided they meet the following requirements:

1. The maximum height of the fireplace does not exceed four (4) feet.
2. The fireplace shall not be installed on a wrought iron view fence/wall.
3. The fireplace shall be installed with a spark arrestor and/or a firebox.
4. The fireplace shall have a minimum setback of five (5) feet from any surrounding walls.
5. The fireplace must be designed to complement the color and texture of the exterior finish of the home.
6. No wood burning fireplace or fire pits are allowed.

K. FLAGS AND FLAGPOLES – The official flags of (i) the United States, (ii) the State of Arizona, (iii) the Armed Forces (such as U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, U.S. Coast Guard, Gadsden flag), (iv) POW/MIA flags, and (v) an Arizona Indian Nation flag may be displayed on any Lot provided that such flag is displayed in the manner required under the federal flag code from a pole attached to a Residential Unit on the Lot, the pole is no higher than the top of the Residential Unit, the pole does not extend more than ten feet from the edge of the Residential Unit, the flag is no more than twenty-four square feet in size, any flag lighting does not violate Section 5.29 of the Declaration, and the flag is maintained in good condition. The flag of another nation may be displayed in lieu of the United States Flag on national holidays of such nation provided such display complies with the requirements for displaying the United States Flag.

L. GARAGES - The interior of all garages shall be maintained in a neat and clean condition. Garages shall be used only for the parking of vehicles and the storage of normal household supplies and materials and shall not be used for or converted to living quarters or for hobby/recreational usage without the prior written approval of the Architectural Committee. Garage doors shall be kept closed at all times except to the limited extent reasonably necessary to permit the entry or exit of vehicles or persons. Pursuant to Section 5.12 of the Declaration.

M. GATES – Double/single gates other than those installed by builder must be submitted for approval prior to installation. Double/single gates will not be allowed on side streets of corner lots. Double/single gates should be of the same type, design, and color as the originally installed by the builder. Shrubs, trees, or other plants should be located between the house and the double/single gates, where possible.

All gates must match the originally installed gate; wood slat, wrought iron, etc. Altering a gate in color or material from the originally installed gates requires prior approval from the Architectural Committee.

Perimeter and/or rear wall gates are not permitted.

- N. GUTTERS AND DOWNSPOUTS** - Gutters and downspouts may be considered for approval, must be submitted to the Committee for approval prior to installation. The finish must match the dwelling in color. High quality materials that offer long life are recommended, as the Lot owner will be required to maintain the addition in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

All gutter and downspouts installation must have appropriate configuration for proper drainage and may not interfere with the lot, adjoining lots drainage or into common area.

- O. HOLIDAY DECORATIONS AND LIGHTING** - For the holiday seasons that occur during November and December, decorations may be displayed beginning November 1st and must be removed by January 31st. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

The Committee reserves the right, on a case-by-case basis, to determine if decorations may be offensive to Association members or cause any kind of disturbance based on size, quantity, color, location or other such criteria. The Committee reserves the right to require immediate removal of said offensive items on a case-by-case basis.

- P. PAINT COLORS** - Prior to exterior painting, the Architectural Committee must approve proposed colors. See Color Scheme on page 19, Exhibit "B".

- Q. PARK BENCHES OR OUTDOOR FURNITURE** - Park benches and other outdoor furniture are allowed in the front yards, front porch or courtyard areas of the home and in rear yards with view fencing so long as they are of natural, earth tone colors to complement the home and are kept in like new condition. These items shall be located behind the most forward portion of the home, including the garage, when situated in the front yard setting. White or brightly colored resin benches, tables, chairs or chaises are prohibited if Visible from Neighboring Property.

- R. PATIO COVER ADDITIONS** – All patio cover additions must be submitted for prior approval. Patio cover additions shall be of the same design as those offered by the original Builder. If proposed patio cover addition was not offered by the original Builder, such addition may not exceed ten percent (10%) of the footprint of the Residential Unit.

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers, including Alumawood patio covers, not installed by the Declarant will need to be reviewed by the Architectural Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

Patio cover additions attached to the dwelling please refer to the Town of Oro Valley for a proper permit. Permit will need to be submitted with submittal application to the Architectural Committee.

- S. PLAY STRUCTURES** – All play structures or similar recreational equipment must be submitted for prior approval. This requirement is not intended to eliminate such equipment, but to consider privacy issues for adjacent neighbors and to assure the aesthetic appeal.

When selecting the location upon which the structure is to be placed, the distance from the ground elevation to the top of the structure must be measured and submitted with the plans for the structure. When considering plan approval, the Architectural Committee will take into consideration the appearance, height, and proximity to neighboring property.

The maximum height considered for approval of play structures shall be ten feet (10'), including awning or canopy. A canopy on the play structure must be an approved color blending with the color of the dwelling stucco. Wood may remain natural or must be painted to match the dwelling in color.

Placement of the play structure shall require a minimum distance from the Lot line property walls or

fencing as follows: (a) Structures up to a maximum height of eight feet (8'), measured to its highest point from the ground, must be placed a minimum of five feet (5') from any property line. (b) Structures over eight feet (8') in height must be placed a minimum of ten feet (10') from any property line. (c) Structures may not exceed ten feet (10') in height from ground level to the highest point of the structure.

All trampoline equipment shall be a minimum of ten feet (10') from any party walls including Community shared or neighboring. All trampoline equipment shall be well maintained and in good repair. No trampoline or any portion of the trampoline (including safety nets or other such devices) shall be approved that is greater than ten feet (10') in height. Safety nets including the top and side railings, if any, must be brown, black, or a neutral color.

All playground equipment must be maintained in good condition at all times.

- T. POOLS, SPAS AND JACUZZIS** - In ground swimming pools do not require the prior approval of the Committee subject to the following restrictions: (a) perimeter walls cannot be torn down to allow access to rear yards. **An assessment of \$2,000.00 will be applied to an Owner in which such wall has been removed without Committee approval;** (b) access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced; (c) pool ladders, slides, rock waterfalls, etc. that will be Visible from Neighboring Property must be submitted to the Committee for approval; (d) Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool; (e) pools may not be backwashed off of the Lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the Owner.

Above ground pools shall not be permitted on Lots with view fencing. Above ground spas shall be permitted on Lots with view fencing subject to Committee approval. Spas must be setback a minimum of ten (10) feet from all surrounding property lines and shall be shielded from view with landscaping as approved by the Committee.

POOL FENCING AND EQUIPMENT - The specifications for rear yard wrought iron pool fencing on a Lot with view fencing shall be of a neutral earth tone color to match or blend with the exterior color of the home and meet all City, County, State and Federal requirements.

POOL SCREENING WALLS - All pool and spa equipment must be screened from view of neighboring property. Lots with view fencing must submit plans for screening to the Committee for approval. Pool equipment screening walls may not exceed five (5) feet in height and shall be painted to match the base color of the home.

- U. ROOFTOP EQUIPMENT** - No machinery, fixtures or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning and appurtenant equipment may be mounted, installed or maintained on the roof or wall mounted on the Residential Unit or other building so as to be Visible from Neighboring Property.
- V. SECURITY DOORS** - Security doors shall be permitted provided that they are of a color to match the front door or exterior base color of the home. Silver-colored aluminum screen doors are prohibited. Ornamental doors require approval from the Architectural Committee. All screen door designs must be submitted to the Architectural Committee for approval prior to installation.

W. SIGNS - No sign shall be erected within the Community, except those required by law, including posters, circulars and billboards; provided the following types of signs may be erected on a Lot or Parcel without written consent so long as the permitted signs are professionally painted, lettered and constructed:

1. Signs required by legal proceedings.
2. One (1) residential identification sign, identifying a Lot or Residential Unit by number, address or Occupant in a style designated by the Architectural Committee, not to exceed seventy-five (75) square inches in size will be permitted.
3. No more than one (1) professionally lettered "For Sale" or "For Rent" or "Open House" sign with maximum size to be thirty (30) inches by twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised "For Sale" or "For Rent".
4. Owners shall be permitted to post a reasonable number of professionally designed home protection/security signs from a security/alarm company providing services to such Owner or the Residential Unit. One single-sided security/alarm sign may be placed in the front yard where it is visible to persons approaching the Residential Unit and a sign may also be placed in a window of the Residential Unit. The signs shall not exceed seventy five (75) square inches in size.
5. One temporary sign identifying the contractor installing landscaping or a pool on the Lot or Parcel, but only during the period that such installation is in progress.
6. Per Revised State Statute political signs may not exceed an aggregate total of nine (9) square feet. Signs may be erected seventy-one (71) days prior to an election and must be removed no later than three (3) days after an election.

X. SOLAR EQUIPMENT PANELS OR DEVICES – Except as initially installed by the Declarant or a Designated Builder, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Architectural Committee.

1. Solar collectors should be installed on the plane of the roof and be flush mounted.
2. Panels may not break roof ridgeline.
3. Aluminum trim, if used and visible, should be anodized or otherwise color treated.
4. All exterior plumbing lines should be painted in a color scheme which matches as closely as possible to the color of the structure and materials adjacent to the pipes (i.e. pipes on walls should be painted the color of the walls while roof plumbing should be the color of the roof).
5. Panel materials should be dark in color.
6. A sample or illustrated brochure of the proposed solar unit should be submitted with the application, which clearly depicts the unit and defines the materials to be used in the installation.
7. Construction drawings for the proposed installation should be provided. They should be drawn to show the locations and number of collectors, method of attachment to the roof structure and location of any other exterior system components. A system approval issued by an authorized rating organization (such as SRCC or FSEC) also should be provided.
8. Solar units not mounted on the roof (ground mounted) should be installed according to the Town of Oro Valley setback requirements. Any such structures should be concealed from View of Neighboring Property when reasonably possible and be free of all future likelihood of shading from fences, trees, shrubbery and other vegetation.

Owner should consider and discuss potential glare issues onto adjacent properties with solar installer prior to installation to avoid nuisances after the solar panels become active. The Committee does not review solar panel submissions for potential glare, due to the numerous potential factors involved and information that is not readily available to the Committee for such review. Any subsequent-to-installation glare or nuisance related to adjacent properties will need to be resolved by Owner and the adjacent Owner, not by the Association.

- Y. STORAGE SHEDS** - Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including the roof, does not exceed the height of the immediate surrounding wall(s) or fence(s). The shed shall have a minimum setback of five (5) feet from any surrounding walls.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be approved prior to construction, setback requirements are an additional one (1) foot of setback for each foot over six (6) feet in height. (For example; a six (6') foot high shed must be set back five (5') feet, a seven (7') foot high shed must be setback six (6') feet etc.) Sheds exceeding six (6) feet in height must be constructed of materials that match the materials used by the Builder in the original construction of the Residential Unit, including the roof. Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must match the Residential Unit in color.

Storage sheds on lots with a surrounding wall or fence are subject to the following provisions: 1) The shed may not be placed adjacent to the view fence; 2) The shed must be screened from view with approved plant materials; 3) The shed must be constructed of materials that match the materials used by the Builder in the original construction of the Residential Unit; 4) Color of the shed must match the Residential Unit and 5) Placement of the shed must be approved prior to installation.

- Z. TANKS** - No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot or Parcel unless such tanks are buried underground. Nothing herein shall be deemed to prohibit use or storage upon any Lot or Parcel of an above ground propane or similar fuel tanks with a capacity of ten (10) gallons or less used in connection with a normal residential gas barbecue, grill, fireplace, spa or "hot tub", so long as any such tank is appropriately stored, used and/or screened, in accordance with the Architectural Committee Rules or as otherwise approved by the Architectural Committee so as not to be Visible from Neighboring Property.

- AA. TRASH CONTAINERS** – Trash Containers may be placed at the curb for pick-up the evening before a scheduled service day and shall be returned to the garage and/or back yard, behind wall/gate, the evening of the service day. When not out for service, trash containers shall be kept out of sight either in the garage, back yard, behind wall/gate, where they are not visible from common area. Containers must not be visible while stored.

- BB. WALLS AND FENCES INCLUDING DECORATIVE WALLS** - Any fences or walls installed by the Declarant shall not be removed or altered without prior written approval of the Committee.

Plans to modify any Party Walls must be submitted for approval. Party Walls are defined in the Declaration under Section 7.1 as each wall or fence, any part of which is placed on a dividing line between separate Lots. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the highest side of the wall.

Lots where the rear and/or side yards are enclosed with wrought iron view fencing shall remain as a view fence and shall not be altered by any other item.

All wall request must be submitted to the Committee for review and will be reviewed on a case by case basis.

- CC. WINDOW COVERINGS/SCREENS** - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty (30) days of occupancy. No blankets, sheets or reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. All sunscreens must be submitted for approval.

DD. YARD SALES AND GARAGE SALES - Owners may hold “yard sales” or “garage sales” to sell personal property of such Owners only in compliance with the following requirements: (a) yard sales/garage sales shall be limited to two weekends per year on any Lot, (b) no yard sale/garage sale shall commence prior to 6:00 a.m. MST or continue after 5:00 p.m. MST, (c) no Owner shall post any signs advertising any yard sale/garage sale anywhere in the Community except that a temporary sign may be posted on such Owner’s Lot on the day that a yard sale/garage sale is being held, and (d) if the Association ever adopts standard yard sale/garage sale dates for the Property, yard sales/garage sales shall be held only on such dates. The Association shall give reasonable notice to all Owners if it adopts standard yard sale/garage sale dates for yard sales in the Community.

EE. LANDSCAPING REQUIREMENTS AND GUIDELINES

FRONT YARD LANDSCAPING - Unless installed by the Declarant, within ninety (90) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot, any portion of a right-of-way for a dedicated street which is between the boundary of the Owner’s Lot and the back of the curb of such street.

Front Yard Landscaping must have a minimum of one (1) 24-inch box tree, and two (2) cacti with a minimum size of three feet (3’) to five feet (5’) and six (6) five-gallon shrubs.

All landscaping Improvements including landscape lighting installed in such areas must be approved by the Committee prior to installation.

BACKYARD LANDSCAPING - Unless installed by the Declarant, within ninety (90) days from close of escrow, each Owner of a Lot where the rear and/or side yards are enclosed with wrought iron view fencing shall install all landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements, on such backyard and/or side yards. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Backyard landscaping Improvements on Lots that are not Visible from Neighboring Property through wrought iron view fencing do not require approval of the Committee, unless if it will exceed the wall height.

Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition. All dead and dying plants must be replaced with same species or other appropriate plants. Yard tools, equipment and general storage items should be stored out of sight when not in use. Parking of vehicles of any sort in a backyard shall require screening from View of Neighboring Property at all times. Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. be approved by the Committee prior to installation. Any backyard landscaping lighting that is visible from other must be submitted to the Committee prior to installation. No post lights will be permitted, outdoor string lights cannot be strung across the back yard to the house. String lights must be submitted for approval.

PLACEMENT - All turf, plant materials and sprinkler components should be kept a minimum of twenty-four inches (24”) away from the foundation of the Residential Unit and any exterior concrete, including patios, driveways, perimeter walls, and walks (other than sidewalks), to avoid any damages. No plastic liner or ground cover of any type should be installed within thirty-six inches (36”) of the foundation or exterior concrete. Trees and bushes that will become large and/or have extensive root systems should be planted a minimum of four (4) to six (6) feet away from the foundation, exterior concrete and fences.

GRANITE - Decomposed granite shall be a neutral desert tone color and not white, green, blue, red or other bright colors. It is recommended to choose the neutral granite color used throughout common areas of the community (color Apache Brown). Granite shall be installed with a minimum one and one-half (1-1/2) inch thick layer and must be at between ½ and ¾ inch screened in size. All rock areas shall be treated with pre-emergent weed control at regular

intervals to retard weed growth.

River run rock of an “earth tone” color is also permitted, but shall be three inches (3”) to six inches (6”) in diameter. Not more than ten (10) percent of the front yard landscape may be river run rock.

BOULDERS - Use of boulders to create a natural setting is permitted subject to the following criteria:

Boulders must be “surface select” granite boulders and must be buried with one-third of the boulder being underground. Boulders shall be installed in a naturalistic manner and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite and contouring.

TURF – Turf is only permitted in the backyard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage and void any warranty. Drainage should flow away from all walls and any structures. Artificial turf shall be permitted only in the rear yard only. Turf and/or artificial turf on lot where the rear and/or side yards are enclosed with wrought iron view fencing shall submit to the Architectural Committee for approval prior to installation. Submittal for Artificial turf must include manufacturer and grade of material, shall be of a high quality material and installed per manufacturer’s recommendations. Turf must be maintained in like new condition at all times. Notwithstanding the above, Artificial turf installed with the landscape by the builder at initial construction of the home does not require additional approval by the Architectural Committee.

All turf must have a permanent border such as, extruded concrete curbing, brick border or other permanent material approved by the Committee.

IRRIGATION - All landscape irrigation must be underground, automatic and low water use drip systems, except for turf or flowerbed areas, which may use spray systems. Overspray onto sidewalks and streets are strictly prohibited. Great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty.

Landscape irrigation must also be installed and maintained within the Parkway Area as required to adequately water such shrubs and plant material installed in the Parkway Area.

LANDSCAPE LIGHTING - Landscape lighting can be highly effective as an accent statement accenting landscape features, sidewalks, or driveways. Landscape lighting must be of low-voltage only because of its ability to produce dramatic lighting effects using extremely low wattage lamps.

1. Landscape lighting must be controlled with an electric clock or photo-cell device.
2. lighting fixtures needs to be shielded from view and shall be screened wherever possible with walls, plants material, or internal shielding.
3. Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line.
4. Junction boxes must be placed below grade to minimize daytime visibility of the hardware.
5. All lighting fixtures must not exceed 65 lumens in intensity.
6. Colored lamps/bulbs are not allowed.
7. Lighting design should consider the impact to the nighttime sky. Use lighting in moderation as needed to produce reasonable and safe visibility for access or accent.

All plans must be submitted to the Design Review Committee for approval

PROHIBITED PLANT MATERIALS - The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or backyard of any Lot within the Community, unless specifically noted below.

1. Olive trees (*Olea Europaea*) other than the “Swan Hill” variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Oleanders other than the dwarf or petite variety (*Nerium Oleander*) and *Thevetia* species
4. Mexican Palo Verde (*Parkinsonia aculeata*)
5. All varieties of Mulberry trees
6. Eucalyptus (all varieties)
7. Citrus Trees and other Fruit Trees (permitted in Rear Yard Only)
8. Palm Trees (permitted only in Rear Yard Only, Cannot exceed 6 feet in height for when mature)

FINE GRADING & MOUNDING - Fine grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the Residential Unit. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable County grading and drainage plan. Every effort should be made to make the mounding appear natural.

WATER FEATURES, FOUNTAINS - Items such as water features/fountains are permitted within rear yard areas and do not require approval by the Architectural Committee, except on Lots with view fencing. Water Features/Fountains to be located in the front yard or in the rear yard of Lots with view fencing must be approved in advance of installation by the Architectural Committee. Water features Visible from Neighboring Property may not exceed four (4) feet in height and must be earth tone in color. It is recommended that water be chlorinated, water feature equipment must be screened from street view, common area and from neighbors.

HARDSCAPE - The Architectural Committee must approve any hardscape items proposed for front yard installation. Only hardscape items that will be visible from neighboring property in the rear yard will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, pavers, and decorative walls.

FF. MAINTENANCE OF LANDSCAPING - Each Owner of a Lot or Parcel shall properly maintain and keep neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material all Landscaping located on (i) Owners Lot or Parcel; (ii) any public right-of-way or easement area which abuts or adjoins the Owner’s Lot or Parcel and which is located between the boundary line of his Lot or Parcel and the paved area of any street, sidewalk, bike path or similar area (unless otherwise directed by the Board); and (iii) any non-street public right-of-way or easement area adjacent to his Lot or Parcel (unless otherwise directed by the Board); provided, however, that such Owner shall not be responsible for the maintenance of any areas over which the Association assumes the responsibility in writing or the Town of Oro Valley, Pima County or any other municipality or other governmental agency or entity having jurisdiction over such property assumes responsibility. Proper maintenance of landscaping shall include, without limitation, removal and replacement of dead landscaping, subject to the Architectural Committee Rules.

GG. OVERHEAD ENCROACHMENTS - No tree, shrub or planting of any kind on any Lot, Parcel or shall be allowed to overhang or otherwise to encroach upon any other lots, sidewalk, street, bicycle path, pedestrian way or from other lots from ground level to a height of eight feet (8’) without the prior approval of the Architectural Committee. Trees, shrub and planting of any kind must be kept neat and trimmed.

ARCHITECTURAL COMMITTEE SUBMITTAL FORM

**Please mail to:
Saguaros Viejos East Community Association
c/o Platinum Management
7225 E. Broadway Blvd, Suite 140
Tucson, AZ 85705**

PLEASE CHECK APPROPRIATE BOX BELOW:

- ARE YOU SUBMITTING PRIOR TO LIVING IN THE COMMUNITY? IF SO, WHAT IS THE CLOSE OF ESCROW DATE? _____
- I AM CURRENTLY LIVING IN THIS COMMUNITY.

Name: _____ Date: _____

Community: _____ Lot# _____

Property Address: _____ Phone# _____

Current Mailing Address: _____

Description of Proposed Construction or Modification/Improvements: (changes to be made to my property and changes to the exterior of my home) ex: landscaping, walls, sidewalk, pool, paver's, etc..)

Type of Material to be used - (attach samples / pictures / brochures): _____

What is the current color scheme of your home? _____

Color to be used – (attach samples / pictures / brochures): _____

Contractor to be use (Contractor's name, e-mail, phone number): _____

How will access be granted for proposed construction or modification request? _____

Neighbor consent? A neighbor consent letter should be included if the proposed improvement in any way impacts the adjoining property.

Attached _____ Not Required _____ (see exhibit A (Page 18) for Neighbor Consent Form)

MUST INCLUDE A PLOT PLAN INDICATING LOCATION OF SUBMITTAL AND INCLUDE APPLICABLE MEASUREMENTS AND DIMENSIONS.

INCOMPLETE SUBMITTALS WILL BE DENIED

Homeowner agrees to comply with all applicable City and State laws, and to obtain all necessary permits. Approval by the Architectural Committee shall not be deemed a warranty or Representation as to the quality of such construction, installation, addition, alteration, repair, change or other work, or that work conforms to any applicable building codes or other Federal, State or local law, statute, ordinance, rule or regulation.

Architectural Design Committee requests will be reviewed within 60 days. Requests will be approved, denied or returned for additional information.

Construction must be started within 90 days of the date of the Architectural Committee's approval and must be completed within 6 months.

Acknowledgment: I understand that the Architectural Review Committee (ARC) will act on this request after its receipt, at the next regular meeting. I also understand that if the required information is not included in this Application, the ARC may not be able to make a valid judgment and the submittal may be returned for more complete information. I agree not to begin proposed improvement(s) until I have been notified of the Committee's decision, and that I will be liable for all costs necessary to bring any nonconforming work into compliance with the Declaration and the Community Guidelines and for such other penalties as provided in the Declaration and the Community Guidelines.

Homeowner Signature: _____ Date: _____

Homeowner E-mail address: _____

"Office Use Only"

The Above Described Architectural Change Has Been

APPROVED _____ subject to the following

condition(s): _____

DISAPPROVED _____

SIGNATURE _____ DATE _____

Exhibit "A"
Consent of Adjoining Owner

In addition to meeting the requirements of this Design Guidelines and of any applicable building code and similar regulations or ordinances, any Owner proposing to modify, alter, make additions to or rebuild (other than rebuilding in a manner materially consistent with the previously existing wall) the party wall, shall first obtain the written consent of the adjoining Owner, which shall not be unreasonably withheld or conditioned.

Homeowner shall obtain the written consent of the adjoining owner on any other improvement proposed that might interact with the adjoining owner.

SPECIAL NOTE: Approval from all neighboring properties that will be in view of this modification is required. Submittals without signatures will be rejected. If you have attempted at least three times to receive a signature and get no response, please note on signature line.

I, _____, live at, _____ and will be installing/modifying the exterior of my home by adding, _____

And per the Committee I require of your consent.

Lot# _____ Address: _____ Name: _____ Signature: _____

Lot# _____ Address: _____ Name: _____ Signature: _____

Lot# _____ Address: _____ Name: _____ Signature: _____

Lot# _____ Address: _____ Name: _____ Signature: _____

Thank you,



**PAINT SCHEMES -
 Elevations: Spanish Colonial, Ranch Territorial, Desert Prairie, & Craftsman**

Scheme #1:

Body:	SW2849 Westchester Gray LRV 19	
Fascia / Trim:	SW9154 Perle Noir LRV 8	
Shutters & Front Door:	SW6222 Riverway LRV 16	
Garage Door:	SW7650 Ellie Gray LRV 40	

Scheme #2:

Body:	SW7513 Sanderling LRV 31	
Fascia / Trim:	SW6061 Tanbark LRV 15	
Shutters & Front Door:	SW 7509 Tiki Hut LRV 17	
Garage Door:	SW6067 Mocha LRV 21	

Scheme #3

Body:	SW7724 Canoe LRV 34	
Fascia / Trim:	SW7550 Resort Tan LRV 22	
Shutters & Front Door:	SW6048 Terra Brun LRV 5	
Garage Door:	SW6081 Downhome LRV 20	



Scheme #4

Body:	SW6087 Trusty Tan LRV 37	
Fascia / Trim:	SW6089 Grounded LRV 12	
Shutters & Front Door:	SW6041 Otter LRV 6	
Garage Door:	SW6061 Tanbark LRV 15	

Scheme #5

Body:	SW7725 Yearling LRV 28	
Fascia / Trim:	SW6088 Nuthatch LRV 19	
Shutters & Front Door:	SW6153 Protégé Bronze LRV 9	
Garage Door:	SW6095 Toasty LRV 19	

Scheme #6

Body:	SW2823 Rookwood Clay LRV 23	
Fascia / Trim:	SW 2806 Rookwood Brown LRV 14	
Shutters & Front Door:	SW2845 Bunglehouse Gray LRV 28	
Garage Door:	SW2820 Downing Earth LRV 20	



Scheme #7:

Body:	SW6108 Latte LRV 38	
Fascia / Trim:	SW6048 Terra Brun LRV 5	
Shutters & Front Door:	SW6992 Inkwell LRV 4	
Garage Door:	SW6109 Hopsack LRV 24	

Scheme #8:

Body:	SW2821 Downing Stone LRV 36	
Fascia / Trim:	SW7645 Thunder Gray LRV 9	
Shutters & Front Door:	SW2819 Downing Slate LRV 21	
Garage Door:	SW7025 Backdrop LRV 20	

Scheme #9:



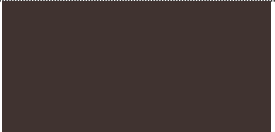
Body:	SW6087 Trusty Tan LRV 37	
Fascia / Trim:	SW6067 Mocha LRV 21	
Shutters & Front Door:	SW2838 Polished Mahogany LRV 3	
Garage Door:	SW7520 Plantation Shutters LRV 9	



Scheme # 10

Body:	SW7038 Tony Taupe LRV 37	
Fascia / Trim:	SW7025 Backdrop LRV 20	
Shutters & Front Door:	SW7645 Thunder Gray LRV 9	
Garage Door:	SW6090 Java LRV 7	

Scheme #11

Body:	SW9170 Acier LRV 32	
Fascia / Trim:	SW2849 Westchester Gray LRV 19	
Shutters & Front Door:	SW6006 Black Bean LRV 4	
Garage Door:	SW2739 Charcoal Blue LRV 6	