

# **VERDE SANTA FE**

## **ARCHITECTURAL COMMITTEE RULES AND ASSOCIATION RULES**

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## **PREFACE**

Pursuant to Article 5, Sections 5.3 and 5.12 of the Declaration of Covenants, Conditions, Restrictions and Easements for Verde Santa Fe, (“CC&Rs”), the Association adopts these Architectural Committee Rules and Association Rules (collectively “Rules”). Capitalized terms appearing herein shall be given the meaning set forth in Article 1 of the CC&Rs. These supersede the Architectural Guidelines dated December 11, 1996, the Plant List Amendment Number 1 dated August 20, 2007, the Fence Guidelines dated May 1, 2006 and the Fencing Guidelines dated February 4, 2004.

## **ARTICLE 1: ARCHITECTURAL COMMITTEE**

### **1.1 Architectural Committee**

The Architectural Committee (“Committee”) will be formed consistent with the CC&Rs. The Verde Santa Fe Community Association Board shall have complete power of appointment and removal of the Committee’s Members.

### **1.2 Membership Organization**

The Committee shall consist of no less than three (3) nor more than seven (7) regular members, and no less than one (1) nor more than three (3) alternate members. Each member shall hold his/her office for a period of one year, beginning at the Annual Meeting, or until such time he/she resigns or is re-appointed by the Board. The Board retains the right to modify the number of Committee Members subject to conditions specified in the CC&Rs.

### **1.3 Resignation of Members**

Any member of the Committee may at any time resign from the Committee upon written notice delivered to the Board.

### **1.4 Duties**

It shall be the duty of the Committee to consider and act upon such proposals or matters that are submitted to it pursuant to the CC&Rs and the Rules. The Committee shall take appropriate action relative to the approval, conditional approval or disapproval of the proposals submitted. The Committee shall perform such other duties as, from time to time, are delegated to it by the Board.

### **1.5 Meetings**

The Committee shall meet from time to time as necessary to properly perform its duties. Normally meetings shall be scheduled bi-monthly. The vote or written consent of a majority of a quorum of the members shall constitute an act by the Committee. The

Committee shall keep and maintain a record of all action taken by it at such meetings or otherwise. Meetings by telephone are permitted.

#### 1.6 Notices and Receipts of Submittals

All notices, applications, written requests, or other communications to the Committee shall be sent via First Class Mail to the attention of the Verde Santa Fe Architectural Committee c/o the Association's management company at the address listed on the Architectural Committee *Approval Request* form. All notices, communications, applications or written requests sent in any other manner (including mailing, delivering, or faxing to an individual Committee member or delivering or faxing to the management company or management personnel) shall not be deemed submitted, delivered or communicated. The management company's date of receipt stamp shall be conclusive as to the date of receipt by the Committee.

#### 1.7 Reporting

The Committee shall provide a monthly summary of its actions to the Board.

#### 1.8 Discretion of the Committee

In exercising its discretion in approving, disapproving or imposing conditions on an owner's or builder's request to construct an Improvement, the Committee may consider the requirements of these Rules, any statutory or case law applicable to the proposed Improvement, unique circumstances bearing on a proposed Improvement, the landscape and architectural character of Verde Santa Fe, and the interests of current and future members of the Association.

### **ARTICLE 2: REVIEW AND APPROVAL PROCESS FOR HOMEOWNERS**

#### 2.1 Introduction

It is strongly recommended that an Owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular lot and the Owner's special needs along with the skill to translate this into building form, and the ability to convey to the Committee the concept and design of a proposed residence or other Improvement, are all important elements of the design review process. If an Owner elects to create the design or to retain non-professional services, and the result in either case is not approved by the Committee, the Committee has the right to require that an Owner thereafter utilize professional design services.

The design review process was developed to provide adequate checkpoints along the way in an effort to minimize time and money spent on designs that do not adhere to the Rules or to the overall philosophy of Verde Santa Fe. An attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each Owner is responsible

for complying with the Rules, and all other applicable provisions of the CC&Rs, as well as all rules and regulations of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

The Committee will conduct review of the project(s) during their regular meetings or at such other times, during the review of the project, as they deem appropriate. Owners, Architects and Builders may attend any scheduled Committee meetings. The Committee will not discuss results of the review over the telephone with an Owner, Architect or Builder. Any response an Owner may wish to make in reference to the issues contained in the Committee's notice following review of submittals should be addressed to the Committee in writing. A schedule will be established to coordinate submittal dates and the corresponding review meeting.

The following is a procedural walk-through of the Review and Approval process.

## 2.2 Review Process

No Improvement shall be constructed or installed within Verde Santa Fe without the prior written approval of the Architectural Committee.

These Rules are subject to the interpretation or modification by the Committee, in its sole discretion. No Owner, Developer or Builder should assume that any project or proposal which appears to meet these Rules will be approved or is otherwise approvable. No Owner should construct an Improvement on the basis of the owner's reading or interpretation of the Rules. Prior written approval of the Architectural Committee is required before any Improvement is contracted for or constructed.

Prior to initiating any Improvement (including any exterior alteration to a house or to a lot), an Owner shall submit to the Committee an ***Architectural Committee Approval Request*** form, see Appendix J.

If the *Approval Request* form information does not comply with requirements stated on the form, or if the written portion of the *Approval Request* form is not clear in the judgment of the Committee, the Committee may, without further consideration, return the *Approval Request* form to the applicant and it will be deemed denied. The applicant may resubmit the *Approval Request* form conforming to the requirements stated on the form or correcting the original deficiencies.

Any re-submittal will be treated as a new submittal with regard to the thirty (30) day response time requirement. If the Committee deems it necessary and advisable to seek clarification of an *Approval Request* form, the Chairperson may also designate a Committee Member to contact the applicant, make a site visit, if necessary, and report the findings, so the Committee can make an informed decision.

### 2.3 Committee Action

Upon receipt of the completed submittal, the Committee will review the submittal and make its recommendation and provide a written response to the Owner. The response may include stipulations, conditions or other requirements that must be met by the Owner.

### 2.4 Construction Permit

Securing of the building permit is the responsibility of the Owner and/or Builder. Approval by the County or local government of an Owner's plan or the issuance of a building permit does not satisfy the requirements of prior written approval by the Committee. Construction shall be in strict accordance with the completed submittal approved by the Committee.

### 2.5 Additional Construction and/or Exterior Changes

Any change, deletion or addition to the plans, specifications, drawings or submittals approved by the Committee shall not be constructed without the prior written approval of the Committee.

### 2.6 Re-submittal of Drawings

In the event any plans, specifications or drawings are not approved by the Committee, resubmission must follow the same procedure as the original submittal.

### 2.7 Final Inspection

Upon completion of any Improvement for which final approval was given by the Committee, the Owner shall give written notice of completion to the Committee. Within such reasonable time as the Committee may determine, the Committee may inspect the improvements. If it is found that such work was not done in strict compliance with the approved completed submittal, the Committee may notify the Owner in writing of such non-compliance. If notice of non-compliance is given by the Committee, the Owner will be responsible for correcting all non-complying work within thirty (30) days of the date of the Committee's notice of non-compliance.

### 2.8 Commencement of Project

Upon approval of the Committee, the Owner shall satisfy all conditions thereof and commence the construction, reconstruction, refinishing, alterations, Improvements or other work pursuant to the approved *Approval Request* form within thirty (30) days from the date of such approval. If the Owner fails to comply with this requirement, any approval may be revoked unless the Owner makes a written request to the Committee to extend the time for start of construction or Improvements. The Committee, at its discretion, may extend the period for starting construction or Improvement to a maximum

of thirty (30) additional days. The Owner shall, in any event, complete the Improvements as approved by the Committee within one hundred eighty (180) days after the required commencement of construction of the Improvements or within such time specified in writing by the Committee.

### **ARTICLE 3: SITE DESIGN (OWNERS)**

#### **3.1 Parking**

In addition to the parking restrictions set forth in the CC&Rs, parking is prohibited on landscaping, sidewalks or unpaved areas.

#### **3.2 Driveways**

Driveways shall be constructed of concrete or pre-cast pavers. Paver and concrete colors must be approved by the Committee.

Where subdivision or lot drainage occurs adjacent to the street, driveway crossings of such drainage shall be consistent with the detail in Appendix B. Alternate driveway crossings incorporating the use of natural stone are encouraged. All crossings of drainage areas are subject to approval by the Committee and Yavapai County, Arizona.

#### **3.3 Swimming Pools and Spas**

No swimming pool, spa or hot tub may be placed or constructed without prior written approval from the Committee. All swimming pools and spas must conform to Yavapai County code requirements.

Water discharge from pools or spas must be contained within the subject lot.

Pool equipment must not be visible from other lots or common areas and must be located and screened to minimize noise to adjoining lots. Screening shall consist of a wall or walls consisting of chipboard or plywood with Styrofoam insulation, covered with stucco and painted the color of the body of the house, or alternate construction as approved by the Committee. Pool slides shall be no more than six feet (6') in height as measured from the pool decking.

#### **3.4 View Fences on Golf Course Frontage and Common Spaces**

All parcels with golf course frontage shall define boundaries or lot lines with a view fence consisting of masonry and tubular steel. View fences shall also be used for rear yard fences adjacent to drainage corridors or other common open space and shall conform to the detail in Appendix C.

### 3.5 Common Walls Between Residences

Solid side yard privacy walls up to a maximum height of six feet (6') may be placed on the side yard lot lines between residences with mutual consent of the affected parties. It is recommended that the solid side yard privacy walls stop at the front and rear corners of the shorter house. The side yard privacy walls may never extend beyond the front and rear corners of the larger house. The walls must be constructed of integral color or painted masonry in a complementary color to match the respective houses. The intent of a limited solid masonry wall on a common side yard property line is to provide privacy for adjacent homeowners with windows directly across from one another.

### 3.6 Side and Rear Yard Fences

- a. Tubular Steel Only – Fences and gates must be Navajo White (SW6126). No planks or slats of any kind are allowed on Fences or Gates. Gates can be no wider than 60” (5ft). Tubular steel view fences up to a maximum height of six feet (6') measured from ground grade may be used to enclose the side and back yards. No double gates are allowed EXCEPT for courtyard walls.
- b. Combination Masonry Block and Tubular Steel – All custom Gates for Courtyard Walls MUST have architectural committee approval. Must supply picture or drawing with submittal. A combination of solid masonry wall nominally two feet (2') in height including a two-inch (2") cap and tubular steel fencing up to a combined nominal height of six feet (6') measured from ground grade may be used to enclose the side and back yards.
- c. Inconspicuous Fencing - Fencing such as chicken wire, or a mesh of a synthetic material, behind a tubular steel view fence may be permitted. Such fencing must be no higher than two feet (2') above grade or two feet (2') above the height of the solid masonry wall, whichever is relevant.
- d. Solid Privacy Walls - In some cases, solid privacy walls may be permitted, but only with Committee approval.
- e. Turnberry Estates Fencing - Because of the unique character of Turnberry Estates, split rail/pole "open view" fences are permitted except along a lot boundary which borders the Verde Santa Fe Golf Course. The fence height must not exceed six feet (6') measured from ground grade. A variation in height is acceptable.
- f. Metal Wire Fencing - Stand alone metal wire fencing is prohibited.

### 3.7 Front Yard Walls, Gates and Fences

- a. Front Courtyard Walls – Stucco-finished courtyard walls up to a maximum height of four-and-a-half feet (4-1/2') measured from ground grade may be constructed.

- b. Front Courtyard Gates – Front courtyard gates shall be constructed of tubular steel and painted a desert color that complements the home and stucco wall. Gates should not exceed the height of the courtyard wall at location of entry by more than six inches (6”). All custom gates for courtyard walls must have Architectural Committee Approval, supply picture or drawing with your submittal.
- c. Front Yard Fence Restrictions - With the exception of the courtyard stucco-finished walls referenced in (a) above, all other front yard fencing is prohibited.

In all cases, the addition of front courtyard walls and gates must be approved by the Committee.

### 3.8 Pool and Patio Privacy Walls and Fences

- a. Pool Privacy Walls and Fences - Pool privacy walls and fences will be evaluated on a case-by-case basis. Pool walls and fences must conform to Yavapai County, Arizona, requirements.
- b. Patio Privacy Walls and Fences - Rear and side patio privacy fences and/or stucco walls will be evaluated on a case-by-case basis.

### 3.9 Retaining Walls

Retaining walls between lots and at the toes of slopes shall be constructed in a consistent manner throughout Verde Santa Fe and conform to the detail in Appendix D. Height shall not exceed three feet (3') unless approved by the Committee. To achieve heights greater than three feet (3'), two or more walls shall be used in a terraced manner with a minimum of four feet (4') between the walls. The space between the walls shall be landscaped consistent with the subject lot.

All retaining wall plans and details must be approved by the County and the Committee.

### 3.10 Lighting

All exterior lighting requires prior written approval of the Committee. Plans for lighting must be detailed. In reviewing an application for exterior lights, the Committee may consider many factors, including (1) bulb type, voltage and luminosity, (2) location, (3) mounting structures, (4) purpose for lighting, and (5) light spillage. All exterior lighting approved by the Committee shall also conform to Section 603 (Light Pollution Control) of the Yavapai County Planning and Zoning Ordinance effective April 19, 2006, and its successors.

Lighting or light structures for sports play of any kind or sport equipment of any type are strictly prohibited.

### 3.11 Tennis Courts/Basketball Courts/Sport Courts

No tennis court, basketball court or any type of sport court shall be constructed on an individual lot. Courts may not be constructed as a subdivision amenity without prior approval from the Committee.

### 3.12 Basketball Goals

Permanently placed or ground installed basketball goals are prohibited on lots.

Portable Basketball Goals are permitted in view on a lot while being used for basketball play. When not in play, the Portable Basketball Goal must be removed and stored so that it is not visible from the streets or neighboring properties. Storage of portable basketball goals in the front of a Lot is strictly prohibited. When stored in the back of a Lot, the Portable Basketball Goal must be stored from view below the perimeter wall. No basketball goal may be leaned or set against a wall, a house, a tree or any other structure. No basketball goal may be modified or used for purposes other than basketball play.

Lighting or light structures for Portable Basketball Goals, sports play of any kind and sports equipment of any type are strictly prohibited.

### 3.13 Trampolines/Swing Sets/Play Houses

In non-age restricted sub-divisions, trampolines, swing sets, jungle gyms, playhouses or other types of play equipment in the rear yard will be reviewed on a case by case basis, considering (1) size, (2) location, (3) height above the perimeter wall, (4) proximity to neighboring property, (5) color, and (6) visual impact. Owner must receive written permission from adjacent neighbors, and it must be submitted directly to the Association's management company. No such play equipment is permitted in front yards.

Lighting or light structures for outdoor play equipment is strictly prohibited.

Outdoor play equipment is not permitted in age-restricted sub-divisions.

## **ARTICLE 4: ARCHITECTURAL DESIGN (OWNERS)**

### 4.1 Architectural Character

The architecture of Verde Santa Fe is characterized by strong unifying elements such as flat roofs, low pitched roofs with flat tile or "S" and barrel tile, projecting eaves and simple stucco walls painted in a desert palette. These bold elements combined with simple accents, uncluttered detailing and recessed openings convey a sense of solidity and permanence. It is the intent of these Rules to establish a consistent architectural theme for Verde Santa Fe while allowing for some flexibility of design expression.

## 4.2 Column Elements

Columns incorporated as a structural or aesthetic design element shall convey a solid, durable image as expressed through bold forms. Columns may be used as support for porch roofs and balconies. Exposed pipe columns and thin posts are prohibited. Thin posts are those smaller than a nominal six-inch (6") by six-inch (6") dimension. The color shall be compatible with the exterior color of the house. All structural elements must be approved by the Committee.

## 4.3 Building Height

Being a matter of critical consideration in Verde Santa Fe, building heights shall not exceed twenty-five feet (25') from the average natural grade to the highest point on the roofline. In certain areas, heights may be restricted to specific elevations above natural grade to retain distant or golf course views or to avoid a canyon-like effect along streets, open space, or the golf course.

## 4.4 Materials

The dominant exterior wall material should be sand or textured finish stucco with either an integral color or matte painted finish. Accents of textured and integrally colored concrete masonry or stone veneers are encouraged for fireplace masses, wall planes or wainscot elements. Roof tiles should be of integrally colored materials. All materials must be approved by the Committee.

Prohibited siding materials include vinyl, aluminum, wood or Masonite.

## 4.5 Colors

The color theme for Verde Santa Fe consists of desert hues and all color selection for residences shall conform to the master color theme as established. Samples of the color theme are available from the Committee.

At least, two (2) complementary colors are required for each house. Three (3) colors are recommended, if appropriate. Trim elements (such as pop-outs) shall not be painted the same color as the body of the house. The color of the body of the house and trim elements must be compatible with the roof tile color. Garage doors must be painted within 60 days of door replacement. To be considered a trim element, a color may not exceed 15% of the total painted surface area.

Homeowners must receive Committee approval before repainting the exterior of their home. The colors must be selected from the approved color schemes.

Garage doors must be painted to match Body or Trim Colors.

4.5a Front door may be painted with Committee approval. Sample colors are in the paint books.

#### 4.6 Roof and Eave-Mounted Equipment, Antennae and Satellite Dishes

The installation of equipment, such as air conditioning and heat pump units, wind turbines and evaporative coolers, on sloped roofs is prohibited. Items such as skylights, attic fans and solar tubes may be permitted at the discretion of the Committee.

On flat roofed areas, equipment may be installed on the roof if all equipment is screened from public view or from other residences. Screening must be integrated into the architecture of the home and may not be a stand-alone feature on the roof. Additionally, flat roof areas may not be used for storage of any kind and shall be maintained in a clean and well-kept manner.

For antennas, satellite dishes and similar equipment, see Appendix G for installation criteria. Antennas such as ham radio towers and rooftop TV antennae are not permitted.

#### 4.7 Solar Energy Devices

The location of solar collectors and the color of the frame and mounting hardware must be approved by the Committee. See Appendix H for Installation Criteria.

The location of solar collectors and the color of the frame and mounting hardware must be approved by the Committee. See Appendix H for Installation Criteria.

#### 4.8 Screening

With the exception of satellite dishes one (1) meter in diameter or smaller and air conditioning units, all ground mounted equipment, such as swimming pool equipment, must be screened from adjacent properties, streets and open spaces.

In addition, pool equipment must be located and screened to minimize noise to adjoining lots. (See ARTICLE 3, Section 3.3 - Swimming Pools and Spas for more detail on the screening of pool equipment.)

Garbage can storage shall also be screened from view.

#### 4.9 Awnings and Shutters

No exterior shutters or window security bars will be permitted. No awnings will be permitted in front yards or courtyards. Awnings may be permitted with Committee approval in other locations.

#### 4.10 Stand Alone Trellises and Pergolas

All Trellises and Pergolas must be approved by the Architectural Committee. Please submit with request Manufacturers Recommended Footings specs. The Committee may require an inspection before pouring footings.

#### 4.11 Sheds

Sheds are prohibited in VSF.

### ARTICLE 5: RESIDENTIAL LANDSCAPE (OWNERS)

#### 5.1 Landscape Character

Verde Santa Fe is located in a natural landscape setting of open, rolling terrain, native grasses and sparse tree cover. The developed landscape will make use of native and drought tolerant plants but will also greatly enhance the landscape. The overall character will be lush desert, with an emphasis on low water use plants to provide color and interest to the development. Shade trees will dominate to create a comfortable pedestrian atmosphere, accommodating an active outdoor lifestyle.

A **Recommended Plant List** (Appendix I) has been developed to guide selection of plant materials for all residential landscaping, creating a consistent character throughout Verde Santa Fe. In addition, the Committee may (upon written request) approve additional plants if, in the opinion of the Committee, they meet the overall character and intent of Verde Santa Fe.

The planting of ALL TREES and any plant species, not specifically on the Recommended Plant List, requires prior written approval from the Committee. Homeowners may plant any of the shrubs, cacti, succulents, vines, perennials, and groundcovers on the Recommended Plant List, as well as annual flowers and vegetables in the back yard without Committee approval.

Trees on the Recommended Plant List which have an expected mature height of twenty feet (20') or less may be planted in courtyards. Trees on the Recommended Plant List which have an expected mature height, as a guideline limit, of thirty-five feet (35') or less may be planted in front yards and, on a case-by-case basis, in side yards if, in the opinion of the Committee, the side yard is of sufficient size to accommodate such trees. (See Appendix A and the diagram in Appendix E for the definitions of Front, Rear and Side Yards.) Any of the trees on Recommended Plant List may be planted in rear yards. The Committee may disapprove the planting of trees with expected mature heights other than

specified here or even those with heights not limited herein. Also, the Committee may waive the thirty-five foot (35') expected mature height limit as it applies to trees planted in front yards and side yards if the Committee determines that there are cases where it is warranted.

The mature height of any species of tree or shrub in question will be defined as the maximum mature height listed in the current edition of the *Sunset Western Garden Book*, or if not found there, the average of the maximum heights from three separate authoritative sources.

The **Prohibited Plant List** (Appendix I) identifies plants that shall not be used in Verde Santa Fe.

All landscape features other than plants, such as pools, spas, fountains, water features, patios and retaining walls must be approved by the Committee.

## 5.2 Statues, Fountains, Monuments, Yard and Exterior House Decor and Up-Lighting

The Committee must approve the addition of statues, fountains or monuments which are either: (1) of a height in excess of thirty inches (30"), (2) which are permanently affixed to the property, (3) which are not readily portable by one adult individual, (4) the addition is painted or colored a bright or non-neutral color (such as pink, purple, fluorescents, reflective materials, or similar colors or shades), or (5) the addition is offensive to the tastes or sentiments of the community. These conditions apply regardless of the location on the property.

Yard and exterior house decor which represents an expression of the individual tastes of homeowners and consists of items that are not permanently affixed, but are readily removable and portable, do not require prior approval of the Architectural Committee. Examples are decorated pots, pots with flowers, wagon wheels, western wagons, name monuments (flagstones), wood or wrought iron furniture, portable fountains, portable statuary or sculptures (e.g. wood metal, ceramic, etc.), foot bridges, decorative ornaments (in the yard or attached to the house).

Up-lighting is prohibited, except as permitted by Section 603 (Light Pollution Control) of the Yavapai County, Arizona, Planning and Zoning Ordinance, effective April 19, 2006, and its successors.

## 5.3 Turf and Other Lot Surfaces

No turf is allowed in front or side yards. Turf of a drought-tolerant species as it pertains to the Arizona climate may be allowed in rear yards, subject to approval by the Committee, but shall not be visible from the street facing the front aspect of the house and shall not exceed twenty-five (25) percent of the area of the rear yard.

Surface top dressings are limited to decomposed granite that is raked out, screened or crushed to an appropriate size and form to blend with adjacent natural areas.

Artificial turf is prohibited in the front or side yards and on view lots.

#### 5.4 Irrigation

All landscape plantings shall be watered by an automatic underground irrigation system, as well as by "other means", sufficient to adequately water any grass, trees, plants and other landscaping. "Other means" may include, but is not limited to, the use of soaker hoses, placing hoses with the water-emitting ends near the drip line zone of a trees or other plants, use of "root feeders/irrigators". Collector streetscapes shall be tied to a master control system to accommodate efficient and consistent watering of the entire streetscape system.

#### 5.5 Fruit Trees

Fruit trees are permitted providing they are kept trimmed to prevent branches from extending over adjacent property. In addition, the fruit must be picked as it ripens, and any fallen fruit must be immediately picked up so as not to attract birds and pests.

### **ARTICLE 6: CONSTRUCTION RULES (OWNERS)**

To assure that the natural landscape of each lot is not damaged during any construction activity, the following construction rules shall be enforced during the construction or other improvement period. Specifications for each residence or other Improvements shall be made a part of the construction or Improvement contract document. The proposed construction or Improvement contract shall accompany the Architectural Committee Approval form. All Owners will be responsible for the conduct and behavior of their agents, representatives, contractors and subcontractors at Verde Santa Fe.

### **ARTICLE 7: REVIEW AND APPROVAL PROCESS FOR BUILDERS**

#### 7.1 Introduction

To assist each Owner and/or Builder in the planning and designing of a residence and to take full advantage of the unique opportunities of a lot, a comprehensive design review process conducted by the Committee has been established. In general, the design review process is divided into five phases: the Pre-Design Meeting, the Preliminary Submittal, the Final Submittal, the Construction Permit and the Final Inspection.

The design review process was developed to provide adequate checkpoints along the way in an effort to minimize time and money spent on designs that do not adhere to the Rules or to the overall philosophy of Verde Santa Fe. An attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each Owner and/or Builder is responsible for complying with the Rules, and all other applicable provisions of the

CC&Rs, as well as all rules and guidelines of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

The Committee will conduct a review of the project(s) during their regular meetings or at such other times, as they deem appropriate. Owners, Architects and Builders may attend any scheduled meeting of the Committee during the review of their project. Results of reviews will not be discussed over the telephone by the Committee with an Owner, Architect or Builder. Any response an Owner may wish to make in reference to the issues contained in the Committee's notice following review of submittals should be addressed to the Committee in writing. A schedule will be established to coordinate submittal dates and the corresponding review meeting.

No Improvement shall be constructed or installed within Verde Santa Fe without the prior written approval of the Architectural Committee.

These Rules are subject to the interpretation or modification by the Committee, in its sole discretion. No Owner, Builder or Architect should assume that an Improvement which appears to meet these Rules will be approved or is otherwise approvable. No Owner, Builder or Architect should construct an Improvement on the basis of their own reading or interpretation of the Rules. Prior written approval of the Architectural Committee is required before any Improvement is contracted for or otherwise constructed.

The following is a procedural walk-through of the Review and Approval process.

## 7.2 Preliminary Submittal

Preliminary drawings, including all of the exhibits outlined below, must be submitted to the Committee before they will be considered for review. If a builder owns (or has the option to purchase) four or more lots, the builder may submit plans and specifications for all models that the Builder intends to build. **TWO SETS OF PLANS WILL BE REQUIRED.** The Preliminary Submittal shall include the following:

1. A site plan at no less than one inch (1") = twenty feet (20') showing lot boundaries, the Residence and all other buildings or major structures, driveway, parking areas, patios, pools, walls, proposed utility service facilities and routes, site grading, including existing and proposed contours, and elevations of all buildings, floors, patios and terraces, shown in relation to site contour elevations. Each Owner or Builder submitting drawings for approval to the Committee shall be responsible for the accuracy of all information contained therein.
2. Roof plans at no less than one-quarter inch (1/4") = one foot (1'). Roof plans should show areas of flat and sloped roofs.

3. Exterior elevations of all sides of the Residence with both existing and proposed grade lines shown and all exterior materials and general colors indicated.
4. Any other drawings, materials, or samples requested by the Committee.
5. A design review fee in an amount as specified by the Board. The current fee is \$350.00. This fee is subject to change.

To assist the Committee in its evaluation of the Preliminary Submittal, the Owner and/or Builder shall, if requested, provide preliminary staking at the locations of the corners of the Residence or major improvement and at such other locations as the Committee may request.

### 7.3 Preliminary Review

After any staking of the lot that may be required, the Preliminary submittal will be deemed complete. The Committee will then review the submittal for conformance to these Rules, make its recommendation, and provide a written response to the Owner and/or Builder. The anticipated scheduled time for the preliminary review is thirty (30) days from receipt of the completed submittal.

### 7.4 Final Submittal

After preliminary approval is obtained, the following documents are to be submitted to the Committee for final approval:

1. Complete construction documents for the Residence, building sections as required to illustrate the building, all utility locations, electric meter and transformer locations, and adjustments to locations and/or areas of the building envelope or the Residence, and locations and manufacturer's catalog cuts of all exterior lighting fixtures.
2. Samples of all exterior materials, colors and textures and window and glass specifications.
3. A complete landscape plan, at the same scale as the site plan, showing areas to be irrigated, if any; locations and sizes of all existing and proposed plants and any decorative features such as pools or imported rocks and proposed plant species (see Appendix F of these Rules).
4. An appropriate time schedule indicating approximate dates for starting and completing construction, utility hook-up, completion of landscaping work and anticipated occupancy.

### 7.5 Final Approval

Upon receipt of the complete Final Submittal, the Committee will review the submittal and make its recommendation, and provide a written response to the Owner and/or Builder, which may include stipulations, conditions or other requirements that must be complied with by the Owner and/or Builder.

#### 7.6 Construction Permit

Securing of a building permit is the responsibility of the Owner and/or Builder. Approval by the County or local government of a plan or building permit does not satisfy the separate requirement of prior written approval by the Committee. Construction shall be in accordance with the Final Submittal approved by the Committee and Yavapai County.

#### 7.7 Additional Construction and/or Exterior Changes

Any changes to the approved drawings before, during, or after the construction of an improvement must first be submitted for review and approval of the Committee.

#### 7.8 Re-submittal of Drawings

Any change, deletion or addition to the plans, specifications, drawings or submittals approved by the Committee shall not be constructed without the prior written approval of the Committee.

#### 7.9 Work in Progress - Inspection

The Committee may inspect all work in progress and give notice of non-compliance if found. Absence of such inspection and notification during the construction period does not constitute either approval by the Committee of work in progress or of compliance with the Rules.

#### 7.10 Final Inspection

Upon completion of any Improvement for which final approval was given by the Committee, the Owner and/or Builder shall give written notice of completion to the Committee. Within such reasonable time as the Committee may determine, the Committee may inspect the improvements. If it is found that such work was not done in strict compliance with the approved Final Submittal, the Committee may notify the Owner and/or Builder in writing of such non-compliance. If notice of non-compliance is given by the Committee, the Owner and/or Builder will be responsible for correcting all non-complying work within thirty (30) days of the date of the Committee's notice of non-compliance.

#### 7.11 Commencement of Construction

Upon approval of the Committee, the Owner and/or Builder shall satisfy all conditions thereof and commence the construction, reconstruction, refinishing, alterations or other work pursuant to the approved drawings within one hundred eighty (180) days from the

date of such approval. If the Owner and/or Builder fails to comply with this requirement, any approval may be revoked unless the Owner and/or Builder makes a written request to the Committee to extend the time for start of construction. The Committee, at its discretion, may extend the period for starting construction to a maximum of an additional one hundred eighty (180) days. The Owner and/or Builder shall, in any event, complete the project as approved by the Committee within one (1) year after commencing construction, or within such time specified in writing by the Committee.

## **ARTICLE 8: SITE DESIGN (BUILDERS)**

### **8.1 Building and Setbacks**

Building setbacks, as they apply to standard subdivisions, shall be as determined and approved by the County. Owners and/or Builders are encouraged to vary setbacks, for both the front yard and the back yard to discourage a uniform, linear streetscape. The use of side or angled entry garages is encouraged to provide additional setback variation and reduce the visual dominance of garage doors.

### **8.2 Grading and Drainage**

Site grading and drainage should be done with minimum disruption to the lot and shall not cause drainage onto adjoining lots except as established by natural drainage patterns. Structures, roads, drives and patios shall be designed in response to the natural grade. Grading shall not cause a condition that could lead to soil erosion or damage of streets, golf course, other community facilities or adjoining properties.

On custom home lots, all major site grading shall occur within the building envelope. Minor modifications to slopes may occur subject to Committee approval. Integrating home design into lot slope is encouraged. Any retaining walls in front yards, or otherwise visible to public view, shall not exceed three feet (3'). If the elevation difference exceeds three feet, more than one retaining wall shall be used in a terraced manner with a minimum of four feet (4') between the walls. (See Retaining Walls in OWNERS ARTICLE 3, Section 3.9)

### **8.3 Parking**

See OWNERS ARTICLE 3, Section 3.1

### **8.4 Driveways**

See OWNERS ARTICLE 3, Section 3.2

### **8.5 Swimming Pools and Spas**

See OWNERS ARTICLE 3, Section 3.3

## 8.6 Perimeter Walls and Walls Between Sub-Divisions

Repair or replacement of the sub-division perimeter walls along Verde Santa Fe Parkway, Tissaw Road and Cornville Road and the walls between parcels shall be consistent with original construction in terms of materials, color and height.

Gates in masonry perimeter walls and walls between sub-divisions shall be a combination of wood and tubular steel to conform to the detail in Appendix C. The wood and metal frame shall be painted to match the fence color. Gates in view fences shall be constructed of the same design and material as the fence and painted to match the color of the metal in the adjacent fence.

## 8.7 View Fences on Golf Course Frontage and Common Spaces

See OWNERS ARTICLE 3, Section 3.4

## 8.8 Retaining Walls

See OWNERS ARTICLE 3, Section 3.9

## 8.9 Lighting

See OWNERS ARTICLE 3, SECTION 3.10

# **ARTICLE 9: ARCHITECTURAL DESIGN (BUILDERS)**

## 9.1 Architectural Character

The philosophy of the architectural character at Verde Santa Fe is to foster a sense of community and create a distinctive identity in the Cornville/Cottonwood/Sedona area. The theme is based on a contemporary southwest style, shaped by the cultural and climatic influences of this high desert locale.

The architecture is characterized by strong unifying elements such as flat roofs, low pitched roofs with flat tile or “S” and barrel tile, projecting eaves and simple stucco walls painted in a desert palette. These bold elements combined with simple accents, uncluttered detailing and recessed openings convey a sense of solidity and permanence.

It is the intent of these Rules to establish a consistent architectural theme for Verde Santa Fe while allowing for some flexibility of design expression.

## 9.2 Building Massing

The architectural image of Verde Santa Fe is perceived primarily from public spaces such as streets, open spaces and the golf course. Therefore, building massing, scale and roof forms, as the primary design components, require careful articulation in their architectural expression to these public spaces.

All houses shall have some variation of the roofline. Large expanses of flat wall planes vertically or horizontally are prohibited.

Columns incorporated, as a structural or aesthetic design element shall convey a solid, durable image as expressed through bold forms. Columns may be used as support for porch roofs and balconies. Exposed pipe columns and thin posts are prohibited. Thin posts are those smaller than a nominal six inch (6') by six-inch (6') dimension. The color shall be compatible with the exterior color of the house.

The Committee must approve all structural elements.

### 9.3 Building Height

See OWNERS ARTICLE 4, Section 4.3

### 9.4 Materials

See OWNERS ARTICLE 4, Section 4.4

### 9.5 Colors

See OWNERS ARTICLE 4, Section 4.5

### 9.6 Roofs

Dominant roof colors such as white, black and reflective roof surfaces are prohibited.

Pitched roofs shall have a maximum slope of 6 to 12 (meaning six inch (6") of rise to every twelve inch (12") of run). All pitched roof materials shall be flat tile or "S" and barrel concrete tile, as approved by the Committee to ensure a continuity of textures and colors. Asphalt shingles are prohibited.

Long unbroken sections of tile roof are prohibited.

Flat roof areas (such as used for pueblo style houses or garages) shall have a gravel surface or other approved roof material. Roof projections and overhangs are encouraged as a response to energy and climate concerns. Low maintenance details, limiting the amount of exposed wood, are encouraged.

All flat roof patio areas must have parapets. Non-continuous roof parapets are prohibited.

Shed, gambrel, mansard “period” style and barn roofs are prohibited.

#### 9.7 Garages

The visual dominance of garage doors should be de-emphasized as much as possible. In homes with three (3) car garages, offsetting the single door from the same plane as the two (2) car garages is encouraged.

The use of side entry garages is encouraged to take the garage door out of direct view from the street. The visual impact of all garage doors can also be reduced by the use of overhangs or simple surrounds that add to the softness and interest of shade and shadow.

#### 9.8 Building Projections

Building projections include chimney masses, porches, balconies, railings or exterior stairways. Additionally, more utilitarian elements such as vents, gutters, downspouts and residential utility boxes are also considered projections. In all cases, such projections shall match the color of the surface from which they project or be of a color as approved by the Committee. All building projections must be contained within the building setback(s) as required by Yavapai County ordinances.

#### 9.9 Windows

All windows on front elevations, if not recessed, shall have trim elements, such as a minimum two-inch (2") depth “pop-out” located above, below, on the sides or surround.

Non-reflective, tinted and energy efficient glazing is encouraged. The use of double insulated systems is encouraged.

Window frames shall be of a factory-applied color. Natural aluminum frames are prohibited.

#### 9.10 Roof and Eave-Mounted Equipment

See OWNERS ARTICLE 4, Section 4.6

#### 9.11 Solar Orientation and Solar Energy Devices.

The orientation and design of a residence to maximize winter sun gain and to minimize summer sun exposure is encouraged.

For solar energy devices, see OWNERS ARTICLE 4, Section 4.7 and Appendix H.

#### 9.12 Swimming Pools and Spas

See OWNERS ARTICLE 3, Section 3.3

#### 9.13 Screening

See OWNERS ARTICLE 3, Section 3.3 and ARTICLE 4, Section 4.8

## **ARTICLE 10: RESIDENTIAL LANDSCAPE (BUILDERS)**

### 10.1 Landscape Character

See OWNERS ARTICLE 5, Section 5.1

### 10.2 Golf Course Frontages

Each parcel shall be reviewed for compatibility along golf course perimeters to ensure the character is not compromised by development. Owners and/or Builders will be required to repair or replace perimeter landscaping disturbed during construction. The landscape design shall supplement the existing character of the golf course. All landscaping within the golf course boundary shall be maintained by the golf course.

### 10.3 Irrigation

See OWNERS ARTICLE 5, Section 5.4

## **ARTICLE 11: CONSTRUCTION RULES (BUILDERS)**

See OWNERS ARTICLE 6

### 11.1 Pre-Construction Conference

Prior to commencing construction, the Owner and Builder must meet with a representative of the Committee to review construction procedures and coordinate activities in Verde Santa Fe.

### 11.2 Occupational Safety and Health Act Compliance (OSHA)

All applicable OSHA Rules and Guidelines must be strictly observed at all times.

### 11.3 Construction Trailers, Portable Field Offices, Etc.

Any Owner or Builder who desires to bring a construction trailer, field office, or the like to the site shall first apply for, and obtain written approval from the Committee. The Committee will work closely with the Owner or Builder to determine the best possible location. Such temporary structures shall be located only in a location approved by the Committee and shall be removed upon completion of construction. The Owner or

Builder shall also file for all necessary submittals, permits and approvals with the County or other applicable regulatory agencies.

#### 11.4 Debris and Trash Removal

Owners and Builders shall clean up all trash and debris on the construction site at the end of each workday. Trash and debris shall be removed from each construction site at least once a week to a dumping site located off the project. Lightweight material, packaging and other items shall be covered or weighted down to prevent the wind from blowing such materials off the construction site. Owners and Builders are prohibited from dumping, burying or burning trash anywhere on any lot within Verde Santa Fe. During the construction period, each construction site shall be kept neat and properly policed to prevent it from becoming a public eyesore and affecting other lots or any open space. Any clean up costs incurred by the Committee in enforcing these requirements will be billed to the Owner. Dirt, mud or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces, driveways or other portions of Verde Santa Fe at the Owner's or Builder's cost.

#### 11.5 Sanitary Facilities

Each Owner or Builder shall be responsible for providing adequate sanitary facilities for its construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the Committee.

#### 11.6 Vehicles and Parking Areas

Construction crews will not park on, or otherwise use, other lots or any open space. Private and construction vehicles and machinery shall be parked only in areas designated by the Committee.

All vehicles shall be parked within designated areas so as not to inhibit traffic or damage the natural landscape.

#### 11.7 Excavation Materials

Excess excavation materials must be hauled away from Verde Santa Fe.

#### 11.8 Blasting

If any blasting is to occur, the Committee must be informed far enough in advance to allow it to make such investigation as it deems appropriate to confirm that all appropriate measures, including protective actions, have been taken prior to the blasting. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Committee. Applicable governmental regulations should also be reviewed prior to any blasting activity.

The Committee and the Board Chairpersons must be provided with copies of the Yavapai County, Arizona, permit(s) allowing blasting five (5) business days before commencing blasting.

#### 11.9 Restoration or Repair of Other Property Damaged

Damage and scarring to other property including, but not limited to, open space, other lots, roads, driveways and/or other improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person or their agent causing the damage. Upon completion of construction, each Owner and Builder shall clean his construction site and repair all property which was damaged including, but not limited to, restoring grades, planting shrubs and trees, repairing of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing as required by the Committee.

#### 11.10 Miscellaneous and General Practices

The following activities are prohibited at all times during construction.

- Changing oil on any vehicle or equipment on the site itself.
- Allowing concrete suppliers and contractors to clean their equipment other than at locations designated for that purpose by the Committee.
- Removing any rocks, plant material, topsoil, or similar items from any property of others within Verde Santa Fe, including construction sites.
- Carrying of firearms on the property.
- Using disposal methods other than those approved by the Committee.
- Careless disposition of cigarettes and other flammable material. At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.
- Careless treatment or removal of any desert plant material not previously approved by the Committee.
- Use or transit over the golf course area without permission of the Verde Santa Fe Golf Course.
- The playing of radios or other audio or video equipment at a volume that disturbs the residents of the Verde Santa Fe or adjacent neighborhoods.
- No pets, particularly dogs, may be brought onto the property. No pets will be allowed to roam at will throughout Verde Santa Fe. In the event of any violation hereof, the Committee shall have the right to contact the Yavapai County authorities to impound the pets, or to refuse to permit such Owner, Builder or subcontractor to continue work on the Verde Santa Fe property or to take such other actions permitted by Law, the CC&Rs or the Rules.

#### 11.11 Construction Area Plan

Prior to the commencement of any construction activity on a lot, the Owner or Builder shall provide a detailed plan as to the manner in which the natural desert will be protected, and the areas to which all construction activity will be confined, including size

and location for construction material storage, limits of excavation, drive areas, parking, chemical toilet location, temporary structures, if any, dumpsters, storage of debris, fire extinguisher, utility trenching and construction signs. This plan should identify the methods for protection, such as fencing, flagging, rope, barricades or other means, to be set up prior to commencement of construction.

#### 11.12 Construction Access

The only approved construction access during the time a residence or other Improvement are being constructed will be over the approved driveway for the lot unless the Committee approves an alternative access point.

#### 11.13 Dust and Noise

The contractor shall be responsible for controlling dust and noise from the construction site.

#### 11.14 Signage

Temporary construction signs shall be limited to one sign per site not to exceed six (6) square feet of total surface area.

All signs shall have the final location approved by the Committee.

#### 11.15 Daily Operation

Daily working hours for each construction site shall be sunrise to sunset.

### **ARTICLE 12: MISCELLANEOUS PROVISIONS (OWNERS/BUILDERS)**

#### 12.1 Enforcement

In the event the Association seeks to enforce compliance with or recover damages or seek an injunction for any violation of non-compliance with the CC&Rs, any tract declaration, the Articles, Bylaws, Architectural Committee Rules, Association Rules or any Project Documents, the violating Owner or Builder shall be liable for and shall pay to the Association, upon demand, all costs, including attorneys' fees, taxable costs and incidental expenses, incurred by the Association, whether or not a lawsuit is filed, the matter is settled, or the offending Owner or Builder voluntarily corrects the violation. The foregoing costs are not monetary penalties under A.R.S. § 33-1803. In addition to the foregoing remedies, if a judgment is obtained in favor of the Association (either for the non-payment of the foregoing costs or violation or non-compliance with the Association's Project Documents) and against an Owner or Builder, the Association shall

be entitled to all costs incurred, including attorneys' fees, taxable costs and incidental expenses, as part of the judgment.

## 12.2 Waiver

The approval by the Architectural Committee of any Improvement shall not be deemed a waiver of the Committee's right to withhold approval of any similar Improvement or work subsequently submitted for approval.

## 12.3 Separate Legal Requirements

The approval required of the Architectural Committee for any Improvement shall be in addition to, and not in lieu of, any approvals or permits which may be required under any federal state or local law, statute, ordinance, rule or regulation.

## 12.4 No Warranty or Guarantee of Approved Improvement

In ruling upon an application for an Improvement, the Architectural Committee does not pass upon, approve or disapprove the safety, structural integrity, engineering or stability of the Improvement or matters pertaining to the stability of footings or foundations, geological or soil conditions, or any other non-aesthetic matters. Neither the Committee nor any member thereof shall be liable to any Owner or Builder or to any other party, for any damage, loss or prejudice suffered or claimed on account of (a) the approval or disapproval of any plans, drawings or specifications, whether or not defective, (b) the construction or performance of any work, (c) the development of any property within Verde Santa Fe, or (d) the exercise of the Committees discretion in ruling upon an application.

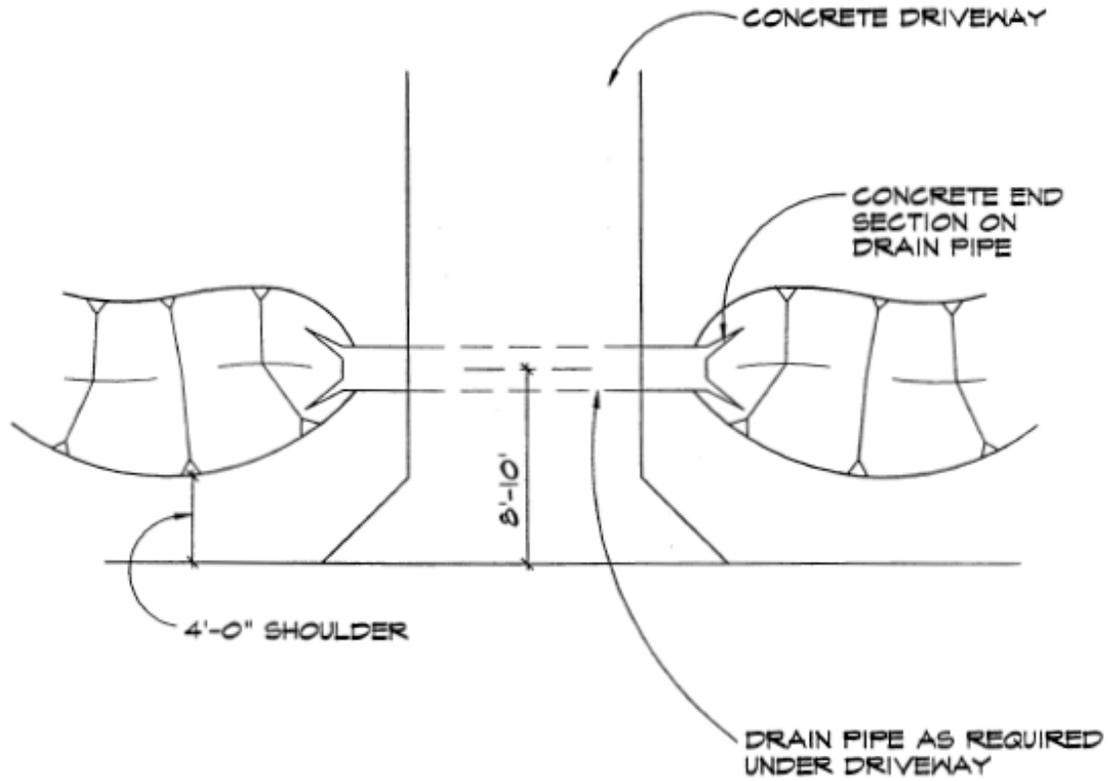
## APPENDIX A - DEFINITIONS

In addition to the capitalized terms defined in Article 1 of the CC&Rs, other terms are defined as follows.

1. **Age Restricted Parcel** means communities within Verde Santa Fe with a minimum of eighty (80) percent of the households with at least one occupant of the age of fifty-five (55) or older and no occupant(s) under nineteen (19) years of age.
2. **Builder** shall mean any person or entity engaged by an Owner or who may also be one in the same, for the purpose of constructing any Improvement within the project.
3. **Excavation** shall mean any disturbance to the land including any trenching, but excluding tree salvage and planting operations.
4. **Fill** shall mean the addition of any soil, rock or other materials to increase the natural elevation of the land.
5. **Improvement** shall mean any change, alteration or addition to a lot, including any excavation, fill, residence or buildings, outbuildings, roads, driveways, parking area, walls, retaining walls, stairs, patios, courtyards, hedges, poles, signs or any structure or thing of any type or kind.
6. **Natural Area** shall mean that portion of the site, which remains undisturbed, or if disturbed to accommodate streets, paths, building pads or other improvements shall be re-vegetated to match the native landscape.
7. **Outdoor Light Control Ordinance** shall mean Chapter 6, Section 603 (Light Pollution Control) of the Yavapai County, Arizona, Planning and Zoning Ordinance, effective April 19, 2006, and its successors.
8. **Residence** means any building or buildings, including any garage or other accessory building, constructed on a Lot, and any Improvements constructed in connection therewith. Unless otherwise defined, "Residence" shall mean single-family residence.
9. **Yard- Front \*** – A yard of a residential plot (lot) facing the street that extends from the front line of the building (the foundation line) to the front property line and across the full width of the plot.
10. **Yard- Rear \*** – A yard of a residential plot (lot) facing the rear property line that extends from the rear line of the building (the foundation line) to the rear property line and across the full width of the plot.
11. **Yard- Side \*** – A yard abutting a side street (exterior side yard) or a common side boundary (interior side yard), lying between required front and rear yards and the sides of the building defined by the sides' foundation.

\* See APPENDIX E for a diagram illustrating yard space definitions given here in APPENDIX A, Items 9–11.

**APPENDIX B – DRIVE/DRAINAGE CROSSING DETAILS**



## APPENDIX C - VIEW FENCE DETAILS

USE ALONG GOLF COURSE FRONTAGE OR TO ENCLOSE SIDE AND BACK YARDS.

TUBULAR STEEL FENCE DIMENSIONS:

POSTS = 1.5" X 1.5"

HORIZONTAL RAILS = 1" X 1"

PICKETS = 1/2" X 1/2"

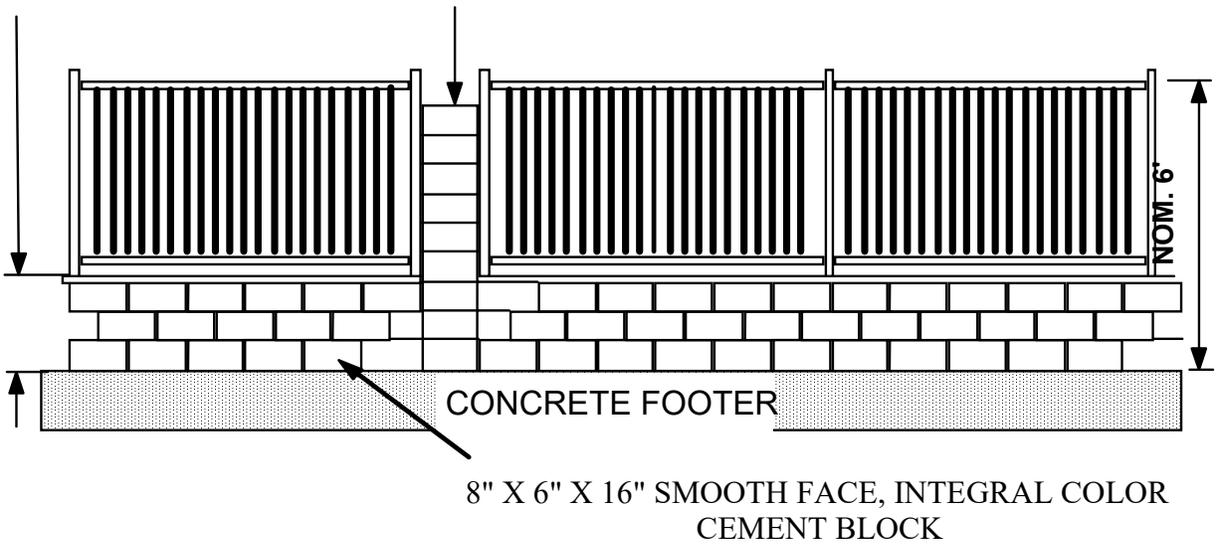
SPACING BETWEEN PICKETS = 4"

FENCE HEIGHT FROM BOTTOM OF LOWER RAIL TO TOP OF UPPER RAIL = 48"

SECTION LENGTH = NOMINALLY 8'

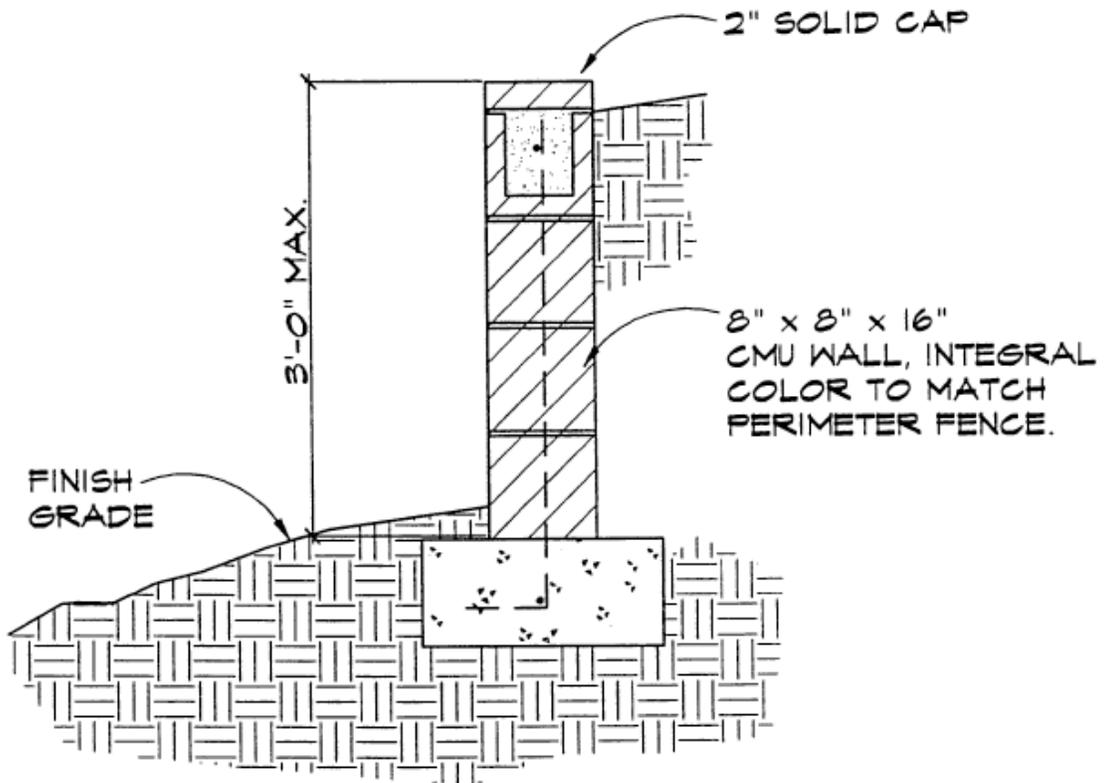
BLOCK WALL HT. =  
NOM. 24" INCL. A  
2" CAP

COLUMN AT PROPERTY LINE, SMOOTH FACE,  
INTEGRAL COLOR CEMENT BLOCK (The block column  
height in relation to the top rail must be the same as for adjoining  
lots)

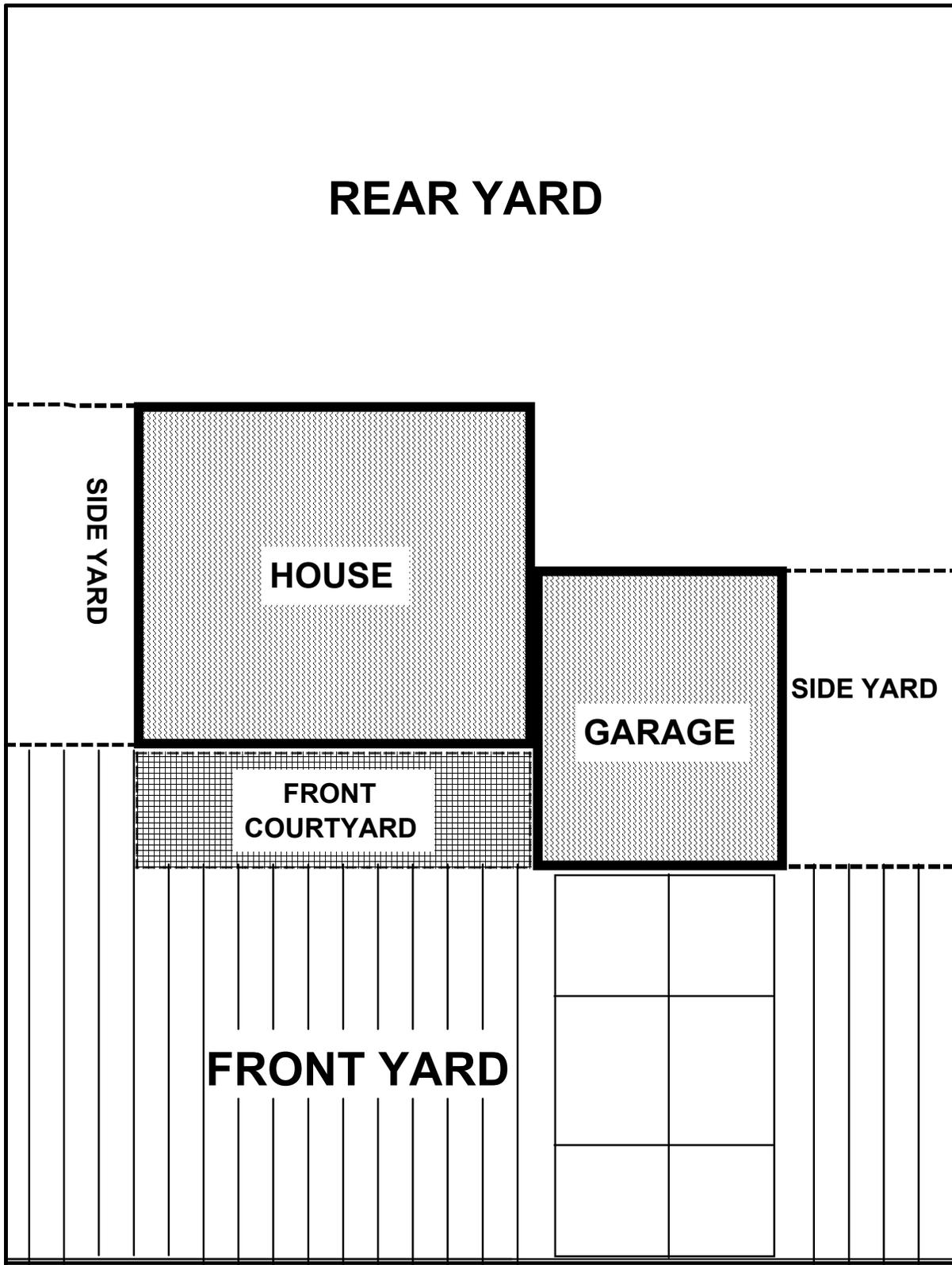


For new installations or replacements it is highly recommended that the fence be constructed from hot dipped galvanized steel subjected to a multi-stage pretreatment/wash (with zinc phosphate), followed by a duplex cathodic E-Coat system consisting of an epoxy primer, and then an acrylic topcoat.

APPENDIX D – RETAINING WALL DETAILS

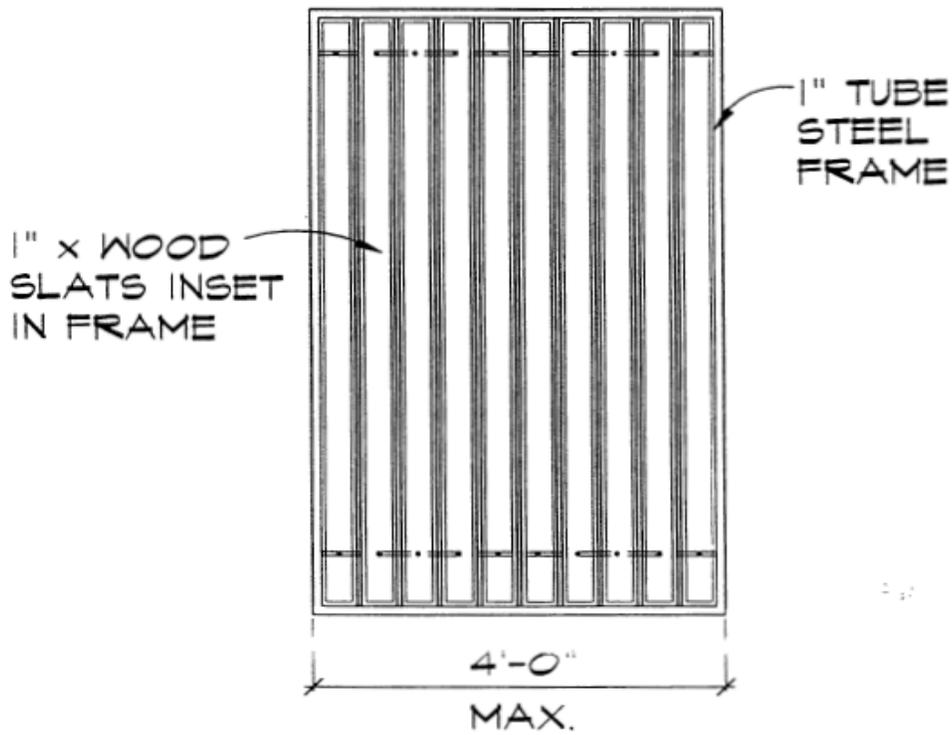
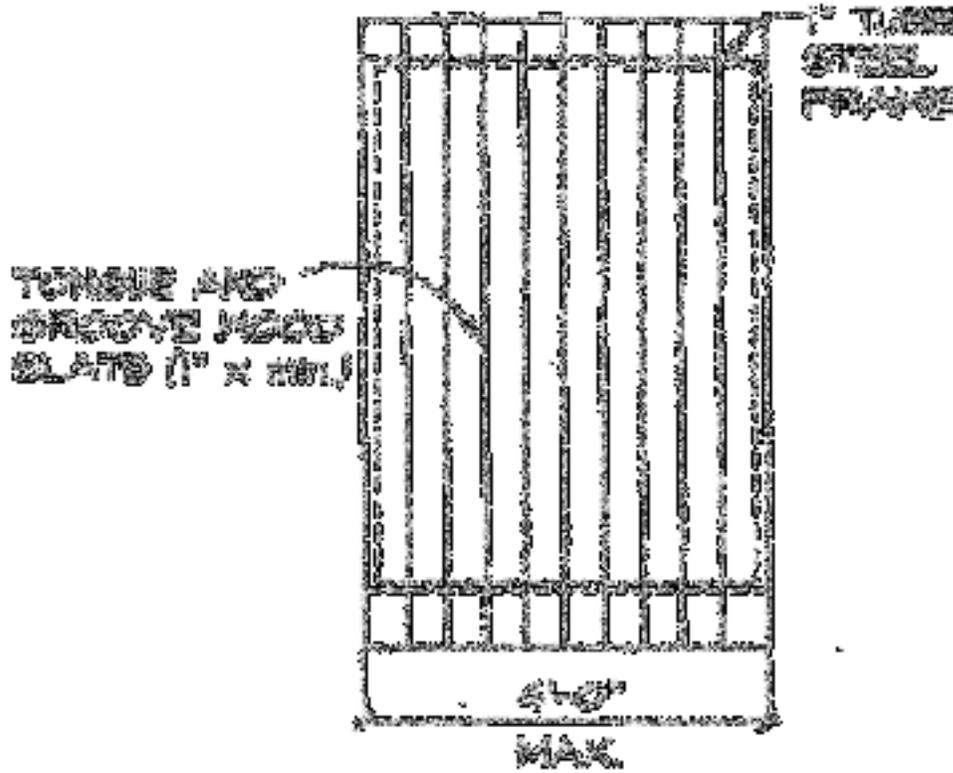


APPENDIX E - DIAGRAM ILLUSTRATING YARD SPACE  
DEFINITIONS IN APPENDIX A



APPENDIX F – GATE DETAILS

FOR USE IN MASONRY PERIMETER WALLS AND WALLS BETWEEN SUB-DIVISIONS



## APPENDIX G - ANTENNA DESIGN CRITERIA

Unless governed by 47 C.F.R. § 1.4000 (Over-the-Air Reception Devices Rule), any antenna, dish, or other device for the transmission or reception of television or radio signals or any form of electromagnetic radiation (including but not limited to antennas or dishes for AM/FM radio, amateur (“HAM”) radio, Citizens Band (“CB”) radio, Digital Audio Radio Services (“DARS”) signals, non-local television broadcast signals, and any antennas or dishes in excess of one meter (39.37 inches) used for any purpose and all associated equipment must receive prior written approval from the Architectural Committee. Such devices shall not be (a) visible from the Common Areas, the streets, or the ground level of neighboring properties and (b) mounted to the roof. HAM radio towers are prohibited.

All non-“customer-end antennas,” hub or relay antennas, or antennas used to transmit signals to and/or receive signals from multiple customer locations shall be reviewed on a case-by-case basis by the Architectural Committee, but under no circumstances shall be permitted on any residential lot.

Any device governed by 47 C.F.R. § 1.4000 shall be mounted to minimize visual impact and shall comply with the following criteria.

1. The device (and any associated equipment) shall be mounted inside the roof structure of the home or in a location so as not to be visible from the Common Areas, the streets, or the ground level of neighboring properties if such location does not preclude an acceptable quality signal or unreasonably increase the costs of the installation of the device.
2. If criteria 1 cannot be satisfied without precluding an acceptable quality signal or unreasonably increasing the costs of installation, the device (and any associated equipment) must be painted or colored to match the color of the house and be located in the rear yard of the lot and as low to the ground as possible without precluding an acceptable quality signal.
3. If criteria 1 and 2 cannot be satisfied without precluding an acceptable quality signal or unreasonably increasing the costs of installation, the device (and any associated equipment) must be painted or colored to match the color of the house and eave-mounted at the rear of the house without precluding an acceptable quality signal.
4. If criteria 1 through 3 cannot be satisfied without precluding an acceptable quality signal or unreasonably increasing the costs of installation, the device (and any associated equipment) must be painted or colored to match the color of the house and eave-mounted on the side of the house or ground mounted on the side yard without precluding an acceptable quality signal.
5. Front yard mounting or roof top mounting of a device is prohibited if another location on the lot would provide an acceptable quality signal and not otherwise unreasonably increase the costs of installation. No ground mounted device or associated equipment may extend forward of the garage setback.

6. If an alternative to a device exists which is reasonably available, does not unreasonably increase the costs, and would meet a more restrictive criteria, such alternative must be used.
7. Under no circumstances may a device be mounted on, in, or over, or otherwise encroach upon, a Common Area.
8. The mounting of any device must comply with all applicable safety ordinances and codes.

## APPENDIX H - SOLAR ENERGY DEVICES

### I. OVERVIEW

These criteria are intended to comply with A.R.S. § 33-1816. Devices not qualifying as a Solar Energy Device under A.R.S. §§ 33-1816 and 44-1761(4) are not the subject of these criteria and may be prohibited by the Committee in its discretion. The Committee has sole discretion in interpreting the language and intent of these criteria, including resolving ambiguities or inferring meanings, and applying these criteria to any application for the installation of a Solar Energy Device.

### II. DEFINITIONS

Where used herein, the capitalized terms will be defined as follows:

- “Collector” means a component of a solar energy device that is used to absorb solar radiation, convert it to heat or electricity and transfer the heat to a heat transfer fluid or to storage. A.R.S. § 44-1761(1).
- “Heat Exchanger” means a component of a solar energy device that is used to transfer heat from one fluid to another. A.R.S. § 44-1761(2).
- “Solar Day Lighting” means a device specifically designed to capture and redirect the visible portion of the solar beam spectrum, while controlling the infrared portion, for use in illuminating interior building spaces in lieu of artificial lighting. A.R.S. § 44-1761(3).
- “Solar Energy Device” means a system of series of mechanisms designed primarily to provide heating, to provide cooling, to produce electrical power, to produce mechanical power, to provide solar daylighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization. Passive systems shall clearly be designed as a solar energy device such as a Trombe wall and not merely a part of a normal structure such as a window. A.R.S. § 44-1761(4).
- “Solar Energy Device” does not include heat pumps, evaporative coolers, conventional windows and window treatments (dual pane, low-e, shade screens, reflective or dark coatings, awnings, interior shades, drapes and blinds), conventional skylights, reflective roof coatings, insulation, “outsulation”, radiant barriers, misting systems, and vegetation (shade trees, shrubs and grass).
- “Storage Unit” means a component of a solar energy device that is used to store solar generated electricity or heat for later use. A.R.S. § 44-1761(5).

### III. APPLICATION REQUIREMENTS

- The application for a Solar Energy Device must be submitted with professional quality scaled drawings showing construction details, and clearly showing elevations, location of the Solar Energy Device, location and routing of all associated plumbing or electrical runs to and from the Solar Energy Device, and all associated components (pumps, filters, meters, tanks, utility disconnects, electrical control/safety devices). Product literature for the proposed Solar Energy Device and associated components must be submitted with the drawing package. The color of the Solar Energy Device and associated components (including electrical and plumbing runs) must be included.
- The application must be accompanied by documentation showing compliance with A.R.S. § 44-1762 including a written statement of performance data for the Solar Energy Device pursuant to A.R.S. § 44-1762(B) and proof of licensing of the installer of the Solar Energy Device pursuant to A.R.S. § 44-1762(E).
- The Committee may request additional information or documents, which must be supplied before the application is deemed complete.

### IV. APPROVAL STANDARDS

- The entire Solar Energy Device installation, including all associated components, must be acceptable to the Committee and be approved in writing by the Committee prior to commencement of installation.
- Solar Energy Devices, their installation and use, shall comply with A.R.S. § 44-1762. That statute applies to all Solar Energy Devices sold or installed in the State of Arizona and requires among other things, (1) prescribed warranty periods given by the seller or installer, (2) a written statement of performance data of the Solar Energy Device provided by the seller or installer, (3) a certificate of compliance with the statute provided by the seller or installer, (4) compliance of the Solar Energy Device with any consumer protection, rating, certification, performance, marketing, installation, and safety standards adopted by the State of Arizona, (5) proper licensing of installers of Solar Energy Devices, and (6) installation requirements of Solar Energy Devices, including satisfying all applicable fire, safety, building code and consumer protection standards.
- Collectors or “solar panels” shall be mounted to minimize visual impact and shall comply with the following criteria.
  1. Collectors shall be mounted or located so as not to be seen from the ground level of common areas, neighboring properties, or the streets unless such location prevents the installation, impairs the functioning, or restricts the use of the Solar Energy Device or adversely affects the cost or efficiency of the device. For example, Collectors which can be hidden behind a parapet wall or a flat roof are preferable to Collectors located on a pitched roof.



(PV panels (collectors) hidden behind a parapet wall on a flat roof)

2. If installation on a pitched roof is necessary, mounting of Collectors on the street-side of the home should be avoided if possible. If the street-side pitched roof has a southern exposure, mounting on other roof faces must be considered. For example, reverse pitched mounting on the roof face toward the back of the house is preferred over street-side mounting.



(Reverse Pitched System prior to screening.)

3. If street-side mounting is necessary on a house with a southern exposure, side roof areas must be considered (with collectors grouped away from the street side as much as possible to reduce the visibility of the collectors from the street-side).
4. Collectors must be mounted flush to the roof unless pitched collectors will reduce the visibility of the collectors from the street-side of the home (such as in the case of a reverse pitched system). Where pitched Collectors are used, the degree of pitch should be minimized to avoid visibility as much as possible.
5. The Committee may consider screening as a method to further reduce the visual impact of Collectors or other components of a Solar Energy Device.

- Components of Solar Energy Devices other than Collectors should be installed inside the structure of the home or completely out of view unless such placements prevents the installation, impairs the functioning or restricts the functioning of the Solar Energy Device or adversely affects the cost or efficiency of the device. For a photovoltaic electric system, for example, unless there is an impairment to the system, no major components should be installed on the exterior of the home except for Collectors, roof mounted combiner box, photovoltaic dedicated meter and photovoltaic system utility disconnect switch.
- All components of a Solar Energy Device which are required to be mounted or grouped with existing utility boxes, such as photovoltaic dedicated meters or photovoltaic system utility disconnects, shall match the color of the existing utility boxes unless otherwise specified by the Committee.
- All exterior components of the Solar Energy Device must match the color of the roof or wall to which they are attached unless the solar technology requires a transparent top surface (superstrate) or other non-paintable surface. For example, all photovoltaic modules or solar thermal collectors with a glass top surface may be black or dark blue, since they require a transparent top surface to properly collect the sun's energy. All other components of the systems (e.g., mounting assemblies, rails, solar panel edges, tilt legs, electrical and plumbing runs, combiner boxes) must match the color of the roof or wall to which they are attached or adjacent to.
- Wires, conduit, pipe, tanks and other associated components shall be hidden from view unless such placement prevents the installation, impairs the functioning or restricts the use of the Solar Energy Device or adversely affects the cost or efficiency of the device. If it is not practicable to hide such items from view, they shall follow the architectural lines of the residential structure, be placed to minimize the visual impact of the component, and/or match the color of the adjacent surface of the home as determined by the Committee.
- Collectors must be of a contiguous color with no metallic details or connections on or in the panels available to be seen from the street view. White spaces on panels and electrical connection ribbon must not show below.
- Collectors must be placed on the roof in a manner where the equipment has a balanced look and symmetry.
- All hardware and electrical connections shall be turned in as to be invisible even up close.



(Non compliant street side roofs with exposed and metallic mounting hardware and lack of symmetry in application of equipment.)



(Street Side applications with metallic look and exposed mounting hardware).

## APPENDIX I – PLANT LISTS

### Recommended Plant List

The following is a list of plants which are compatible with the regional context and landscape character of Verde Santa Fe.

The planting of ALL TREES and any plant species not specifically on the Recommended Plant List requires prior written approval from the Committee. Homeowners may plant any of the shrubs, cacti, succulents, vines, perennials and groundcovers on the Recommended Plant List without additional Committee approval. In addition, homeowners may plant annuals and vegetables in their back yards without additional Committee approval.

\*Indicates plants that are low water usage and appropriate for xeriscaping.

### Expected

Due to the extensive damage caused by tree roots VSF is adopting a new approved tree list. All planting of trees requires written approval from the VSF Architectural Committee. For trees not on the approval list you may make a request to the Committee for approval. No tree can be over 35' tall at maturity and no tree over 20' may be planted in the front yard.

| TREE NAME | EXPECTED MATURE HEIGHT |
|-----------|------------------------|
|-----------|------------------------|

---

|                            |                      |
|----------------------------|----------------------|
| Chaste tree/ Monk's pepper | 25'                  |
| Crape Myrtle               | 15'                  |
| Desert fern / feather bush | 15'                  |
| Golden ball lead tree      | 20'                  |
| Hollywood Juniper          | 15'                  |
| Mountain Mahogany          | 30'                  |
| Pinyon pine                | 20'                  |
| Oklahoma red bud           | 20'                  |
| Arizona velvet mesquite    | 30'                  |
| Chitupa                    | 30'                  |
| Desert Willow              | 30'                  |
| Flowering crabapple        | 20'                  |
| Mexican buckeye            | 15'                  |
| Mulga                      | 20'                  |
| Red Japanese maple         | 20'                  |
| Shrub oak                  | 15'                  |
| Texas Ebony                | 30'                  |
| Fruit trees                | within height limits |

## Shrubs

|                                  |  |           |
|----------------------------------|--|-----------|
| Anachuita                        | Cordia boissieri (average water)               | Up to 12' |
| * Apache Plume                   | Fallugia paradoxa                              | 4-6'      |
| Arizona Rosewood                 | Vaquelina californica                          | Up to 20' |
| Arizona Yellow Bells             | Tecoma stans v. angustana (avg. water)         | 4-10'     |
| Aucuba                           | Aucuba japonica (full shade, mod water)        | 6-10'     |
| * Bee Brush                      | Aloysia gratissima                             | 3-10'     |
| * Black Dalea                    | Dalea frutescens                               | Up to 3'  |
| * Brittlebush                    | Encelia farinosa                               | Up to 3'  |
| * Butterfly Bush                 | Buddleia                                       | 4-6'      |
| Cotoneaster                      | All varieties except salicifolius (avg. water) | 2-10'     |
| Crape Myrtle                     | Lagerstroemia indica (average water)           | 4-10'     |
| * Deer Grass                     | Muhlenbergia dubia                             | 2-3'      |
| * Desert/Yellow Bird of Paradise | Caesalpinia gilliesi                           | Up to 10' |
| Dwarf Globe Blue Spruce          | Picea pungens globosa                          | 3-5'      |
| Euonymus                         | Euonymus japonicus (average water)             | 8-10'     |
| * Feathery Cassia                | Cassia artemisioides                           | 4-6'      |
| Firethorn                        | Pyracantha (average water)                     | 8-10'     |
| * Fleabane Daisy                 | Erigeron divergens                             | 18-24"    |
| Forsythia                        | Forsythia                                      | 4-10'     |
| * Four Wing Saltbush             | Atriplex canescens                             | 3-6'      |
| * Gayfeather                     | Liatris mucronata                              | Up to 4'  |
| * Giant Hesperaloe               | Hesperaloe funifera                            | Up to 6'  |
| * Globe Mallow                   | Sphaeralcea ambigua                            | 3-4'      |
| Glossy Abelia                    | Abelia grandiflora (average water)             | Up to 8'  |
| Golden Arborvitae                | Platyclusus orientalis (average water)         | Up to 10' |
| Golden Current                   | Ribes aureum                                   | 3-6'      |
| * Green Ephedra                  | Ephedra viridis                                | 3-4'      |
| Heavenly Bamboo                  | Nadina domestica (moderate water)              | 2-6'      |
| * Hop Bush                       | Dodonaea viscosa                               | 10-15'    |
| Indian Hawthorn                  | Rhaphiolepis indica (average water)            | 4-5'      |
| Japanese Yew                     | Taxus cuspidata (average water)                | 10-25'    |
| * Junipers such as:              |  |           |
| Blue Point Juniper               | Juniperus chinensis 'Blue Point'               | Up to 12' |
| Hollywood Juniper                | Juniperus chinensis                            | 10-15'    |
| Tam Juniper                      | Juniperus sabina tamariscifolia                | 18-30"    |
| Wichita Blue Juniper             | Juniperus scopulorum 'Wichita Blue'            | 10-15'    |
| * Male Desert Broom              | Baccharis sarothoides                          | Up to 5'  |
| * Manzanita                      | Manzanita arctostaphylis                       | Up to 10' |
| * Mediterranean Fan Palm         | Chamaerops humilis                             | 8-15'     |
| * Mormon Tea                     | Ephedra trifurca                               | Up to 6'  |
| Mountain Flame                   | Anisacanthus quadrifidus (moderate water)      | 3-4'      |
| * Mugho Pine                     | Pinus mugo mughus                              | 2-3'      |
| Oregon Grape Holly               | Mahonia aquifolium (shade, avg. water)         | Up to 6'  |
| * Pea Bush                       | Dalea pulchra                                  | Up to 8'  |
| * Pink Fairy Duster              | Calliandra eriophylla                          | Up to 3'  |

|                           |  |          |
|---------------------------|--|----------|
| * Pink Muhly              | Muhlenbergia capillaris                | Up to 3' |
| Red Tip Photinia          | Photinia fraseri (average water)       | 10-15'   |
| * Rosemary                | Rosmarinus                             | 1-6'     |
| Roses                     | All varieties (average water)          | 4-6'     |
| * Sage                    | All varieties incl. Salvia & Artemisia | 18"-4'   |
| * Saw Palmetto            | Serenoa repens                         | 6-8'     |
| Siberian Dwarf Pine       | Pinus pumila (average water)           | 3-9'     |
| * Sugar Bush              | Rhus ovata                             | 4-10'    |
| * Texas Sage/Texas Ranger | Leucophyllum frutescens                | 6 – 8'   |
| * Three Leaf Sumac        | Rhus trilobata                         | 4-10'    |
| * Turpentine Bush         | Haplopappus laricifolia                | 2-4'     |
| * Violet Silverleaf       | Leucophyllum candidum                  | Up to 5' |
| * Waxleaf Privet          | Ligustrum japonicum                    | 10-12'   |
| * Winterfat               | Ceratoides lanata                      | Up to 8' |

### **Cacti & Succulents**

|                |  |       |
|----------------|--|-------|
| * Agave        | All varieties (subject to destruction by agave weevil) |       |
| * Cacti        | All varieties except Indian Fig (climate too cold)     |       |
| * Cholla       | All varieties  | 4-6'  |
| * Desert Spoon | Dasyliirion wheeleri                                   | 4-6'  |
| * Ocotillo     | Fouquieria splendens                                   | 8-15' |
| * Yucca        | All varieties  |       |

### **Vines**

|                          |                                       |           |
|--------------------------|---------------------------------------|-----------|
| * Cat's Claw Vine        | Macfadyena unguis-cati                | 25-40'    |
| * Common Trumpet Creeper | Campsis radicans                      | Up to 40' |
| Flame Honeysuckle        | Lonicera X heckrottii (average water) | 12-15'    |
| Lady Bank's Rose         | Rosa banksiae (average water)         | Up to 20' |
| Primrose Jasmine         | Jasminum mesnyi                       | 6-10'     |

### **Ground Covers/Perennials**

|                                     |                                 |           |
|-------------------------------------|---------------------------------|-----------|
| * Angelita Daisy                    | Tetranneuris                    | Up to 12" |
| * Blackfoot Daisy                   | Melampodium leucanthum          | 6-12"     |
| * Junipers such as Blue Rug Juniper | Juniperus horizontalis          | Under 6"  |
| Coneflower                          | Echinacea (average water)       | Up to 48" |
| Coral Bells                         | Heuchera                        | 18-36"    |
| Dahlberg Daisy                      | Thymophylla tenuiloba           | 6-12"     |
| Daylily                             | Hemerocallis (average water)    | 18"-5'    |
| * Desert Broom Hybrid               | Baccharis 'Centenial'           | Up to 3'  |
| Gazania                             | Gazania rigens (moderate water) | 6-12"     |
| * Lavender                          | Lavandula                       | 24-36"    |
| * Legacy Buffalo Grass              | Buchloe dactyloides             | Up to 4"  |
| * Penstemon                         | Penstemon                       | 18-24"    |
| * Prairie Zinnia                    | Zinnia grandfloria              | 4-6"      |
| * Rosemary                          | Rosmarinus                      | 8"-4'     |
| * Sandpaper Verbena                 | Verbena rigida                  | 12-24"    |

|                            |  |        |
|----------------------------|--|--------|
| * White Primrose           | <i>Oenothera caespitosa</i>                            | 8-12"  |
| * Mexican Evening Primrose | <i>Oenothera speciosa</i>                              | 18-24" |
| Wheelers Dwarf Pittosporum | <i>Pittosporum tobira</i> "Wheelers Dwarf (avg. water) | 2-3'   |

### **Prohibited Plant List**

The following plants are prohibited from use in Verde Santa Fe due to reasons of aesthetics, pollen production, invasiveness or incompatibility with the landscape character of Verde Santa Fe:

1. Olive Trees (Pollen)
2. Oleander and *Thevetia peruviana* (Poisonous)
3. Fountain Grass or *Pennisetum setaceum* (Invasive)
4. Citrus species except dwarf varieties that are permissible in backyards, private patios or courtyards, preferably in containers (Climate is too cold). When dwarf varieties are planted, the fruit must be picked as it ripens and any fallen fruit must be immediately picked up so as not to attract birds and pests
5. Common Bermuda Grass or *Cynodon dactylon* (Invasive)
6. Mexican Palo Verde or *Parkinsonia* (Prolific re-seeder)
7. All Palm Trees except those on the Recommended List or approved in writing by the Committee. Palm trees in the ground prior to the adoption of this Prohibited Plant List are not required to be removed. (Not in keeping with VSF character)
8. All species of *Populus* trees (High water usage, large size and damaging roots)
9. Pampas Grass or *Cortaderia selloana*. Pampas Grass in the ground prior to the adoption of this Prohibited Plant List is not required to be removed. (Invasive)
10. Purple Loosestrife or *Lythrum salicaria* (Invasive)
11. Russian Olive Trees or *Elaeagnus angustifolia* (High pollen)
12. Saltcedar or Tamarisk *amosissima* (Invasive and high water usage)
13. African Sumac or *Rhus lancea* (Invasive)
14. All Pine Trees except those indicated in the Recommended List or approved in writing by the Committee (Fire hazard)
15. Tree of Heaven or *Ailanthus altissima* (Invasive)

**APPENDIX J**  
**VERDE SANTA FE COMMUNITY ASSOCIATION**  
**ARCHITECTURAL COMMITTEE APPROVAL REQUEST**

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The Declaration of Covenants, Conditions, Restrictions and Easements (CC&Rs) for Verde Santa Fe, Yavapai County, Arizona require that an owner obtain the prior written approval of the Architectural Committee (“Committee”) for any exterior alteration, addition or Improvement to a property within Verde Santa Fe.

To comply with the CC&Rs, please complete the form below consisting of Homeowner Information and Description Information. You must also attach a DETAILED drawing or blueprint of the proposed alteration and/or addition. The drawing should specify dimensions, materials to be used and colors. Construction or improvement contracts, if any, shall accompany the Architectural Committee Approval Request form. (Cost estimates do not need to be included.) This original application and the description of alteration and attendant material will be retained by the Management Company and a copy will be kept with the Architectural Committee for the Committee’s records.

**HOMEOWNER INFORMATION**

**NAME:** \_\_\_\_\_

**SUB-DIVSN AND LOT #:** \_\_\_\_\_ / \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**PHONE/BUSINESS:** \_\_\_\_\_ **PHONE/HOME:** \_\_\_\_\_

Prior to committee review, the homeowner must sign to verify that:

1. His/Her Association fees are paid and current.
2. No fees and/or fines are owed to the Association.
3. **I understand and agree that NO work on this request shall commence until written approval of the Committee has been received by me.**
4. I understand that I must comply with the decision of the Committee, including any conditions or changes required by the Committee.

**HOMEOWNER SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**VERDE SANTA FE COMMUNITY ASSOCIATION  
ARCHITECTURAL COMMITTEE APPROVAL REQUEST**

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**DESCRIPTION INFORMATION**

Provide full detail of purpose and/or reason, type, color, size/dimensions of Improvement, materials and location. Use additional 8 ½” by 11” paper if necessary.

**NOTE:  
AN ACCURATE DRAWING MUST BE ATTACHED.  
AN ACCURATE SITE PLAN MUST ALSO BE INCLUDED.**

**DESCRIPTION OF ALTERATIONS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONTRACTOR:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_

**MATERIAL (S)\*:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COLOR (S)\*:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DIMENSIONS:** \_\_\_\_\_  
\_\_\_\_\_

**RETURN TO:** Verde Santa Fe Architectural Committee  
C/O Kinney Management Services  
P. O. Box 25466  
Tempe, AZ 85285-5466

**For additional information call: 480.820.3451 or 1.800.678.9936**  
The Committee’s review and approval is limited to and pertains to the ITEMS DESCRIBED ABOVE. The fact that the information not specifically requested is shown on the plan does not mean that it is approved as part of the submittal.

**VERDE SANTA FE COMMUNITY ASSOCIATION  
ARCHITECTURAL COMMITTEE APPROVAL REQUEST**

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**COMMITTEE ACTION REGARDING:** \_\_\_\_\_

The Committee has taken the following action on this application:

\_\_\_\_\_ **DISAPPROVED:** The application does not meet the design Rules for the Verde Santa Fe Community Association.

\_\_\_\_\_ **DISAPPROVED SUBJECT TO ADDITIONAL SUBMITTAL:** The following revision(s) and additional submission(s) are required to meet the Verde Santa Fe Community Association Rules.

\_\_\_\_\_ **REVIEWED AND CONDITIONALLY APPROVED:** The following changes are required to meet the Verde Santa Fe Community Association Rules.

\_\_\_\_\_ **REVIEWED AND APPROVED:** The Architectural Approval Request form is approved meeting the Verde Santa Fe Community Association Rules. This approval is subject to all applicable county and state permits, codes and regulations. Compliance with these requirements is the responsibility of the owner.

**EXECUTED AND DATED:** \_\_\_\_\_