

**DESIGN GUIDELINES
RULES AND REGULATIONS
FOR
SALIDA DEL SOL
HOMEOWNERS ASSOCIATION, INC.**

January 2016

Article IV, Section 4.07 of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) and Article VII Section 7.1 of the Bylaws for the Salida del Sol Homeowners Association provides for an Architectural Review Committee (ARC) appointed by the Board of Directors to review additions, modifications, and alterations to all lots within the community and adopt rules and regulations to facilitate such action. The Design Guidelines/Rules & Regulations, as set forth in this document, shall interpret and implement procedures for the Architectural Review Committee's review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, and wall design. These documents are intended to enhance property values and maintain the high standard of development that exist within Salida del Sol Homeowners Association, Inc. Capitalized terms in this document not otherwise defined shall have the same meaning as described in the CC&Rs. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the Architectural Review Committee is required. The Guidelines are established to assist residents in conforming to the standards established, and amended from time to time, by the Architectural Review Committee. Each application will be reviewed on a case-by-case basis.

The ARC will not address disputes between private property owners, nor will it serve as liaison for resolving issues. The ARC will address architectural issues only.

These guidelines and restrictions shall be in addition to any and all restrictions imposed by the municipality or county in which the Lot is located. In cases of conflict, the municipality or county ordinances and restrictions shall supersede those contained within this document. Please review your CC&Rs for a more complete list of property restrictions including use restrictions.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR INSTALLATION, ALL PLANS MUST BE SUBMITTED, IF REQUIRED, TO THE ARCHITECTURAL REVIEW COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE ARCHITECTURAL REVIEW COMMITTEE. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED).

APPLICATION PROCEDURE

Submittal

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

Salida del Sol Homeowners Association, Inc.
c/o Platinum Management, Inc.
P.O. Box 14198
Tucson, AZ 85732
(520) 623-2324
Fax (520) 722-0539

The following information should be included with the submittal:

1. **Application Form – Architectural Design Review Form** - A completed application form (copies may be obtained from the management office).
2. **Project Plan** - A site plan showing dimensions, relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans. Simple drawings are acceptable.
3. **Specifications** – Detailed description of materials to be used, color samples, and dimensions.
4. **Timeframe** – Dates of commencement and completion of the work.
5. **Additional Information** – Any and all additional information requested by the ARC.

All buildings, structures and other improvements erected within Salida del Sol and the use and appearance of all land within Salida del Sol shall comply with all applicable Pima County zoning and code requirements as well as the Declaration and these Rules.

Review

The Architectural Review Committee shall have thirty (30) days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be in writing and will be mailed via US Mail. The ARC will make every effort to review and decide upon the application within thirty (30) days of submission. Any work commenced prior to written approval of the ARC will be handled in accordance with the Penalties policy explained herein.

Review and approval or disapproval will include, but is not limited to, consideration of material, colors, and consistency with the external design and color of existing structures on the lot. The location of the improvement must also take into consideration the municipal permit and setback requirements, topography, drainage and finished grade elevation.

Neither the Architectural Review Committee, nor the Board of Directors, nor the Declarant shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

It is the responsibility of the homeowner to ensure that all modifications are consistent with Pima County Building Code and that any and all required permits are obtained before commencing work.

Approval Expiration – Construction must be started within 90 days of the date of the Committee’s approval of the application or a different date as specified in the application, contingent on ARC approval, or the Committee’s approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Rules.

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 Committee’s discretion), such construction shall be completed within six (6) months of the date of the Committee’s approval of the application, unless further submittal is approved.

Penalties: Failing or refusing to submit as required under Article IV Section 4.07 of the CC&R’s, an application to the ARC , may cause the Board through recommendation of the ARC to take action against the owner under Article V, Section 504 of the CC&Rs; and Arizona Revised Statutes §10-3201. This action could include removal of the unauthorized changes of the property at the owner’s expense.

Appeal

Any appeal of the Committee’s decision must be submitted in writing within 30 days of the mailing date of the Committee decision to:

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c/o Platinum Management, Inc.
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Tucson, AZ 85732
(520) 623-2324
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The Board of Directors will review and discuss the appeal in relation to the documents and be the deciding entity in the appeal process. The Board of Directors decision will be final.

Design Guideline Changes

These design guidelines-rules and regulations may be amended from time to time by a majority vote of the board of directors.

DESIGN GUIDELINES

Antennas - No submittal is required, the Community Association respectfully ask the following should be considered when installing Antennas:

Antennas should be installed with your community's esthetics in mind. The preferred locations, in descending order of preference, are as follows:

1. A location in the back yard of the property where the antenna will be screened from view by wall or fencing, landscaping or other improvements;
2. An unscreened location in the backyard of the Lot;
3. On the roof, but below the roof line;
4. A location in the side yard of the property where the antenna 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 antenna will be screened from view by landscaping or other improvements.

All wires must be securely attached to the dwelling and painted to match where attached. Additionally, any transmission cable for a receiver to the house must be underground. The restrictions in Article III, Section 3.03 of the CC&Rs shall be subject to any limitations imposed by law.

Awnings

All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning, is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and or replaced due to weathering, fading, tearing, ripping, etc.

Built in BBQ's and Outdoor Fireplaces

All built in BBQ's and Outdoor Fireplaces shall be constructed of the same material, texture and color of the home and require prior approval of the ARC. Built in BBQ's and Outdoor Fireplaces built in the rear yard that meet the setback requirements of Pima County and cannot be seen over the wall do not need to be submitted for.

Decorative Items, Seasonal items, Art on Houses, & Statuary

All decorative items, seasonal items, art mounted on homes or in front yards and statuary items must be submitted for approval by the Architectural Review Committee. The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color and location.

Seasonal and Decorative Flags

US Flag, Military Flags and Seasonal Flags which are house mounted below the roofline do not require approval. Seasonal flags must be removed within 30 days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc. constitute grounds for removal. The Board of Directors shall make this determination at its sole discretion. No more than two flags to be displayed at any time.

Holiday Decorations

Holiday decorations may be installed 30 days prior to the holiday and must be removed within 30 days after the holiday.

Water Features

Water Features and Fountains are permitted within the rear yard and do not require submittal to the Architectural Review Committee. It is recommended that water features be chlorinated.

Sidewalks for Gate Access

Sidewalks installed to utilize side gates must be submitted for approval and are subject to the following conditions:

1. The additional sidewalk is three (3) feet or less in width.
2. The area between the home and the sidewalk addition must have groundcover installed per the landscaping guidelines to match the existing ground cover.

The Architectural Review Committee reserves the right to review and request changes to the addition per these requirements.

Walls Including Decorative Walls

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s) as well as with information on the height of all walls which will abut the wall(s) being raised. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the lowest side of the wall.

Plans for new walls must be submitted to the Architectural Review Committee prior to construction. Walls must match the existing wall in texture and color.

Decorative Garden (Pony Walls) walls installed in the front or side yard must be submitted for approval prior to installation. Stuccoed walls must match the texture and base color of the home.

All painted walls must match the base color of the home.

Flagpoles

In accordance with A.R.S. §33-1808, flagpoles are allowed for the outdoor display of the American Flag and other flags as provided in A.R.S. § 33-1808, provided the American flag and military flags are displayed in a manner consistent with the Federal Flag Code (P.L. 94-344; 90 STAT.810;4 United States Code Sections 4 through 10). Residences are allowed one flagpole, either freestanding or attached by bracket to the home, in either the front or rear yard. No more than two (2) flags may be displayed at one time. Flagpoles are limited to the height of the roof of the home at its highest point.

Gates

All requests for additional gates or gates other than those which were offered by the original developer of the lot/home must be submitted for architectural approval. Placement of gate(s) must be approved by the Architectural Review Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates unless approved by the Architectural Review Committee. Gates may be painted to match the fence with approval from the Architectural Review Committee. Repainting original gates with original colors SHALL NOT require approval.

Gutters and Downspouts

Gutters and downspouts SHALL NOT require approval if the finish matches the color of the home or trim adjacent to installation. Drainage must not unduly affect Neighboring Property. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

HVAC Including Evaporative Cooler and Window Air Conditioner Units

May be installed in the rear yards only and do not need approval as long as they are not visible to the street or neighboring lots.

LANDSCAPE GUIDELINES

Front Yard Landscaping

All front yard landscaping must be installed in accordance with plans approved in writing by the Architectural Review Committee.

All areas of the front yard Visible from Neighboring Property are to be covered by plant material or decorative rock. . All decorative rock should be earth tone in color.

Please take neighbors' views into consideration when choosing and placing trees.

Corner Lots must be landscaped so as to include the area extending to the street from both the front and side of the Lot.

Drainage When installing landscaping or irrigation, care must be taken to maintain proper grading and eliminate undue drainage onto other Lots. Irrigation systems should not produce excessive water on walls. All exposed piping in the front or side yards to be painted the color of the surface they lie over.

Hardscape Any change in hardscape items proposed for front yard installation must be approved by the Architectural Review Committee. Materials included in hardscape are concrete, brick, tile, wood, rocks, decomposed granite etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls, fountains, and front yard ground cover.

Rear Yard Landscaping Rear yard landscaping does not require Architectural Review Committee approval, except if installing items that will rise above the fence.

Turf No turf is allowed in the front yard. Turf installed in the rear yard must comply with the Pima County Approved Plant List.

Weeds and Trimming of Trees and Bushes Homeowners are required to promptly remove weeds from both their front and rear yards. Pre-emergent products and weed killers are usually very successful in keeping weeds under control, and can be used, provided the product use recommendations are carefully followed. All trees and bushes should be kept trimmed so they do not encroach on the sidewalk, driveway or neighbor's property.

Prohibited Plant Material The following vegetation types and varieties are on the evasive plant list for Arizona and may be denied by the ARC committee if used on submittals.

- a. Olive trees (*Olea europaea*) other than the "Swan Hill" variety.
- b. Oleanders (*Nerium oleander*) other than the dwarf variety and Thevetia. (*Thevetia* species.)
- c. Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*)
- d. Mexican Palo Verde (*Parkinsonia aculeata*)
- e. All varieties of mulberry trees.

Approved Plant List

The Official Regulatory List from the Arizona Department of Water Resources Tucson Active Management Area Low Water Use/Drought Tolerant Plant List, updated July, 2004 is the complete list of plants approved for Salida del Sol. A PDF document of the above can be viewed online:

http://www.azwater.gov/azdwr/WaterManagement/AMAs/documents/2010TAMA_apha_botanical_PLANTLIST.pdf

Lighting

Since many areas of Pima County are regulated by light code restrictions, landscape lighting used to enhance plants and yard areas must not be excessive, nor adversely impose upon neighboring properties.

Lighting modifications SHALL NOT require the approval of the ARC if the following guidelines are followed, whereas any deviation from these guidelines SHALL require the approval of the ARC.

- A. **Accent Lighting** - The bulbs shall be white, not exceeding 18 watts per bulb, and not exceeding 24 inches in height from ground level.
- B. All **floodlights** must meet the following requirements:
 1. The light-emitting element and/or reflecting device of all lighting or illumination units shall be hooded or shielded as to minimize the light Visible from any adjacent Lot or Real Property—no bare bulbs or light-emitting elements are permitted.

2. Lights or illuminating units shall minimize the direction of light, either directly or through a reflecting device, upon an adjacent Homeowner Association member's property.
 3. Motion lights must turn off within five (5) minutes.
 4. Pole lighting is prohibited.
- C. **Rear and side yard lighting** shall prevent excessive glare or light spillage onto adjacent Lots.
- D. **Garage lights** should be submitted for approval.

Paint Colors

The paint colors used by the original developer or the additional colors approved by the ARC & Board of Directors must be used in all instances. Use of original exterior colors or additional approved colors SHALL NOT require approval of the ARC. In the case of any variation from the original colors, the ARC will seek to maintain exterior colors among the original palette, allowing for sufficient variation between neighboring houses. Trim colors shall not dominate the exterior appearance and shall be of the same color range of the major color. The Architectural Review Committee must approve non-original paint colors prior to painting.

Patio Covers

Roofing materials should match that which were installed by the builder on the original roof of the home or what was offered as an option by the builder for a patio cover.

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

Playground Equipment

Plans for play structures and similar recreational equipment must be submitted for approval as 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 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 twelve (12) feet.

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

Pools and Spas

Pools and spas in the back yard will not require approval as long as all Pima County setbacks are used. Perimeter walls on lots bordering common areas and shared Homeowners Association walls may not be removed to allow access to rear yards.

Access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All pool and spa equipment must be screened from view of neighboring property. (Lots with view fencing must submit plans for screening for approval by the Architectural Review Committee.)

Pools may not be backwashed into any common area or street. Check with your pool contractor concerning County ordinance requirements for backwashing. Damage, including erosion, to common area due to backwashing will be repaired by the Association and all expenses incurred by the Association will be billed to the homeowner.

Pool Fencing and Equipment

The specifications for rear yard wrought iron pool fencing installation: fencing shall be of a neutral earth tone color to match or blend with the exterior color of the home and meet all County, State and Federal requirements.

Pool equipment must be screened from view from common areas and neighboring lots. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four feet in height and is finished with stucco and paint to match the base color of the home. All other screening material requires approval from the Architectural Review Committee.

Roof and Roof Structures

If the dwelling unit has pitched roof, the same roofing material and color must be used on any new/additional roof or roof structure. Unless specifically authorized in this document, no heating, air-conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof (please see Solar Panels). In addition, any such equipment or structures shall not be located or installed or maintained anywhere on a Lot, if it is Visible from Neighboring Property.

Security Devices

Security lighting must be directed as not to shine on neighboring property. Additional visible security features, including but not limited to cameras, doors and windows must be submitted for approval.

Security Doors, Screen Doors, Sunscreens

Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home, or are a neutral “earth tone” color.

Bronze, gray, charcoal, brown or beige non-reflective sunscreen material may be installed without approval provided that the window frame matches the sunscreen material or the existing window frames. Reflective window films are expressly prohibited.

Signs

No signs shall be displayed on any lot except the following:

- (a) Signs required by legal proceedings;
- (b) One temporary “For Sale” or “For Lease” “industry standard” sign not to exceed 18 x 24 inches per A.R.S. §33-1808(F) and one standard 6-inch rider;
- (c) One “For Sale,” “For Lease,” or “Open House,” sign which has been purchased by the Owner, except that the ARC shall reserve the right to request reasonable modifications to such signs;
- (d) Such signs as may be required by A.R.S. §33-1808, which includes political signs;
- (e) Other signs as may be approved by the Architectural Review Committee.

All signs shall conform and comply with County ordinances. Signs advertising landscaping or pool contractors, etc. must be removed within forty-eight (48) hours of completion of work.

Security Signs

Security signs must not exceed 12 inches by 12 inches and must be maintained in good condition at all times.

Solar Panels and Equipment

Roof-mounted solar equipment (excluding solar panels) must match the roof material. Solar panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline; visibility must be minimized from public view.

Sports Equipment

The sports equipment referenced herein does not need to be submitted for approval providing the equipment is in compliance with the following restrictions.

1. Only portable, free standing basketball backboards are permitted. Backboards must be kept in good condition and all backboards must be positioned so as not to adversely affect the property of any adjacent/surrounding neighbor or Common Area(s). Further, backboards cannot be placed in the street or upon sidewalks at any time.
2. Trampolines are permitted without ARC approval so long as any safety netting is not visible from Neighboring Property. Otherwise, trampolines require approval from the ARC.

3. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped torn nets, etc., should be promptly repaired or replaced.
4. Basketball courts may not be painted or permanently outlined on any concrete and/or asphalt surfaces in the front, side yard, or driveway.

Storage Sheds

Storage sheds need not be submitted for approval, **provided that maximum height of the shed, including roof, does not exceed the height of the immediately surrounding walls(s) or fences(s).** Sheds shall have a minimum setback of 5 feet from any rear yard walls. Sheds will not have a maximum footprint exceeding 10 x 10 feet.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) **must be submitted to the ARC.** The shed must be painted to match the home. Non-prefabricated sheds must have a roof that matches the existing roof of the home.

Windows

Permanent draperies or other window treatments, such as blinds and shutters, shall be installed on all front-facing windows within thirty (30) days of occupancy. No 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. Exterior window coverings or treatments used to decorate openings must be compatible with respect to materials and style of the original house design.

**Salida del Sol Homeowners Association, Inc.
Architectural Design Review Form**

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Tucson, AZ 85732
(520) 623-2324 Fax (520) 722-5039

Name: _____ Date: _____

Address: _____ Daytime Phone: _____

_____ Lot #: _____

Requesting Approval of: _____

Work to be performed by: _____

Type of Material (attach samples/pictures/brochures): _____

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

**SUBMITTAL MUST INCLUDE A LEGIBLE PLOT PLAN INDICATING LOCATION OF
REQUEST AND INCLUDE ALL APPLICABLE MEASUREMENTS AND DIMENSIONS.**

INCOMPLETE SUBMITTALS WILL BE DENIED

I agree to comply with all applicable county and state laws, and to obtain all necessary permits. I also agree not to begin work until I have been notified in writing of the Architectural Review Committee's decision and to maintain all improvements in their original condition. Architectural Review Committee must review and respond to all submittals within **30** days. All work must be completed within 90 days from day of approval.

Owner's Signature: _____ Date: _____

Approved: _____

Conditionally Approved: _____

Denied: _____

Committee Member Signature: _____ Date: _____