

*\*Anything not expressly discussed in these Guidelines (allowed or not allowed) requires a review and/or permit by the ALC.*

## **Architecture and Landscape Requirements and Guidelines**

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**These Requirements and Guidelines, and any updates approved by the Board of Directors, supersedes any earlier dated and previously issued publication.**

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# ARTICLE I: GENERAL INFORMATION

## 1. Introduction

The Architecture and Landscape Committee (ALC) is a standing committee of the SaddleBrooke Homeowners' Association #2 (hereinafter called SBHOA#2) Board of Directors. The ALC is responsible for administering the Architecture and Landscape Requirements and Guidelines (hereafter called ALC Requirements and Guidelines) under the direction of the Board of Directors for all private property of the residents of SBHOA#2.

The developer of SaddleBrooke, SaddleBrooke Development Company (SDI), envisioned and created this planned community specifically around a Sonoran Desert/Southwestern theme, incorporating architecture, plants, texture and colors of the surrounding area to create a cohesive, pleasing environment. The Board of Directors and the Architecture and Landscaping Committee (ALC) are responsible for assuring this theme is maintained in our community.

These ALC Requirements and Guidelines are used as the basis for decisions by the ALC for the approval or disapproval of Permit Applications, as required for the initial installation or modifications to landscaping, and exterior architecture changes. Additionally, they are intended to protect and preserve the appearance, aesthetics and value of our community, including adherence to the developer model elevation exterior design. A primary ALC goal is to assist homeowners in meeting these Board-approved ALC Requirements and Guidelines.

Declarations of Covenants, Conditions and Restrictions dated August 5, 1994 including subsequent updates (hereinafter referred to collectively as CC&Rs) are referenced in the following explanation.

Nothing contained herein shall be construed as altering, amending or changing the CC&Rs, as recorded with the County of Pinal, or the Articles of Incorporation and Bylaws of SBHOA#2. In the event of a conflict, the following represents the order of priority: CC&Rs, Articles, Bylaws and these ALC Requirements and Guidelines. To the extent that any local government ordinance, building code or regulation requires a more restrictive standard than that found in these ALC Requirements and Guidelines or the CC&Rs, the local government standards shall prevail. To the extent that the local ordinance is less restrictive than these ALC Requirements and Guidelines or the CC&Rs, then these ALC Requirements and Guidelines and CC&Rs shall prevail, except as provided by Arizona Revised Statutes (ARS).

- A. There may be special or unusual cases which were not anticipated nor defined in this document. Such cases will be considered on their own merit and particular circumstances.

B. It is the responsibility of homeowners to make sure they have the most recent copy of the ALC Requirements and Guidelines. If you are unsure if you have the most recent copy, please call the SBHOA#2 Administration Office at (520) 818-1000 for verification or to obtain additional copies. The most recent copy of these ALC Requirements and Guidelines is also available on the SBHOA#2 website. These ALC Requirements and Guidelines and any updates, as approved by the SBHOA#2 Board, supersede any prior ALC Requirements and Guidelines.

**2. The Preserve: Units 42-45**

The Preserve is comprised of Units 42-45 and is a part of SBHOA#2. The Preserve includes some Developer-introduced features that are not available throughout the rest of SBHOA#2.

Any specific variations in these ALC Requirements and Guidelines relating to The Preserve are to be found in the appropriate sections in **ARTICLE III: SPECIFIC GUIDELINES AND REQUIREMENTS**.

**3. The Villas - Units 35-35A**

These two Units collectively comprise one Association known as SaddleBrooke Two Villas Association 35/35A, Inc. (SBVA) This Association is part of SBHOA#2 but has its own Board of Directors, Tract Declaration, CC&Rs, Bylaws, Rules, Architectural Rules, Landscaping Regulations, and Guidelines.

Homeowners are subject to BOTH SBHOA#2 and SBVA governing documents. Permits from the SBHOA#2 ALC are required for exterior modifications to homes in SBVA based on procedures in place at the time of application. These procedures may be modified from time-to-time.

Villa owners should complete the HOA2 ALC Permit Application and have it approved by the appropriate Villa Representative. The approved permit may be submitted at the Administrative Office by either the Villa owner or the Villa Representative. The Permit Application will be reviewed, and approved or denied by the ALC. The Villa owner will be notified of the permit status and can pick up an issued permit at the Administration Office.

**4. The Villas: Unit 50**

The Unit 50 Villas are a part of SBHOA#2, although they have their own Board of Directors and CC&Rs. Homeowners are subject to these ALC Requirements and Guidelines for SBHOA#2, as well as any additional Guidelines unique to Unit 50.

Permits from the SBHOA#2 ALC are required for exterior modifications to homes in Unit 50 Villas. Villa owners should complete the HOA2 ALC Permit Application and have it approved by the appropriate Unit 50 Villa Representative. The approved permit may be submitted at the Administrative Office by either the Villa owner or the Villa Representative. The Permit Application will be reviewed, and approved or denied by the ALC. The Villa owner will be notified of the permit status and can pick up an issued permit at the Administration Office.

## **5. E-Mail and Voice Mail Questions**

- A. When contacting the ALC always reference the Unit and Lot number of the property you are inquiring about.
- B. Homeowners are encouraged to use the ALC e-mail or call and leave detailed messages on the ALC voice mail with any questions or issues they may have regarding the ALC Requirements and Guidelines.
  - The ALC e-mail address is: [askhoa2alc@sbhoa2.org](mailto:askhoa2alc@sbhoa2.org)
  - The ALC voice mail number is: (520) 879-4155
- C. Further information is available online at the SBHOA#2 website, under HOA2 Governance/Committees/Architecture and Landscaping.

## **6. ALC Forms**

All ALC forms are available at either the SBHOA#2 Administration Office, or online at the SBHOA#2 website.

- A. Report of Violation form
- B. Contractor Evaluation form
- C. Permission to Enter Property form
- D. Permit Application form
- E. Contractor as Homeowners' Authorized Agent form

## **7. When is an ALC Permit Required?**

A Permit is required for any addition, improvement or replacement made to the exterior of your dwelling, walls or on your lot. Examples could be installing a new gate; painting your house; planting a new tree in your front yard; installing a new exterior security screen on your front entry; installing new walkway, patio or driveway pavers; replacing a window, adding or raising a wall; or anything that requires a Pinal County permit. For any project requiring a county permit, that permit with its supporting paperwork must be submitted with the ALC Permit Application before an ALC permit will be approved.



Repairs do not require a Permit. Examples could be painting a rusty gate; replacing a dying shrub; relaying lifted or sunken pavers on your walkway or patio; mending cracks in a concrete patio, driveway or walkway; replacing an existing air conditioner; or replacing a broken window pane.

**If you are unsure, it is always best to inquire with the ALC directly. Give us a call or send an email. [Askhoa2alc@sbhoa2.org](mailto:Askhoa2alc@sbhoa2.org), 520-879-4155**

## **8. ALC Permits**

A. It is the responsibility of the homeowner to obtain ALC Permits as required in these ALC Requirements and Guidelines prior to making any improvements or altering the exterior appearance of any property or structure, including exterior painting or installing any landscaping, except for the following items. Although in some cases an ALC permit is not required for items such as Yard Art, Wall Art, etc., all items must comply and fit within the standards set in Article III of these Guidelines. Items that may not require a permit, but must still comply with Article III are as follows:

- Bird feeders
- Bushes
- Fireplace Chimney (internal)
- Potted Plants
- Skylights or Light Tubes
- Storage Containers
- Non-motorized Window Sunscreens (see Article III, Section 5. Awnings)
- Yard and Wall Art must comply with Article III, Section 53

Any improvements or other work on property or structures that in any way alter the exterior appearance, whether a permit or coordination form is required or not, must adhere to the CC&Rs, these ALC Requirements and Guidelines, and/or any applicable statute, ordinance or regulation having jurisdiction.

- B. Permit Applications must be completed and signed by the homeowner, or contractor if a *Contractor as Homeowner's Authorized Agent* form is attached. Permit Applications may be considered for review prior to the closing date on the home. However, no work may begin prior to ALC issuance of a Permit and until after the closing date.
- C. For complete details on ALC Permits and the Permit Application Process, and Completion of Landscape Projects, please see **ARTICLE IV**.
- D. All homeowners must fully landscape their property as defined in these ALC Requirements and Guidelines. See Appendix J for more information.

1. **The CC&Rs require** all initial, new home construction landscaping must be completed within 90 calendar days after the close of escrow. To expedite this process, owners in escrow may meet with the ALC to obtain pre-approval, however, no ALC Permit will be issued until the day of Close of Escrow. (See Appendix J – New Build Mandatory 90 Day Landscaping.)
2. All projects, other than initial landscaping, with an approved ALC Permit must be completed within 90 days after the Permit is issued.
3. **If the Full Landscape or other Permitted work cannot be completed within the stated time a written request for an extension must be submitted to, and is subject to approval by, the ALC. The process and fees for extensions are listed in Fees and Fines, Article IV.8.**

**9. Contractor Selection**

Homeowners should exercise due diligence when selecting a contractor for all landscape and construction needs. The final responsibility for selecting a contractor is up to each homeowner. Licensed contractors are recommended. Per the Arizona Registrar of Contractors, “Arizona Revised Statutes, Title 32, Chapter 10 requires a contractor be licensed through the Registrar of Contractors (ROC) to legally perform construction or home repair and remodeling jobs having total project cost, including labor and materials, above \$1,000 or requiring a building permit.” No contractor signs can be placed in the yard. To satisfy ARS 32-1124 the homeowner must place the 8.5" by 11" sign posting the contractor name & ROC# in their window.

- A. The ALC maintains Contractor Evaluations completed by homeowners. These are available for review online (login to the homeowner site at sbhoa2.org) and in a binder kept at the SBHOA2 Administration Office reception desk. The Binder must be used in the office. No evaluations may be removed by homeowners.
- B. Neither the SBHOA#2Board of Directors nor the ALC has any work ethic authority over any contractor conducting business in SaddleBrooke and are not involved in the licensing of contractors. This function is the responsibility of the ARIZONA REGISTRAR OF CONTRACTORS. Prior to selecting a contractor, homeowners are urged to check the licensing status and records of any complaints against specific contractors by calling the ARIZONA REGISTRAR OF CONTRACTORS at (602) 542-1525 in Phoenix or on-line at <https://roc.az.gov/contractor-search>. The ALC will not intervene on behalf of the homeowner if a problem arises between the homeowner and the contractor. The members of the ALC are discouraged from recommending specific contractors.
- C. A homeowner may request their contractor act on their behalf with the ALC in plan/drawing review, submitting Permit Applications and obtaining approved Permits, however, the homeowner must first complete and sign a “Contractor as Homeowners’ Authorized Agent” form. This form expires at the expiration of the

Permit, or sooner if terminated by the homeowner in writing. This form must be submitted with each Permit Application.

**10. Views**

**Homeowners cannot expect views, which exist at the time of purchase, to remain unchanged over time. Property may eventually be improved upon and landscaping, both on residential lots and common areas, (including golf courses) will mature.**

Neither the ALC nor SBHOA#2 shall be under a duty to homeowners for the protection or enforcement of views or view expectations.

Maintaining views in the community is a courtesy to your neighbors. It is the responsibility of homeowners to see that no shrub, tree, exterior addition to or modification of their property, adversely affects their neighbors or the community. However, projects allowable per the Guideline requirements will not be disapproved based on neighbors' objections regarding views or other potential impacts. Should conditions lead to a conflict or dispute between neighbors, the affected parties must resolve the matter. Neither the ALC nor SBHOA#2 will be a party to any dispute or litigation that arises between neighbors pursuant to personal property rights.

## **ARTICLE II: ARCHITECTURE AND LANDSCAPE STANDARDS AND REQUIREMENTS**

### **1. Architecture Standards and Requirements**

- A. Pinal County Permits are required for most exterior additions and modifications. It is the responsibility of the homeowner to obtain all necessary Pinal County Permits prior to applying for an ALC permit. An approved Pinal County permit does not negate the requirement for an ALC permit.
- B. The design, style, detailing, materials and color of any addition or exterior renovation must conform to that of the house. Changes must adhere to the developer's elevation design style.
- C. Any addition to the original home, including but not limited to, casitas, golf cart garages, room additions, and pergolas/ramadas (free-standing or attached) requires an ALC permit.  
These additions cannot be built within the building set-back lines (BSLs), as measured from the property line.  
Additionally, for the front, no construction is permitted further than 5' in front of the existing structure (usually the Garage). The height of any addition to an existing home must not exceed that of the original roof or parapet line.
- D. All materials used in additions, alterations and landscaping must conform to those in the ALC Requirements and Guidelines. The ALC may allow substitute materials that are considered compatible with the theme of the community. Substitutions are approved based on the judgment of the Committee.
- E. When any building additions, alterations or renovations are made to an existing home, the lot drainage to the street, as established by the Developer, must be maintained. All roofs or gutter installations must drain to the ground solely within the deeded lot line and connect into the existing underground drainage. Drainage to common areas is prohibited (refer to Article III Sections 9 Drainage and 21 Gutters and Downspouts).

### **2. Landscape Standards and Requirements**

- A. In planning landscape and construction, access must be given to allow for the maintenance of areas that have TV cable, electrical boxes, water meters, etc. No plantings are allowed that will hinder utility maintenance personnel or meter readers. Plants so placed may be removed by the utility companies. The use of native and/or drought tolerant species is recommended for all landscape. High water consuming plants should be confined to small areas close to the residence as recommended in Xeriscape Landscape planning. (See **Appendix A or B** for plant materials and trees that are prohibited or recommended in SBHOA#2). Compatible community groupings should be taken into consideration to allow for appropriate irrigation system planning. Underground irrigation is recommended but not required.

1. Minimum planting requirements: Sufficient landscape materials must be used to maintain harmony with surrounding areas. Every front yard must have a focal tree five feet high (or taller) measured from the ground after planting and have a trunk no less than 2” in diameter. the focal tree must be an approved tree or a native Sonoran saguaro (*Carnegiea gigantea*) cactus. In addition, there must be 20 five-gallon plants (or equivalent) as approved by the ALC. The ALC, in its judgment, may require additional plantings or grant variances to the number of living plant materials, predicated on the size and shape of lot and front patio or entry walk installation. There are no minimum planting requirements for backyards.
  
- B. Gravel/Rock - All ground not covered by plantings or hardscape, including front, side and backyards, must be covered with crushed native colored rock (with the fine dust removed) in shades of browns and grays. The range of crushed rock size allowed is, for the front yard a minimum of 1/2 inch to a maximum of one inch, and for the side and backyards a minimum of 3/8 inch to a maximum of one inch. Rock colors are limited to two color choices, one base color and one color for accent and decorative purposes. If an accent color scheme is used, the accent color can cover no more than 10% of the relevant landscape area available. If no accent color scheme is used, the base can only consist of one color. Native river rock and boulders may be used for accent purposes. White rock, artificially colored rock or crushed man-made material, are not allowed. Lava rock may be used as an accent color only.  
  
Road base or foundation base materials (gravel or ABC) and minus (decomposed and/or epoxied) granite, and any similar materials are prohibited for ground cover or pathways which are visible from the front of the house or the street. It is allowed behind return walls; if no return walls are present, it is allowed in the rear of the house, no further forward than the back corner of the house.
  
- C. Weed growth or other nuisance plant materials must be controlled with herbicides and/or manual weeding. Plastic sheeting may not be placed under crushed rock for weed control since it is ineffective and causes the covering crushed rock to wash away (See **Plant and tree pruning** and **Weeds** in the Index).
  
- D. If wildflowers are to be propagated, they should not be visible from the street so that when each plant dies off, it will not become an obvious weed nuisance.
  
- E. **Accumulating, Placing, Storing material on the street or roadway for any length of time is PROHIBITED.**  
  
A \$200 Citation/Fine will be assessed to the homeowner for each day materials are placed on the street. The Fine may be issued by Patrol or by the ALC as a Notice of Violation and fine.
  
- F. Care must be used when landscaping along roads or corners to avoid creating visual obstructions that may compromise the safety of pedestrians, bicycles or other vehicles.

**3. General Provision**

The ALC reserves the right to consider and approve or disapprove any homeowner landscape request which is not covered by the entire ALC Requirements and Guidelines as incorporated within this document and which, in the judgment of the full Committee, does not meet the Architecture/Landscape aesthetics of the greater SaddleBrooke community.

**4. Maintenance of Property**

- A. All homeowners, including those not in full-time residence, are responsible for maintaining the appearance of their home and related landscaping so that it contributes to the overall appearance and aesthetic value of the neighborhood and the community. All lots must be kept free of weeds and trash/debris, and plants and trees must be neatly trimmed. (See also **Wildflowers.**)

Every building or structure must always be kept in good condition and repair, and adequately painted or otherwise finished. All awnings and screens shall be maintained in good condition and not allowed to be torn or weathered. In the event any building or structure is damaged or destroyed, it shall be promptly repaired, rebuilt, replaced, or removed.

- B. Overhead Encroachments. Trees, shrubs, or planting of any kind on any Lot, parcel, or other area must **not** overhang or otherwise to encroach upon any neighbor's property, common area, sidewalk, street, golf course, or other area from the ground level to a height determined by the Board or ALC, but not less than of eight (8) feet without the prior consent of the Board or the ALC.
- C. For procedures relating to a written Report of Violation that a property does not meet the ALC Requirements and Guidelines or the CC&Rs, see the sections on Reports of Violations, Fees and Fines and Weeds in **ARTICLE IV: ALC PROCESSES AND PROCEDURES.**

Any Health and Safety issue will be forwarded to the Board for appropriate action.

**5. Debris and Materials on Vacant Lots and Common Areas**

Rubbish, debris or materials from homeowner landscape or construction projects may not be stored or left on any common area. SBHOA#2 has the authority to have the rubbish, debris or materials removed and to bill the homeowner. Any damage to a neighbor's property by a contractor retained by a homeowner is the responsibility of the homeowner who retained that contractor.

## ARTICLE III: SPECIFIC REQUIREMENTS AND GUIDELINES

### 1. **Air Conditioners, Evaporative Coolers – ALC Permit Required**

All air conditioning units, mini-split units and/or evaporative coolers installed by homeowners must be ground mounted on an impermeable base, Santa Fe style homes excepted. The top of the unit must be no higher than (48”) forty-eight inches above grade level. All units must be screened from street view either by return walls (preferred) or plantings. If plants are used as a screen, they must provide 50% immediate visual screening of the air conditioner with a goal of 100% coverage within the first 12 months thereafter. Visual screening is determined from the street view looking directly at the air conditioning unit. All exterior ductwork or conduit must be painted the house stucco color. Portable window-type air conditioning units are prohibited for use in any structure, including installation in a window, through a wall, or mounted on the ground.

### 2. **Alternative Energy Devices**

#### A. **Battery Backup – ALC Permit Required for Exterior Installation.**

Whole house battery backup may be installed in the garage or outside and can be charged by solar or through the electrical grid.

#### B. **Generators – Not Allowed.** Permanently installed gas-powered generators (natural gas, propane or diesel) are not allowed in SaddleBrooke Homeowners Association No. 2

#### C. **Solar Panels, Solar Tiles and Collectors** – ALC Permit Required

- A Pinal County permit is required for the installation of solar collectors and ancillary equipment. The installer must be a licensed solar contractor with the appropriate general and contractor’s license.
- All exterior plumbing lines must be painted to match the color of adjacent roof material and walls. For Photovoltaic Systems, the exterior wall mounted equipment must be painted to match the house, except for the inverter(s) which must remain as supplied by the manufacturer.
- An illustrated brochure of the proposed solar unit, depicting the materials to be used, and drawings showing the location and number of collectors, the method of attachment to the roof structure, the angle and the location of exterior system components, must be submitted with the Permit Application.
- The preferred location for solar panels in descending order are: flush mounted on the main residence roof and flush mounted on the attached patio roof. If the panels are not flush mounted, a letter from the homeowner and solar panel

company is required explaining the percent efficiency lost and the difference in cost between the preferred and secondary location. Any solar panel approved for placement on a patio roof must be flat/flush mounted if visible from neighboring property or the golf course.

Screening Plan - In the event an exception is made allowing other than flush mount, and/or the panels are attached on the patio rooftop, the panels must be shielded at the open end and sides by use of a Parapet or securely fastening a metal mesh, matching the house color, to maintain the esthetic view from the neighboring property.

- Solar tiles must be roof mounted. Black is the only approved solar tile color. Other colors must be approved by the ALC.
- Ground mounted Solar Panels/Collectors are prohibited except in cases where rooftop installation would significantly affect the cost or efficiency of the device per ARS 33-1816 Paragraph “B”. The installing company must provide a letter stating the percentage of efficiency lost if the panels were roof mounted and the difference in cost between the preferred and ground mounted location.  
Screening Plan – Ground mounted solar panel installations must be shielded from the view of the neighbors and street, and golf course preferably by use of a block wall. A plan must be submitted to and approved by the ALC prior to installation.
- All installations must meet the applicable fire, safety and building codes. Neither the ALC nor the SaddleBrooke TWO Board of Directors is liable to the homeowners for roof damage or for affecting roof warranties.
- Solar tube skylights do not require an ALC Permit. However, homeowners should be aware that such installations might affect the roof warranty from the Developer. Homeowners are urged to check the impact on their roof warranty prior to installation.

#### D. **Wind Turbines – Prohibited**

Wind Turbines are not permitted within SaddleBrooke TWO.

### 3. **Animals**

A. **Feeding wildlife (except birds and tree squirrels) is illegal in Arizona, and is prohibited in SaddleBrooke.**

B. **Bird Feeders and Birdhouses:**



Two seed-type bird feeders are allowed in the back yard only, and only if catch pans are attached. Hummingbird feeders are not restricted. Ground feeding is prohibited. Feeding bird seed or any other food brings packrats, mice, snakes, javelina and other wild animals to your property. Birdhouses may not be more than six feet above original grade level. They may be located only in the backyard. Placement in common areas is prohibited. A maximum of two birdhouses are allowed in each yard to limit the potential of nuisance to neighboring properties.

C. **Pets:** No animal or bird shall be allowed to make an unreasonable amount of noise or to become a nuisance or an annoyance to other Owners.

1. **Pet care and control,** must conform with the Pinal County Animal Ordinance 10817

2. **Pets, except service animals,** are not allowed in any of the SBHOA#2 buildings, or on the restaurant patios.

3. **Pet owners must** remove and dispose of any solid waste deposited by his/her pet on common areas or private property.

4. **Pets are not allowed** on Mountain View or Preserve Golf Courses at any time – not walking, riding in a golf cart or running loose.

5. **Commercial Kennels and/or Boarding – Prohibited**

Pinal County allows four (4) dogs per household. Five (5) or more dogs require a Kennel License. Prohibiting commercial kennels does not apply to friends or family pet sitting whether for profit or as a favor.

6. **Pets may not** be permanently kept or maintained outside.

7. **Dog Houses – Permit Required**

May not be visible from the street or neighboring properties.

8. **Dog Runs – ALC permit required:** Construction of dog runs is discouraged due to our severe climate. Preferred placement is at the side of the home. The enclosure may not exceed the height of the party walls (5-feet) and must not be visible from neighboring properties the street or golf course. They may not have concrete slabs as a base. Extreme care must be taken for abatement of noise and odor. Dog runs must have some type of sun shelter constructed for dogs use at all times. Wood, chicken wire and chain link fencing construction are prohibited. Dog runs must be constructed of wrought iron, or “Aluma Wood” painted to match the house color. Construction is subject to ALC approval.

9. **Barking dogs:** Complaining homeowners are encouraged to follow the Pinal County requirements as outlined in Pinal County Animal Ordinance 10817. Complaints reported to the Patrol or ALC will be addressed by the following:

1. Initial and subsequent complaints: the dog owner will be informed that a complaint has been filed, and that steps must be taken to correct the problem.
2. If the problems persist, the complaining homeowner must follow the Pinal County requirements as outlined in Pinal County Ordinance 10817.

#### **4. Arches - ALC Permit Required**

- A. Arches must be constructed of concrete block and must be stuccoed and painted to match the house. The outside contour of an arch may be curved or angular/square, provided the structure is proportionate with the house, blends with neighboring architecture and adds to the overall quality and aesthetics of the neighborhood and community. Under no circumstances shall the design exceed the height, width or area of arches being constructed as standard options to the specific homes being built by the Developer. (See **Appendix F** for examples of acceptable designs).
- B. The inside width of the arch must be no greater than five (5) feet. (See **Appendix F** for examples of acceptable designs).
- C. The maximum outside height of arches must not exceed eight (8) feet from grade level. Arches must be attached to an adjoining wall. The maximum width and thickness of arch legs must not exceed 16 inches. To provide flexibility, ranges for all dimensions are shown in **Appendix F**.
- D. Homeowners must provide the ALC with drawings showing the location on the property and an elevation (front view) with full dimensions of the arch. Also, it is necessary to provide a detailed landscape plan. Plot plans are included in the closing documents and provided by the RCI sales office. This requirement may include a design done by a licensed professional. Homeowners must have these drawings prepared prior to coming to the committee for a Permit. The homeowner must demonstrate that the design is structurally sound and meets all building codes having jurisdiction over this development.
- E. **The Preserve:** On certain models in The Preserve an arch with a wooden lintel is allowed where it replicates as part of a pony wall the architecture features of the front door. This exception applies to The Preserve only.

#### **5. Awnings – ALC Permit Required**

- A. **Awnings** must be a solid color fabric approximating the color of the house or trim. They may be of a slanted or rounded style. Supporting parts of fixed window awnings may project no more than four feet from the house. Awnings of all types must be no more than six inches wider than the window opening. All awnings shall be maintained and must be replaced or removed if they become torn or weathered.

- B. **Metal awnings** are provided by the Developer on some models and elevations in The Preserve. These are available in The Preserve only.
- C. **Retractable awnings** are restricted to the rear of the home and must be a solid color fabric, approximating the color of the house or trim and must not exceed 120 total square feet and not extend more than 8 feet from the structure.

## **6. Barbecues and Grills**

### **A. Fixed Barbecues/Grills – ALC Permit Required**

Fixed barbecues/grills must not exceed five feet in height and are only allowed in backyards. They may be constructed of concrete block or approved weatherproof material with stucco finish and painted to match the color of the house. The only fuels allowed are electricity, natural gas, propane or charcoal. Wood burning barbeques or grills are not allowed under any circumstance because of the potential fire hazard. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in **ARTICLE IV, Section 3 Pinal County Permits**. All gas lines installed must have a safety shut-off valve installed. In the case where the Developer or landscaper installed a gas line at the time of home purchase and a metal flex line is later connected to it, the line must be six (6) feet or less to the gas connection on the barbecue.

### **B. Portable Barbecues/Grills**

Portable barbecues, grills and ovens are allowed in backyards only. They may use only the same fuels as fixed installations above. If natural gas is used, a safety shut-off valve must be installed, and the metal flex line length must be within the manufacturer's specifications. If there is no length specification, the metal flex line must be six (6) feet or less. Wood pellet, electric fired portable smokers are acceptable.

### **C. Location of all Barbecues/Grills**

Following several cases of barbecues setting fire to patio roofs, and consequent requests from the Fire Department, it is recommended that barbecues and grills should not be installed under the patio roof. Homeowners are advised to consult with their insurance carrier.

## **7. Casitas and Building Additions – ALC Permit Required**

A Casita or Guest House is defined as an attached or detached accessory building with no cooking facilities, used to house guests of the occupants of the principal building, and which is never rented or offered for rent. Because they do not contain any cooking facilities such as a stove or oven, they are not considered "Dwellings".

- A. A Pinal County permit is required for the construction of any casita or building addition. Pinal County zoning laws strictly regulate the inclusion of kitchen facilities in casitas or guesthouses and enforce minimal space requirements for ingress and egress.

- B. The construction or addition of all casitas and building additions not completed prior to the first closing with the Developer requires review and approval by the ALC. Any casita or building addition must conform to the design features and aesthetic appearance of the original structure. As a common courtesy, neighbors should be informed.
- C. The plans for constructing each casita or building addition will be evaluated by the ALC on a case-by-case basis with regard to placement on the lot relative to the existing structure, the set-back lines as shown on the plot plan from the Developer, and distance from the street.
- D. Pursuant to Pinal County Code regarding Casitas:
1. To be used only for guests, not permanent residents, and not as rental property.
  2. They are not considered “dwellings” and do not contain cooking facilities (stove, range, oven or cooktop)
  3. Minimum distance from the main house must be seven (7) feet.
  4. May not be larger than 45% of the floor area of the main house.
  5. Height restriction must be the same as the main house.
  6. May not be served by separate utility meters from the main house.
  7. Only one shall be allowed per Lot and must use the same street access as the main house.
- E. An Addition must be physically connected to the original house. A casita or guest house must be attached to the original dwelling by one or more of the following:
1. A continuous roofline between the two buildings
  2. A five (5) foot high wall
  3. An arch with a gate
  4. A Ramada (also see Ramadas/Pergolas subsection C. Front Yard Ramadas)
- F. A casita or room addition, including the overhang associated with the project cannot extend further than 5’ in front of the existing residence (usually but not limited to the garage). No casita or room addition (including any overhang associated with the project) can be built within the rear or side BSL (Building Setback Lines) as measured from the rear or side property lines. Refer to **Appendix M**.
- G. A complete set of stamped county-approved construction documents, including floor plans, elevations, drainage plan, site plan, plot plan from the Developer showing the set-back lines, and all drawings to scale with indicated dimensions, must be submitted for approval along with the color of the house and material schedules. Drawings must be dropped off at the Administration office. Allow at least one week for issuing a

Permit. The drawings will be reviewed, and an on-site visit may be required, prior to issuing a Permit.

H. The Preserve: If a wall is used to attach the casita to the original dwelling, it may be five foot six inches (5' 6") in height.

## **8. Doors – ALC Permit Required**

Entry/Front Door and Side/Utility Door: May be constructed of any material; wood and fiberglass are most common. Color must be natural wood grain (browns) or painted the Stucco or Trim color. Accent colors for entry/front doors are subject to approval by the ALC. The architecture style of the house and the visibility will be considered in rendering a decision.

Garage Door: Permit Required - see Garages, Garage Doors, Garage Additions and Modifications.

Security Door: Permit Required – see Screen Doors and Security Doors

Sliding Glass Door: Permit Required – See Windows

## **9. Drainage – ALC Permit Required**

A. **Introduction:** Improper drainage from homeowner lots can undermine the street and has been found to cause foundation lift leading to structural damage to the home and foundations associated with wall footings. The SaddleBrooke master site plan for drainage is that each home lot should drain to the street either through underground drainage piping or, in fewer cases, with grades through artificial river rock washes that drain to the street. In no case should storm or drain water be allowed to pool or be diverted to other homeowner's property lines.

B. **Scope:** This Drainage Guideline applies in its totality to all new landscaping and any construction of a casita, building extension, swimming pool or spa. Its application also applies to installation of gutters and downspouts within existing landscaping, or to alterations to existing landscaping. Non-compliance with this guideline will be considered by the ALC as a violation. If a situation exists where compliance cannot be logically achieved, the ALC will review these on a case-by-case basis.

C. **Drainage to street:** All lots in SBHOA#2 must drain over the gutter into the street and must not drain to adjacent lots or common areas.

D. **Definition of terms:**

- **Master Drainage Report:** When construction on a new home is complete, this document is prepared to certify that the drainage on the lot conforms to the requirements of drainage into the street. This document is included in the closing documents. In the case of resale, the new homeowner should receive this document from the seller.

- **Swale:** An indentation in the ground which forms a drainage channel along each side of the lot, situated between the house and the perimeter wall. It is provided by the Developer.
- E. **Mandatory Requirement 1:** No homeowner shall alter, interfere with, or obstruct the drainage pattern over the lot, as established in the Master Drainage Report. The Developer grades each lot to drain away from the building in all directions and toward the street. This is called “positive drainage”. Any alteration of the grades from that at completion of the original home construction must maintain the original drainage design.
- F. **Mandatory Requirement 2:** Once the homeowner begins landscaping, the Developer no longer has responsibility for positive drainage on the lot, and it becomes the homeowner’s responsibility.
- G. **Mandatory Requirement 3:** Each homeowner is responsible for ensuring that the landscaping or additional construction on the homeowner’s lot provides for appropriate drainage away from the foundation of the residence and other structures and that it complies with the Master Drainage Report. No lot shall drain onto a neighboring lot or parcel, unless specifically provided for in the Master Drainage Report.
- H. **ALC Permits:** The ALC may require that drawings and other related data be submitted that will demonstrate that proper drainage is to be provided prior to issuing an ALC Permit. This may require the services of an engineer. The issuance of an ALC Permit and/or the completion of landscaping (or construction of a casita, building extension, pool or spa) in accordance with an ALC Permit must not be deemed a representation, warranty, guarantee or other approval that the drainage after the completion of such landscaping (or construction) will be consistent with the original drainage by the Developer or is otherwise acceptable.
- I. **Ongoing Mandatory Requirements:** Upon completion of landscaping (or construction of a casita, building extension, pool or spa), and at all times, each homeowner is responsible for ensuring that the drainage on the homeowner’s lot complies with the following criteria:
- The grading must maintain a properly compacted slope of not less than 5%, for a distance of not less than 3 feet, or to the drainage swale, whichever is greater. Water must be directed away from the home’s foundation in all directions to a defined drainage swale.
  - All surface water drainage must be directed away from the property line to the established drainage swale, so as not to run onto the adjacent properties.
  - No sidewalks or other obstacles can be added next to the home (except those provided by the Developer) that create a trapped planter area that impedes the flow of water away from the home’s foundation to the designated drainage swale.

- Weep holes are required in pony walls and return walls to facilitate drainage.
  - Each lot must have a pronounced surface drainage system that consists of swales and/or drains to create positive drainage fall to appropriate discharge points over the curb into the street.
  - No plants or other landscape features are allowed to exist in the pronounced drainage swale. No plants can be located closer than 24” to the home’s foundation for low water (or no irrigation) usage plants and shrubs, and 36” for higher water usage plants and shrubs except when being planted to provide AC coverage from the front sight line. Trees should be located a minimum of 10 feet from the foundations to limit potential foundation damage in the future.
  - The homeowner must maintain proper management and control over the irrigation system throughout the year to avoid over-saturation of the soils on the homeowner’s or neighboring lots.
  - All irrigation valves, pressure regulators, and backflow prevention devices are to be installed on the opposite side of the drainage swale away from the house. These devices must not be installed between the house and the drainage swale.
- J. **Drainage into the street:** Local front yard drainage from mounds, etc. may drain over the curb naturally. All drainage pipes must be carried to the front yard curb line and be terminated as follows:
- The end of the pipe must be terminated approximately 2 feet from the curb and be embedded in a concrete lipped apron, contiguous with, and above the level of, the curb. This forces the flow of water from the pipe over the curb. The concrete apron must be lined with river rock, and river rock used to conceal the exposed pipe (See **Appendix D**).
  - The following method can also be used, especially for retrofitting an existing drainage pipe installation:
    - A 90-degree pop-up lid, embedded in a concrete lipped base extending to the curb, with the circle of the lid being tangential to the curb line and the grouted base being flush with the curb. There must be one “weep-hole” in the bottom of the pipe at the elbow to prevent standing water after the flow has ended (See **Appendix D**).
  - Except for the one "weep-hole" in the pop-up method, none of the pipes may contain holes.
  - **Introduction:** Gutters and Downspouts are closely related to the issue of drainage; please refer to the Guideline on **Drainage** above. An ALC Permit is required for any installation of gutters and/or downspouts.

- **Drainpipes:** In all cases where gutters and downspouts are in place, underground drainpipes to carry the flow of water to the curb are mandatory. All of the Requirements and Guidelines on Drainage apply without exception.
  - **Downspout outflow:** Downspouts must be connected directly into the drainpipe network. The use of splash blocks is **prohibited** (except for Units 35 and 35A). Downspouts may not feed water into “rivers” or swales and must feed directly into a drainpipe. This requirement is not retro-active to existing installations.
  - **Colors:** Gutters and downspouts must match or approximate the house or trim color using approved color choices. When gutter installation includes fascia board, the fascia board may be aluminum or wood material and must match the house or trim color.
- K. **Excavation below grade:** Landscapers and homeowners are not allowed to remove dirt along the side of the curb or sidewalk within the right-of-way for laying river rock, creating “rivers” or for any other purpose except installing “pop-up” drains (See **Appendix D**) or for driveway extensions or for utility installations. After such installations, the original grade must be restored. “Rivers” may not be excavated below the existing grade created by the Developer.
- L. **Special situations:** Steeply graded lots and road configurations can present situations where effective drainage may not be achieved by strict adherence to this Drainage guideline. In such circumstances, the ALC may grant waivers regarding “rivers”.

## **10. Driveways - ALC Permit Required**

- A. Driveway coating: An ALC Permit is required for any alteration or replacement of any driveway including the application of coating or change of color to the driveway. Implementation can be colored concrete overlay, or the application of an epoxy finish. The acid stain method is prohibited. The color must approximate the stucco color of the house and requires approval of the ALC. Pattern design should be unobtrusive and must cover the entire driveway in an even, consistent, parallel pattern. Strips of pattern designs are prohibited. Application of nonstandard patterns is subject to ALC approval.
- B. The concrete driveway provided by the Developer may be completely removed and replaced by pre-stressed concrete pavers. Such work must be performed by a licensed contractor specializing in the replacement of concrete driveways, and with the engineering experience needed to build a replacement driveway having structural integrity. The side footings and any coping must be at least 6 inches deep and set in concrete. Compacted road base or foundation base materials (ABC) must be used as a base for the pavers. Any replacement driveway must be capable of supporting a vehicular weight at least equivalent to that of the original driveway installed by the



Developer. Driveways must use pre-stressed pavers. Garden pavers, bricks, or flagstone do not provide an acceptable surface for vehicles.

- C. The replacement driveway must preserve the water runoff into the gutter provided by the previous concrete driveway. Any damage to the roadway caused by improper drainage resulting from driveway replacement will be entirely the liability of the homeowner.
- D. Before issuing a Permit to replace a driveway either with concrete or pre-stressed pavers, the ALC may require drawings and other related data to be submitted that will demonstrate structural integrity and proper drainage.
- E. The color of all pavers used to replace concrete driveways must be approved by the ALC during the permit application process.
- F. Care must be taken that underground utility lines are not disturbed when altering driveways or walkways. Homeowners are cautioned that the utility companies have the right to remove any extensions or construction placed outside the set-back line of the property without reimbursement to the homeowner.
- G. In no case must SBHOA#2 be held liable or responsible for any driveway or walkway design or construction. Further, SBHOA#2 is not liable or obligated for the replacement of improvements removed by utility construction or maintenance.
- H. Exposed Aggregate is allowed as a replacement driveway surface.

**11. Fences – ALC Permit Required. See Paragraph 50. Walls and Fences**

**12. Fireplaces (Exterior), Fire Pits, Kivas – ALC Permit Required**

Exterior fireplaces, beehive fireplaces (kivas) and fire pits may be placed only in backyards, unless offered by the Developer as an option for that specific model and elevation. Fireplaces and kivas must be constructed of concrete block, but fire pits may be concrete block, brick or metal. Fireplaces can have decorative accents of brick, tile or flagstone. Concrete block structures must be stuccoed and painted to match the color of the house or walls. Brick fire pits may remain the natural color or colored block.

Fireplaces and kivas must not exceed five feet (5') in height above grade and fire pits must not exceed 20 inches above grade. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in **ARTICLE IV, Section 3 Pinal County Permits**. If natural gas is utilized as a fuel source, a gas shut off valve must be installed at the gas source.

**Fire Pit/Fire Table**

Portable propane gas tank fire pit/fire tables are allowed without an ALC permit in the back yard. They are also allowed in the front patio area when they are concealed from the street by a pony wall/courtyard.

### **The Preserve:**

In certain models, fireplaces are allowed in the front courtyard. Such fireplaces may not exceed eight feet in height and every effort should be made to ensure that they are not visible from the street.

### **Wood used as fuel:**

1. The use of wood is strongly discouraged because of the fire hazard.
2. If wood is used as fuel in a fireplace, kiva or chimenea, it must be within a closed chamber and the chimney must have spark arresters.
3. In the case of a fire pit, wood must be used in conjunction with a metal spark arrester in the form of a cover (this includes portable units).
4. If a fire pit is installed for wood burning, it must be located at least 10 feet from the property line (this includes portable units).

### **13. Flagpoles (Permanent) & Flags – ALC Permit Required**

- A. Only one flagpole per lot is allowed. The top of the flagpole must not exceed 20 feet (20') in height.
- B. Flagpoles must be silver, dark bronze, black or white in color and made of metal or fiberglass, wood is not allowed.
- C. No flag may exceed three feet by five feet (3'x 5') in size. A maximum of two (2) flags may be flown simultaneously from a single pole.
- D. Location of the flagpole:
  - Must be at least ten feet (10') from all lot lines, preferably located in a front yard.
  - Due to noise during high winds, the flagpole must not be placed on a side where a neighboring home bedroom or casita is located.
- E. Flagpole lighting is restricted to state and federal flags and must be shielded so that the light source is not directly visible from any of the property lines. Downward-directed lighting from the top of the flagpole is recommended.
- F. Removable flagpoles attached to homes: Flags may also be flown from removable flagpoles attached to the house which does NOT require an ALC Permit. The above flag restrictions apply to removable flagpoles.

### **14. Fountains/Water Features – ALC Permit Required**

- A. Permanent fountains and water features may only be installed in backyards and front courtyards and may not exceed five feet in height above original grade level. Pumps must be screened from the street, golf course and neighboring property, and located

to minimize noise transmission to adjacent property. A courtyard is defined as a space enclosed by existing structures and pony walls.

- B. Portable fountains must adhere to the above height and location requirements. These fountains may be located in front courtyards within an area enclosed by pony walls. A Permit is not required for small, portable water features which are plugged into an approved existing GFI outlet.
- C. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in ARTICLE IV, Section 3 Pinal County Permits. Only underground wiring is allowed.
- D. Drainage must be provided for all water features and fountains to permit unsupervised drainage during periods that the feature/fountain is not in use and/or maintained. The homeowner must always provide mosquito and insect control when the home is occupied. When the homeowner is away for more than two weeks, the feature/fountain must be kept drained or regularly maintained by a third party.

**15. Garages, Garage Doors, Garage Additions and Modifications – ALC Permit Required**

These structures may not be converted for any use other than that for which they were originally intended. Garage roofs and door frames may not be modified to accommodate motor homes or other large vehicles except for special vehicles for the handicapped. Driveways and garage floors are not to be lowered.

- A. Garage additions cannot be built within the building setback lines (BSLs). The BSLs are 5' for the sides, and 10' for the rear. Additionally, for the front, no construction is permitted further than 5' in front of the existing structure (usually the existing garage). No overhang (e.g., gutters, eaves, etc.) may protrude into the no build zones. Refer to **Appendix M** for BSLs for each unit. The height of any addition to an existing home must not exceed that of the original roof or parapet line.
- B. Garage additions must be of a design and materials equal to the existing residence. Detailed plans for any additions along with a plot plan must be presented to the ALC when making the Permit Application.
- C. The garage addition must be placed on the same side of the house as the existing garage and share the existing driveway. When space is not available on the garage side, the addition may be placed on the side of the house opposite of the existing garage with side entry preferred. The driveway for the new garage addition in this case must connect to the existing driveway across the near front of the house. Hardscape and/or landscaping can be used to minimize the visual impact of the driveway connection.
- D. It is the responsibility of the homeowner to obtain all necessary Pinal County permits.
- E. Photographs of the existing structure can be very helpful to the ALC in the review process and will facilitate approval.

- F. New and replacement garage doors must be similar to the doors offered in SBHOA#2 by the developer, i.e., traditional paneled doors, or carriage house-style doors. All garage doors on the dwelling must be identical in style and color. The ALC Permit Application package must include a detailed drawing to scale showing the location, size, material and note the color. A picture of the garage door must be included. Metal or metal-look doors are prohibited.

**16. Gates - ALC Permit Required**

- A. Gates must be constructed of wrought iron or aluminum and may contain metal screening panels on the rear of the gate. Ornamentation on gates must be permanently affixed and painted. Generally, gates should be no higher than the adjoining return wall or pony wall. Arches are allowed on gates, however the maximum height of the arch on the gate must not exceed one foot above the adjoining return wall or pony wall unless rounded to match any approved arch enclosure. Drawings to scale must be submitted.
- B. Gates to the common area must be hinged (swinging), with self-closing mechanism and a maximum width of 42". If a Robson 3-block common wall exists, step over access is required, no wall blocks may be removed. In the case where the common area fencing is being modified to meet Pinal County requirements for swimming pools and a gate to the common area is being installed simultaneously –the top course of the Developer installed three-course property wall may be removed and a standard 48-inch-high section of wrought iron fence added to meet the Pinal County 45" step-over requirement for fences atop block walls
- C. Return wall gates may be a single leaf, hinged gate, maximum of 48-inches wide; or a double leaf hinged gate, maximum of 72-inches wide (each leaf a maximum of 36-inches). It is strongly recommended that a gate be installed in each return wall (each side of the home) to allow for emergency access.
- D. Wood gates are not allowed.
- E. The design of the gate must be approved by the ALC.
- F. If the gate is a locking "security door" which encloses a home entryway, a doorbell is recommended to be installed on the house exterior accessible from the street side of the gate and emitting an audible sound inside the home. A Permit is not required for installation of the doorbell.
- G. All gates within SBHOA#2 must conform to the same standard: Black, Bronze or the house stucco color.
- H. Gates may have **one** feature such as a cactus, roadrunner, or sun, consistent with the Sonoran Desert theme in an accent color. Color and design must be approved by the ALC.

**17. Gazebos - Prohibited**

Gazebos of any type or size are prohibited.

**18. Golf Ball Screens and Nets - Prohibited**

Golf ball screens and netting to prevent errant golf balls from entering homeowners' lots are prohibited. (Please refer to CC&Rs regarding assumption of risk.)

**19. Grass – ALC Permit Required**

A. Natural: While natural grass or sod is not recommended due to the high-water usage, the ALC will consider the use of low pollen producing, non-allergenic types of grasses in small areas in backyards.

B. Artificial: Artificial grass used for decorative purposes or putting greens is allowed in backyards only.

**20. Gravel – ALC Permit Required**

A. Placing material on the street/roadway for any length of time is PROHIBITED.

B. Crushed native color rock (browns/grays) with fines/dust removed.

C. Front Yard: 1/2" minimum to 1" maximum size.

D. Back Yard: 3/8" minimum to 1" maximum size.

**21. Greenhouses - Prohibited**

Greenhouses of any type or size are prohibited.

**22. Holiday Lighting and Decorations – See Appendix N**

It is recommended that Holiday Lighting should be turned off at 10:00PM. The periods when holiday lighting and decorations can be installed on homes and in yards are as follows:

1. **December holiday season:** November 25<sup>th</sup> through January 8<sup>th</sup>
2. **Other holidays:** 2 weeks before, 1 week after the holiday.

**23. House Numbers**

All new and existing homes in SBHOA#2 must have permanent house numbers affixed to the structure.

- A. For safety purposes, numbers must be installed as soon as the house is occupied.
- B. House numbers must be clearly visible from both directions of approaching traffic.
- C. The preferred location(s) for the numbers are:

1. Beneath the light sconce on the side of the garage closest to the front entrance to the house.
  2. Centered above the garage door.
  3. At the structure entrance.
- D. For clarity, it is preferred that the numbers be displayed horizontally. Vertical or slanted display may also be allowed.
  - E. The preferred house number height is six (6) inches with a minimum height of four (4) inches and minimum width of two (2) inches. The numbers must be of a contrasting color to the background.
  - F. Numbers must be of a durable and clearly visible material (i.e., metal, plastic, ceramic), wood is not durable and therefore prohibited. Numbers painted on the structure are not considered durable and are not allowed.
  - G. Numbers must be of a color sharply contrasting with the background upon which they are affixed.
  - H. Numbers must be shown in numerals—not spelled out in script.
  - I. Numbers displayed on the mailbox of the residence do NOT fulfill the requirement for numbers attached to the physical house structure.
  - J. Numbers displayed on rocks, slabs of concrete/flagstone and other similar displays of numbers on the ground will be treated as “yard art” and do not fulfill the requirements of this section of the ALC Requirements and Guidelines.
  - K. **The Preserve:** The Developer provides a standardized number on all homes attached to the main structure of the house. In The Preserve, care must be taken to locate any additional numbers on a surface facing the street in a forward location providing maximum visibility from the street. In most cases, this will be close to the edge of the garage (on models having garages both facing, as well as oriented 90 degrees from the street). For those models where the front entrance is located within a courtyard, positioning of numbers immediately adjacent to the front entrance door is not recommended.

**24. Lighting, Exterior - ALC Permit required**

Lighting installations require a permit except in a few situations identified in this Guideline. All permanent wiring installations need to be installed per current Pinal County requirements and have a County Permit issued prior to obtaining an ALC Permit. Please note: Interior fixtures that are intended to illuminate something on the outside are considered exterior lighting for the purpose of this Guideline.

## A. Introduction

SaddleBrooke is located within a Pinal County Low Ambient Lighting Zone and as such follows local Dark Sky ordinances and restrictions. **Appendix N** – Exterior Lighting Terms and Definitions.

The purpose of residential lighting in SaddleBrooke is safety, security and peace of mind; beyond that, all other lighting is intended to be limited and subdued.

1. An ALC Permit is required for initial landscape installation or when adding or replacing light fixtures, except for replacing like-for-like or replacing with solar lights.
2. Lighting must not be directed into nor cause glare in neighboring lots or common areas and must not be directed into the street such as to blind oncoming drivers. Spill light (light that crosses a property line with enough intensity to cause shadows) must be minimal.
3. Exterior lighting should be shielded and downward directed with the following exceptions: rope lights, accent lights, string lights, and sconce lights. Sconce lights should be shielded and, optimally, be downward directed. Pathway and landscape lighting need not be shielded.
4. It is recommended that warm light colors be used as opposed to bright white light sources. Colored lights are prohibited except as holiday lighting.
5. Lighting should be no brighter than necessary. Worldwide, “lumen” has been adopted as the measure of brightness. Wattage describes electrical power required to light a bulb. Due to technological advances in energy savings materials, wattage has become a poor indicator of brightness. Most packaging for outdoor lighting bulbs indicates both lumens and wattage.

### 6. Lighting after 10:00PM

Continuous illumination with exterior lights, front or rear, is prohibited except as allowed below. After 10:00pm only the following lighting is allowed:

- Lighting used only on an occasional basis for security or safety purposes
- Flagpole lighting
- Developer installed garage soffit lights in the Preserve controlled by a dusk-to-dawn sensor
- Solar powered lighting, as described
- Lighting used to provide heat to protect vegetation during periods of extreme freezing temperatures.
- Low voltage landscape accent lights

After 10:00pm it is a violation if any light source causes glare or interferes with the reasonable use and enjoyment of neighboring properties. Homeowners who are hosting a party (or returning home from an event) after 10:00 pm should be courteous to their neighbors by minimizing the amount of area lighting in use and must not create glare.

## B. **Security Lights**

Exterior floodlights are intended for occasional use. They must not be continuously illuminated.

- **Floodlights and Spotlights:**

These security lights are intended to be used primarily in back and side yards. The total amount of Lumens generated by a floodlight installation should not exceed 3,600 lumens (approximately 240 watts incandescent), regardless of the number of individual light sources.

1. **Quartz Halogen lights:**

The use of Quartz Halogen floodlights is prohibited.

2. **Motion Detectors:**

When used, the ground space illuminated by these lights should be 70 feet or less and should be positioned so the lights are not frequently activated by passing vehicles and wildlife during night hours.

## C. **Pathway, Landscape & Accent Lighting**

The intention of Pathway and Landscape lighting is not to illuminate the entire area

1. Path lights (solar or wired) should be placed 5 to 8 feet apart. The lights can be placed closer or further apart depending on their brightness. To avoid a “runway” effect the halos or pools cast by the lights should overlap by a few inches or barely touch.

2. **Pathway and Landscape Lighting:**

- a. A maximum of 200 lumens each fixture. (200 lumens are equivalent to a 20-watt incandescent bulb, 18 watts Halogen or 4 Watts LED.)

- b. Solar powered lights, which have no timer control feature and produce illumination until the battery loses power that has been generated during the sunlight hours may be continuously illuminated beyond the 10:00pm limit.

3. **Accent/Spotlight lighting:**



- a. Accent lighting is when a spotlight is directed at a landscape element for aesthetic purposes (i.e., number sign, rock, tree, or plant).
- b. A maximum of 400 lumens for each fixture. (400 lumens are equivalent to 25 Watts Halogen or 5 Watts LED or 40 watts incandescent bulb.)
- c. An LED accent light containing multiple LED bulbs within a single light fixture must not have more than 4 (four) LED bulbs.
- d. The maximum number of accent lights per yard (solar or wired) is 7 in the front and 7 in the back yard, 14 in total.

**4. Wall Washing and Entire Area Illumination**

- a. Lighting installations that shine across entire walls of the residence or entire areas of landscaped yards are prohibited, as they violate the criteria for a Low Ambient Lighting Zone.

**D. Ceiling and Soffit Lights**

Any ceiling lights added by homeowners beyond those provided by the home builder must conform to the same downward-directed design and require an ALC Permit. Soffit lights above garage doors are allowed and require an ALC Permit. Outdoor ceiling lights with fans are acceptable if they are shielded, are downward directed, and do not produce glare beyond the property lines.

- **Fluorescent Lighting:**

Compact Fluorescent Light Bulbs (CFL) and LED lights are approved methods of providing lighting under ceilings and patio roofs. Fluorescent strip lighting is not an approved form of lighting in such locations.

- **Rope Lights and String Lights:**

Rope lights and String lights are acceptable in back or side yards, on patios, porches, ramadas or in enclosed front courtyards if their intensity is subdued, do not cause glare, and are not colored. The preferred location is inside the porch, patio or ramada fascia. This type of lighting must not illuminate the entire back, side or front yard. Colored strings or ropes of lights attached to objects or plants in yards are not allowed, except as temporary holiday decorations; the appropriate periods for holiday lighting are shown in Section 21 Holiday Lighting and Decorations.

**E. Wall, Sconce and Post Lights**

Wall and sconce lights are installed on the front of homes, in courtyards, and in entrance tower structures. Each of these lights may be a maximum of 700 lumens (60 watts incandescent).

Sconce lights are lights attached to outside walls of the residence, generally located to the right and left side of a garage door. Coach lights and other non-Sonoran sconces with clear glass or no glass inserts shielding the light source from the street or neighbors are prohibited in new installations and as with ceiling lights, any sconce lights added beyond those installed by the home builder require an ALC Permit.

F. **Front Door Lighting:**

Lights in structures above front doors must be directed downwards.

G. **Post Lights:**

A post light located in the front yard must be a minimum of 18 inches from the edge of the street curb. The maximum allowable height for any such light is 72 inches. The maximum amount of light emitted from the light must not exceed 225 lumens (approximately 20 watts), the light source is not to be exposed. The light pole must be painted black or bronze. The light fixture on the top of the pole may be black, bronze, brass or the same color as the house or trim. Post lights may also be mounted on pony walls in front yards. For lights mounted on pony walls, the same rules apply for the color of the light fixture and maximum light output, with a height limitation of 54 inches from grade level to the top of the fixture.

**25. Lightning Protection System (Air Terminals/Lightning Rods) No ALC Permit Required**

- A. The ALC does not recommend or prohibit any Air Terminal or Lightning Rod design, or contractor. It is the homeowner's sole choice.
- B. If the wiring connecting the air terminals to the ground is enclosed in pipes, the pipes must be painted to match the house.

**26. Mailboxes - ALC Permit Required**

- A. Decorative or novelty mailboxes are prohibited.
- B. Temporary holiday decoration of mailboxes is allowed.
- C. The homeowner is responsible for maintaining the post, mailbox and tube in good condition.
- D. Replacement of mailboxes must either be a standard Gibraltar Elite brand/style medium in black or an Oasis 360 (model 6300B-10) black lockable box approved by the U. S. Postal Service which can be purchased locally.
- E. Replacement of posts and tubes must match existing which is available through Desert Ornamental Artistry. Email all enquiries to [DesertOrnamental@gmail.com](mailto:DesertOrnamental@gmail.com) and include your Unit & Lot number, Address and Telephone number.

**27. Mounds, Berms and Swales – ALC Permit Required**

Mounds in front and backyards must not exceed 18 inches in height from original finish grade level at the time of completion of the home and must be constructed of natural materials. (See Mounds Illustrations, **Appendix G**).

**28. Painting: Exterior – ALC Permit Required**

**Refer to Sections III.8, III.16, III.34, and III.49 for detail requirements for painting doors, gates, security doors, and walls respectively.**

**A.** An ALC Permit is required prior to painting the exterior of home including house body, trim, pop-outs, shutters, garage door, entry and utility doors, any walls, fences and gates, etc., even if a color change is not planned.

**B.** Following are painting standards common to all SBHOA#2 homes:

1. Homeowners may select any paint supplier that they wish when painting, however, the paint used must match the color standard and quality indicated by the color name or code of the designated paint shown in **Appendix H and I**.
2. Gloss paints are not allowed on house exteriors. Paint on house exterior body must be 30% or less sheen (eggshell) as determined by the Master Paint Institute. Paint used for trim must be 50% or less sheen as determined by the Master Paint Institute.
3. House trim must be painted whenever the house stucco/body is painted.
4. When repainting homes that were built with wood paneled gable ends, the wood gables must be painted the same color as the house stucco/bodycolor.
5. Homeowners are required to paint new improvements, such as casitas and house/garage additions, to match their existing house colors.
6. Murals and other colors, other than those on Color Charts 1 and 2, that are painted on property and/or pony walls visible from the street or neighboring properties are prohibited.
7. Specific requirements for painting in SBHOA#2 and The Preserve are detailed below.
8. Color coated driveways must be considered when painting a home with new colors to ensure the driveway color complements the new home color.

**C. SBHOA#2 (excluding The Preserve - See Appendix H**

There are nineteen (19) stucco/body colors and thirty-two (32) accent colors to be used for trim/fascia/garage doors and pop-outs. See Appendix H.

These colors will replace all existing color charts/choices for both communities, except The Preserve Palettes available to homeowners in the past will no longer be allowed, however, many of the updated colors closely match the existing colors.

**Specifically, not allowed are:**

- Previous board approved color palettes, or the original house color unless the current color is on the new color charts.

Homeowners may paint their house with up to three colors, all from the color charts in Appendix H using the combinations as outlined below:

1. One color: selected from Chart 1 to paint the house stucco/body, trim and architecture pop-outs, utility doors and the garage door.
2. Two colors: one color selected from Chart 1 to paint the stucco/body and utility doors, and a second color selected from Chart 2 to paint the trim and/or architecture pop-outs. The garage door may be painted either the selected stucco or trim color.
3. Three colors: one color selected from Chart 1 to paint the stucco/body and utility doors, a second color from Chart 2 for the trim, and a third color also from Chart 2 for the architecture pop-outs. The garage door may be painted either the selected stucco or trim color.
4. Gutters must match the trim color. Downspouts must match the house stucco/body color.
5. Front entrance doors may be natural wood-grained, or painted the Stucco/body color, or (if used) the Trim color. The ALC must approve accent colors for front entrance doors only. The architecture style of the house and the visibility will be considered in rendering a decision.
6. HOA2 homes, not in the Preserve may select one of the approved Preserve paint color “schemes” listed in Appendix I (regardless of roof tile and stone veneer color). The entire color “Scheme” must be utilized as defined by the “scheme” – no substitutions are allowed. Paint colors cannot be mixed across schemes.

**D. THE PRESERVE:**

1. Any one of the approved Preserve paint color “schemes” listed in Appendix I may be selected (regardless of roof tile and stone veneer color) for painting a house. Paint colors cannot be mixed across schemes.

2. Any house in The Preserve may be painted in the scheme used when it was originally built.

Original models in The Preserve were offered in three elevations: Spanish Colonial, Santa Fe (Territorial) and Tuscan. Homeowners must use the current schemes, which have been coordinated to the design, roof material, and ledgestone.

**29. Patios, Walkways, Decorative Pavers, and other Hardscape Elements – ALC Permit Required**

- A Detailed plans, drawn to scale, showing the patio and any elevation must be presented to the ALC for review. The height of an elevated patio shall not exceed eight inches above original grade. Materials used must be patio pavers, brick, flagstone, or the like. Wood decks are prohibited.
- B. Walkways may be added, extended, or replaced with pavers, bricks, or flagstone. An extension may be done on its own, or as part of constructing a new walkway of the same material between the driveway and the front courtyard or rear patio, with or without an extension.
- C. Patio extensions: Patios may be extended or covered (applied on top of existing finish), using pavers, bricks or flagstone.
- D. Satellite Patios: Satellite patios may be constructed using the same materials as patio extensions.
- E. Care must be taken to ensure underground utility lines are not disturbed when altering patios and walkways. Utility companies have the right to remove any extensions or construction placed outside the set-back line of the property without reimbursement to the homeowner.
- F. In no case shall SBHOA#2 be held liable or responsible for any patio or walkway design or construction. Further, SBHOA#2 is not liable or obligated for the replacement of improvements removed by utility construction or maintenance.

**30. Patio and Porch Enclosures – ALC Permit Required**

- A. Enclosed patios are also called Arizona Rooms.
- B. Rear patio and front porch enclosures may be constructed of steel, wrought iron, or heavy-gauge aluminum, provided the design is of square solid or tubular material, and has the appearance of wrought iron. Rear patio enclosures can be constructed of glass. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in **ARTICLE IV, Section 3 Pinal County Permits**. No enclosures made of wood are allowed. Perforated metal screening or poly screening material panels may be used as backing on patio and porch enclosures.
- C. Patio and porch enclosures are limited to the following colors and must include a drawing of the proposed enclosure with the Permit Application:

- D. The border frame can be the same color as the house, window frame color or bronze.
- E. The screen can be the house color or black or dark bronze

**31. Planters – ALC Permit Required**

Planter boxes may be constructed in front, side and or backyards, provided the dimensions do not exceed 24 inches high, 48 inches wide and 24 inches deep, and they do not encroach onto the utility easement. Front yards are limited to 2 planter boxes. Planter terracing may not exceed a maximum height of 24 inches. Planters must be water-proofed on all four sides to prevent leakage and paint peeling. Planters must be constructed of concrete block and painted to match the wall or house color, or of brick or a natural stone of a color compatible with the rock ground cover being used. Drawings of the proposed planters must be submitted with the Permit Application for ALC approval. The drawings must be to scale and dimensioned showing plan, site location and elevations, including materials to be used. (See **Appendix G** for Details).

**32. Ramadas/Pergolas – ALC Permit Required**

**An ALC Permit is required in all cases. The ALC has the discretion to approve or deny any Ramada.**

1. A detailed drawing of the proposed structure, drawn to scale with complete dimensions must be submitted with the Permit Application. The drawings must show site location, plans, elevations, and materials with all dimensions.
2. Ramadas must not be constructed within the Building Setback Lines and not encroach into easements, as shown on the plot plan furnished by the Developer. (See Appendix M for details.)
3. All Ramadas must use a minimum 2” x 2” for the slat roof material, with a maximum of 2” x 4” and a minimum spacing of 1/2”. Solid or fabric roofs are not allowed.
4. Ramada frames must be constructed of steel or aluminum. Wooden Ramadas are prohibited.
5. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits may be found in **ARTICLE IV, Section 3 Pinal County Permits**.
6. Back and side yard Ramadas:
  1. Free-Standing Ramadas may not exceed 200 square feet, unless a County Permit is obtained, and must be 7 feet or greater away from the face of the dwelling per Pinal County requirement.

2. Attached engineered Aluminum Awnings/Ramada's that exceed 120 square feet in area and/or extend more than 8 feet from the dwelling, require a Pinal County Permit. Attached Ramadas must be securely fastened, supported on a bearing wall of the existing structure and not from the fascia.
  3. The maximum allowable height must not exceed the height of the Developer-installed patio cover or eave of the roof.
  4. Color must be manufacturer's Champagne (ivory, beige or cream) color or house stucco color.
7. Front yard Ramadas:
1. All Ramadas must be attached to the main structure and of SaddleBrooke standard design (see Appendix L) with 2" slats spacing, no walls and of a square or rectangular design. Ornamental designs or any type of art attached to the Ramada is prohibited. Solar panels are prohibited from being installed on any Front Yard Ramada.
  2. Attached Ramadas must be securely fastened and supported on a bearing wall of the existing structure and not from the fascia. Total size must not exceed 120 total square feet and cannot extend more than 8 feet in front of the house, unless covering the patio area between the front of the house and a Casita and attached to both (also see Casita and Building Additions III.7.E.4). In no case may the ramada extend more than 5' in front of the forward-most portion of the dwelling (e.g., garage).
  3. The maximum allowable height must not exceed the height of the Developer-installed patio cover or eave of the roof.
  4. Color must match house stucco/body color.
  5. Free-standing Ramadas are prohibited in front yards.
8. Palapas (thatch-covered structures similar to ramadas) are prohibited.
9. Umbrella-type ramadas are prohibited.
10. Use of wood: Wood shakes or beams are not allowed for any kind of ramada. Ramada must be constructed of steel or aluminum.

**33. Roof Tile and Roof Coatings – ALC Permit Required**

- A. Roof tiles: Any change in the color of the roof tile requires an ALC Permit and must be consistent with colors currently in use by the Developer. Repairs to an existing roof with no change in color do not need an ALC Permit.
- B. Roof coatings: An ALC Permit is required in all cases. This includes patio roofs and Territorial model roofs. It includes all applications of roof coating for whatever purpose. The preferred color is tan; bright white is not allowed.

- C. Samples: Wherever an ALC Permit is required for roof work, a color sample or documentation of the color to be used must be provided with the Permit Application.
- D. Pinal County Permit: A Pinal County Permit is necessary if the entire roof is being replaced. If individual roof tiles are being replaced, or any of the tile underlay is being replaced, no Pinal County Permit is needed.
- E. Solar Roof Tiles – Refer to section III.3 – Alternate Energy Devices

**34. Satellite Dishes and Antennas**

The following is applicable to all SBHOA#2 homes, excluding the two Villas.

- A. Types of Antennas Covered under FCC Over-The-Air Reception Devices (OTARD) Rules are listed below and are allowed within SBHOA#2:
  - 1. A "dish" antenna one meter (39.37 inches) or less in diameter designed to receive direct broadcast satellite service or to receive and transmit fixed wireless signals by satellite.
  - 2. An antenna one meter in diameter or less designed to receive wireless cable or to receive and transmit fixed wireless signals other than by satellite.
  - 3. Commercially available analog and digital television antennas.
  - 4. Antennas exceeding one meter in diameter and other exterior antennas such as devices for two-way fixed, wireless internet broadband, amateur “HAM” radios or Citizen’s Band (CB) radios are prohibited.
- B. Rules governing installation and location of Satellite Dishes:
  - 1. The Satellite Dish must be installed solely on and within the homeowner’s property, not encroaching on adjacent common areas or another homeowner’s property. Unused satellite dishes should be removed.
  - 2. Satellite dishes or other devices, whenever possible, must be installed in the most unobtrusive manner and must be shielded from view from other lots, the street, the golf course, and common areas, including walking paths, to the maximum extent possible, while still allowing for acceptable quality signal reception.
  - 3. Approved satellite dish antenna installations are limited to the standard single-leg mast supplied with satellite dish antennas and bolted to a concrete pad, block, “trailer” anchor, the home, property or common/perimeter wall or straight mast driven into the ground. Starlink, a SpaceX satellite internet



constellation, employs proprietary satellite dishes. A Starlink dish is an exception in that it may use a tripod mast. Any other exceptions must be approved by the ALC.

4. The Satellite Dish must be painted, depending on where it is placed, to match the house, roof or wall color. If the dish is placed in an enclosed yard where it is not visible from the street, neighbors, or golf course, painting the dish is not required. A Starlink face may not be painted due to interference with reception. The mast of the Starlink dish should be painted.

5. Approved installation locations:

Approved installation locations are for back and side yard only and are listed below by order of most acceptable to least acceptable. These locations are designed with emphasis on the effect to the present and future aesthetic value of the community.

- a. Freestanding on the ground with no part of the dish over 48” high as measured from the ground.
- b. Attached to the side or rear of the home, up to and including the eaves or overhang. If placed on the eaves, the attachment should not be at the highest point (apex) of the roof.
- c. Attached to the back-half section of the main roof, or patio roof, and must be mounted such that the dish does not extend over the roof peak.
- d. Attached to common/perimeter or party walls, with no part of the dish over 48” high as measured from the ground. Note: Attachment to the top of these types of walls is prohibited.
- e. If the dish is installed in a location other than one of those listed above, the ALC has the right to require the satellite dish be moved at the homeowner’s expense, to one of the acceptable locations provided:
  - The movement to the acceptable location does not incur an “unreasonable cost”. Proof of cost must be provided to the ALC by the homeowner. Or,
  - The signal strength at the approved location is acceptable for satellite service.

- C. Maintenance and Repair: Homeowners are responsible for the maintenance and repair of antennas. Antennas must not be allowed to fall into disrepair or become safety hazards. Unused antennas should be removed.

Note: These rules are in full effect until any pending FCC amendments are passed into law, at which time this section will be revised accordingly.

**35. Screen Doors and Security Doors – ALC Permit Required**

An ALC Permit is required when installing new, or replacing an existing, Screen Door or Security Door. Installing or replacing a sliding glass door screen door does not require an ALC Permit.

- A. Security doors may be constructed of steel, wrought-iron, or heavy-gauge aluminum, provided the design is of square solid or tubular material and has the appearance of a wrought-iron door. No wood or light-weight screen or security doors are allowed. Perforated metal screening or poly screening material panels may be used as backing on screen doors and security doors.
- B. A drawing of the proposed door must be included with the Permit Application. Screen doors and security doors and their ornamentation and features must be limited to one or two of the following colors:
- C. Screen doors and security doors may be the same color as house stucco/body or trim color, black, dark bronze or matte finished/aged copper.
- D. Ornamentation may be accented by use of black, dark bronze or matte finished/aged copper.
- E. Security doors may have two features such as a cactus, roadrunner, or sun, consistent with the Sonoran Desert theme and design and must be approved by the ALC.

Note: Door and screen may be of a different color within the above choices.

**36. Screens and Sunshades – ALC Permit Required**

- A. Standard exterior window screen inserts do not require an ALC Permit.
- B. Freestanding sunscreens or netting to shade plantings and/or the erection of privacy structures are prohibited.
- C. Rolling sunscreens may be black, bronze or a solid color approximating the house color. Rolling screen frames must approximate the existing stucco color, are limited to the side or rear of the house and may be vertical only. When lowered they must be secured. Exterior sunshades made of plastic, reed, wood, or bamboo are prohibited.
- D. Security Window Screens are allowed and must approximate the house color.

**37. Shutters on Windows – ALC Permit Required**

- A. Fixed shutters at the sides of windows are not allowed except where installed by the Developer on a specific model and elevation.

B. In The Preserve the shutters must be painted the color specified for them by the Developer in the color palette used on the rest of the house. Shutters must be made of the same material as those installed by the Developer.

C. Rolling Shutters:

1. Color: may be black, bronze or a solid color approximating the house color. Rolling shutter frames must approximate the existing house color.
2. Placement: Limited to window installation only. **Rolling shutters may not be installed as patio or Arizona room enclosure.** They are limited to the side or rear windows of the house and must be vertical opening only. When lowered they must be secured.
3. Material: Rolling shutters made of plastic, reed, wood, or bamboo are prohibited.

### 38. Signs

Final suitability of all signage is subject to approval by the ALC and must be in accordance with Arizona statute 33-1808 and Pinal County Zoning 2.145,050. Signs of a general nature and those containing “quaint” sayings that are visible from neighboring property or from the street are prohibited. Where applicable all Federal, State and County regulations take precedence.

No signs that are visible from neighboring properties shall be erected or maintained in residential or common areas except:

A. Permanent signs

Two types of signs are authorized to be permanently posted to the front of the home or in a front yard, “No Solicitation” signs and homeowner’s name(s) signs.

1. No Solicitation”, “No Soliciting”, or “No Solicitors” signs may be posted by homeowners with the following guidelines:
  - a. There may be one sign per house.
  - b. The sign will be black lettering on a silver background or silver lettering on a black background.
  - c. The sign must be no more than 12” x 2” in size and be placed within two (2) feet of the doorbell or at a Courtyard Gate/Entrance
2. Homeowners’ name(s) sign may be displayed in the front of the property, either attached to the house/garage or placed on the ground. Specifications of such signs include:
3. There may be one sign per house
4. Overall size must be limited to a maximum dimension of 17 inches in height, 30 inches in width

5. Materials are limited to stone/slate/flagstone, wrought iron (black) or metal (bronze/black/beige). Wood is not allowed.
6. Letter size must be four (4) inches maximum in height.
7. Background color should be consistent with house and trim colors. Bright, strong, or gaudy colors are prohibited.
8. Letters must be of metal, wrought iron, ceramic or hard plastic.
9. Letters can be black, bronze or match house trim as long as the contrast between the sign background and the house color is clearly evident. When placed on stone/slate, letters may be painted using colors described above.
10. Other ornamentation on the sign, if any, is limited to items consistent with the Sonoran Desert/Southwestern Theme – i.e., cacti, flora, fauna, kokopellis, etc. (See Yard and Wall art). Such items must be proportional to the overall size of the sign and generally limited to no more than 20% of the total surface.
11. Signs under this provision do not satisfy or replace the requirement for house numbers found under **ARTICLE III House Numbers** of this Requirement and Guideline.

B. Temporary Signs:

- Sign owners must maintain their sign's professional appearance and structure. The signs must be kept in good condition. Weathered or tattered signs must be removed or replaced.
- Signs shall be placed no close than one foot from the nearest part of the street or curb, whichever is closer.
- No signs that are visible from neighboring properties shall be erected or maintained in residential or common areas of SBHOA#2 except:
  1. Construction/Contractor signs are prohibited from being placed on any lot. However, homeowners must post an 8.5" x 11" sign, provided by the contractor, in their window visible to the street in accordance with Arizona Revised Statute 32-1124 which requires posting of the name and registrar of contractor number (ROC#) in a conspicuous place on premises where work is performed. This sign must be removed within 5 days after job completion.

Homeowners receiving a Notice of Violation for a prohibited contractor sign shall remove it within 24 hours, after which a fine of \$25 per day will be assessed. If it is not removed within 7 days, the fine will be increased to \$50 per day. Replacing a removed sign after an NOV is issued will immediately incur a fine of \$50 per day.

2. Political signs:

- a. Arizona State Statute 33-1808 defines a “Political Sign” as one that attempts to influence the outcome of an election including supporting or opposing the recall of a public officer, supporting or opposing the circulation of a petition for ballot measures, questioning or proposing recall of a public officer.
  - b. Political signs must adhere to State and County signage regulations (Arizona State Statute 33-1808 and Pinal County Zoning 2.145.050).
  - c. No political signs shall be placed in any common areas or street corners or attached to street signposts. Political signs put in common areas will be removed.
  - d. Political signs may be placed on your property 71 days before a Primary or General election and must be removed within 15 days following the election. Signs must be at least one foot inside of the property line. When placing signs, please be mindful of drivers’ line of sight. Political signs on a homeowner’s property may in aggregate be no larger than sixteen (16) square feet.
3. Signs required by legal proceedings.
  4. Signs for approved community events.
  5. Alarm system signs must be installed in the yard or posted in windows that identify the alarm business and a telephone number to call when the alarm has been activated.
  6. “For Rent”, For Lease” and “For Sale” signs advertising individual residence must advertise the property upon which they are placed. The Board, or its agent, may enter the lot for the purpose of removing any signs that do not comply with this subsection.
    - a. Signs shall be no larger than 18” x 24” and its supporting frame no more than 30 inches wide with one 6” x 24” rider.
    - b. Signs shall be restricted in placement to front yards only and shall not be placed adjacent to golf courses or common areas/green belts.
    - c. One “Open House” sign on the premises is permitted from 8:00 a.m. to 6:00 p.m. on the day of the Open House. “Lead In” signs are permitted on common areas.
  7. Two “Estate Sale” signs are permitted on the premises on the day of the sale.
    - a. A sign may not exceed 18” X 24”.
    - b. Lead-in signs are permitted on SaddleBrooke common areas from 7:00 AM to 6:00 PM only on the day of the sale.

c. No banners or balloons are permitted on the site of the sale or on the directional signs.

d. All signs shall be removed within one hour of the close of the sale each day

8 Other signs including, but not limited to, those erected by RCI or its affiliates and construction job identification signs, directional signs and subdivision identification signs that have been approved by the Board.

**39. Solar Panels – ALC Permit Required**

See Section 3. Alternative Energy Devices

**40. Snake Fence – ALC Permit Required**

Snake fence may be added to wrought iron fences and gates with the following requirements:

- Must be installed on the inside of fencing or gate
- The metal mesh material should have openings no larger than 1/4-inch
- Colors: black, dark bronze, or color of wrought iron fence
- No plastic mesh material or chicken wire or expanded metal lath
- Must be fastened with screws, not zip ties or wire
- Must be 30-inches high minimum to be effective
- Professionals recommend the bottom edge should be buried below the ground surface at least 4-inches. Alternatively, the bottom of the screen must be wrapped around a 1-1/2" by 1/4" flat bar, and the bar fastened into the top of the block on regular intervals

**41. Spas – ALC Permit Required**

**All spa installations, whether a masonry in-ground spa or freestanding hot tub, require an ALC Permit.** Spas are subject to pre- and post-installation site visits. Spas must be installed in accordance with all the latest Pinal County ordinances. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in **ARTICLE IV, Section 3 Pinal County Permits.**

- A. When the homeowner is away for more than two weeks, the spa must be kept drained, tightly covered and/or regularly maintained by a third party.
- B. **Masonry (in-ground) spas** must follow all the regulations of the Pinal County code for swimming pools, and the ALC Guideline on Swimming Pools (see **Swimming Pools** in the Index). This includes walls and locking gates surrounding the location of the spa or pool, together with the screening requirements for pumping equipment.

**C. Prefabricated (above-ground) spas:**

1. All prefabricated spas must have a locking cover for safety.
2. Prefabricated spas may not exceed 42 inches total in height above surrounding grade level.
3. Most prefabricated spas have a self-contained heater and pumps. However, if separate pumps are required, a site plan drawn to scale and completely dimensioned must be submitted showing the location of the spa, heater and pump equipment, and the distance to neighboring homes from the spa pumps. Pumps and equipment must not be placed between adjoining properties. All spa pumps and equipment must be screened by block walls to minimize noise transmission.
4. Above ground spas must be permanently shielded from view from the street, golf course and neighboring lots.

**Draining a Spa:** All water drained must be discharged into the street and must not flow onto neighboring property or common areas. Check with Pinal County for additional restrictions. Contact information for Pinal County can be found in **ARTICLE IV, Section 3 Pinal County Permits.**

**42. Speakers (sound)**

Exterior speakers are discouraged, as are sound emitting devices which may impinge on neighbor's peace and quiet.

**43. Sports Courts and Sports Equipment**

Sports courts, such as basketball courts and tennis courts, are prohibited at individual homes. Putting greens are allowed in backyards and side yards but must be screened from neighbors and the street by a 60-inch block wall.

Sports equipment is not allowed to be permanently installed in the ground or attached to the dwelling in the front, side or rear of any home or garage. This includes, but is not limited to, basketball backboards/hoops, weightlifting or other fitness equipment, batting cages, volleyball/pickleball nets, etc.

Temporary or portable sports equipment, where its use does not impinge on neighbors' peace and quiet, can be used in backyards only if not visible from the street, neighboring lots or the golf course.

**44. Stone Veneer/Ledgestone – ALC Permit Required**

Stone veneer/ledgestone, hereafter referred to as veneer, may be installed on SBHOA#2 models and elevations, subject to certain restrictions described below.

Homeowners must submit a Permit Application for approval and attach photograph(s) or a detailed drawing of the existing home showing the proposed location and placement of

the veneer together with the type and color, and the exterior color of the home if photo is not included.

**Restrictions:**

- A. If the home currently has “ledge” style stone and stone is being added to a newly built addition, casita, or golf cart garage, matching stone may be used.
- B. A homeowner with a front entrance portico, which has a flat facade and a pop-out or a roof eave, may install veneer on the portico. The veneer placement must be installed to the bottom of the lowest pop-out or, if the portico does not have a pop-out, to the roofline and the bottom of the stuccoed wall.
- C. Veneer may be added to external entrances/entryways. This does not include the entire front house elevation, nor does it include more of the front façade of the house than the entrance. See **Appendix K** for examples of allowable installations.
- D. **In the Preserve each model and elevation includes or excludes stone veneer and changes are not allowed to the original design.**
- E. Pony Walls may have stone veneer that matches what is on the house.

**45 Storage Containers & PODS**

- A. Two (2) rubber or plastic type exterior storage containers are allowed in back or side yards but cannot exceed a length of 72 inches and a height of 48 inches each and must not be visible from the street, golf course or neighboring property.
- B. One trash container and one recycle container, provided by the garbage company, are not considered storage containers; however, they must not be visible from the street, golf course or neighboring property.
- C. Storage sheds are prohibited.
- D. Compost bins are prohibited.
- E. Water harvesting containers are prohibited.
- F. Dumpsters may not be placed on the street; a Permit is required from the Administration Office and the dumpster must be placed on the driveway or other portion of the lot (reference SBHOA#2 Rules & Regulations).
- G. PODs or Moving Containers are only allowed in Driveways and require a Permit obtained from the Administration Office.

**46 Accumulating, Placing or Storing Materials on any Street/Roadway - PROHIBITED**

- A. All landscaper/contractor materials must be placed on the driveway or yard. Storing, staging, placing, etc. materials directly on any street or roadway for any



length of time is **prohibited**. In the event neither the driveway nor the yard is practical, the materials may be placed on a utility flatbed trailer parked on the street during normal daytime working hours. If needed, the trailer may be parked on the homeowner's driveway overnight. Overnight street parking is prohibited. (Reference SBHOA2 Rules and Regulations.)

Homeowners are responsible for ensuring the landscaper/contractor does not store, stage, place, etc. any material/hardscape on the street. **A \$200 Citation/Fine will be assessed to the homeowner for each day materials are placed on the street.** The Fine may be issued by Patrol as a Citation or by the ALC as a Notice of Fine.

- B. Equipment, including tools, cement mixers, front end loaders, bobcats, etc. may not be stored on the street.
- C. Dumpsters may not be placed on the street; a Permit is required from the Administration Office and the dumpster must be placed on the driveway or other portion of the lot (reference SBHOA#2Rules & Regulations).
- D. Portable Restrooms, aka Porta Potty, may be placed on any lot where construction is being performed. Placement shall not be within 10 feet of any street/roadway or neighboring property.

#### **47. Swimming Pools – ALC Permit Required**

- A. Above ground pools are prohibited.
- B. All items related to the pool project are covered under this section and must be fully described in the permit. These items include, but are not limited to, gas/solar lines, electrical conduits, drain lines, pool pumps, patio extensions, walls/fences, and latching gates and screen doors. Some of these items are also covered in their own dedicated sections of the ALC Requirements and Guidelines. (See **Gates, Return walls, Screen doors, Solar panels**).
- C. All pools must be installed in accordance with the latest Pinal County Ordinances. It is the responsibility of the homeowner to obtain all necessary Pinal County permits. More information on Pinal County permits can be found in **ARTICLE IV, Section 3 Pinal County Permits**.
- D. A site plan, drawn to scale and completely dimensioned, must be submitted showing the location of the pool, screen walls, equipment, and related hardscape, set-back lines, house location and property lines. The distance to neighboring homes from the pool pump is also required. Drawings must be dropped off at the Administration office with the Permit Application. The drawings will be reviewed by the ALC, and a site visit will be required prior to issuing a Permit.
- E. To meet Pinal County Code requirements, the height requirements for party walls and return walls in yards containing swimming pools must be a minimum of 60

inches high, measured from the outside of the wall. Refer to paragraph III.49. for detailed requirements.

- F. If the pool plans include a patio, then detailed plans, drawn to scale, depicting the patio must be presented to the ALC at time of review. Patios surrounding the pool often are constructed of “cool deck,” which is allowed.
- G. Self-closing and self-latching gates that open away from the pool and screen doors are required for entrance to the pool area per Pinal County code. These gates are attached to **return walls** and are wrought iron built to the ALC standards, i.e., post one inch and one-half inch bars.
- H. Every attempt must be made to minimize noise transmission to adjacent property stemming from pool pumps. Pool pumps in combination with supplied motors shall meet “quiet pump” technology. This is generally defined as having a noise level < 50 dB dependent on motor speed and location of noise measurement. All pool pump/motor combinations shall be provided with verification of noise levels at pool company operating flow conditions to demonstrate meeting the “quiet pump” technology requirements.

The pump equipment must be screened by concrete block, stuccoed and painted to match the house or wall color. The screening wall height must be as high as the equipment to be screened and no higher than the party or return wall. The equipment must be located as far as possible from neighboring buildings regardless of lot size and cannot be attached to any party or common/perimeter wall. The pool equipment may be placed at the side of the home if there is adequate space. All pool equipment is subject to ALC approval.

- I. **Draining a Pool:** All water drained must be discharged into the street and must not flow onto neighboring property or common areas. Check with Pinal County for additional restrictions. Contact information for Pinal County can be found in **ARTICLE IV, Section 3 Pinal County Permits.**
- J. When the homeowner is away for more than two weeks, the pool must be regularly maintained by a third party. At no time may the home's water and/or electricity be turned off for any extended period (in excess of 72 hours), unless the pool has first been drained.
- K. If a portion of a Common Wall is removed to allow contractor access to build a pool/in-ground spa/spool, a temporary barricade must be employed when construction is not actively occurring.

#### **48 Tiles, Exterior – ALC Permit Required**

Ceramic tiles are allowed ONLY on Pony Walls, Stairways and as part of the house number in front yards. Artistic presentations may be presented to and considered by the ALC, and if approved will be considered a piece of Yard Art.

**49. Trees – ALC Permit Required**

An ALC Permit is required to add, remove or substitute the species of any tree. (See **Appendix A** for a list of prohibited trees/plants and **Appendix B** for a list of Focal Trees Most Commonly Planted). “Volunteer” trees that naturally sprout must be approved for type and location if they are to be retained in the landscape.

**FOCAL TREE:** A Focal Tree is mandatory for every home; once designated as a Focal Tree in the original landscape or any other time, any change to it requires an ALC Permit. If a Focal Tree is dead, knocked down by a storm or is removed by any other means, the homeowner must obtain a Permit for planting a new Focal tree within 14 days and must have the tree planted within 90 days of issuance of the Permit. A newly planted Focal Tree must be at minimum 5 (five) feet tall when planted and the trunk of the tree must be no less than 2 inches in diameter.

Trees, plants, and shrubs must be pruned regularly so they do not overhang any wall or lot boundary into neighbor lots, streets, sidewalks and/or other areas adjacent to any lot. Additionally, they should not create a visual hazard for vehicular or pedestrian traffic.

**50. Trellises & Lattice Panels– ALC Permit Required**

- A. Trellis and lattice panels, defined as flat, two-dimensional panels may be installed and used to support living plants. The panels must be securely attached to the house or wall and must be installed flat and parallel to the wall they are mounted upon. All Trellises and Lattice must be constructed of metal and must be painted black, dark bronze, medium to dark brown or the color of the house or wall. Trellises and Lattice constructed of wood or plastic are prohibited.
- B. Freestanding trellises and lattice panels are prohibited.
- C. Metal arbors, “teepees”, and obelisks meant to support plants or vines may be installed in the side or back yard of the house. They must be constructed of metal and must be painted black, dark bronze, or medium to dark brown. Metal arbors, “teepees”, and obelisks constructed of wood or plastic are prohibited.

**51. Walls and Fences – ALC Permit Required**

This section covers definitions, Permit requirements, design and construction criteria, paint colors and homeowner use for walls in SBHOA#2. The CC&Rs document refers to “Party Walls” and “Perimeter Walls”. These ALC Requirements and Guidelines contain more specific references to walls; the definitions of each kind of wall, together with the differences between the terms used here and the CC&Rs are to be found below in **Walls**.

Homeowners are required to obtain neighboring homeowner authorization, using the ALC ‘Permission to Enter’ form, when any wall (masonry or wrought iron/aluminum) to be altered or erected is, or will be, shared between two adjacent lots. The form must be signed by the neighbor(s) and must accompany any Permit Application for altering or erecting any walls. Homeowners may obtain a blank form from the HOA#2 Website, or from the

Administration Office. The form gives permission to raise the wall with wrought iron or block stone, enter the property, to complete the wall and do clean-up work. Written permission is not required in the case of walls adjoining common areas.

The responsibility for completing both sides of the wall belongs to the homeowner erecting or altering the wall, except for walls in The Preserve that are not painted. Completing the wall includes stucco and painting, as appropriate, so that the exterior of the wall on both sides is as it was before the wall was raised.

Walls/Fence must be constructed of masonry or wrought iron. Block walls are not designed to retain dirt or rock. Homeowners are not allowed to place raised landscape beds, planters or raised model railroad beds against walls. Doing so could result in compromising the integrity of the wall. If any common area wall begins to, or does fail as a result of this situation, the homeowner will be responsible to repair/replace the damaged portion of the wall with oversight by the HOA management, using an approved licensed contractor.

All lots with a golf course view, even if bordered by a common area, are required to be wrought iron or aluminum fence. Exceptions for a corner segment extension may be granted.

#### **A. Walls – ALC Permit Required**

1. **Common/Perimeter Walls:** Walls surrounding SBHOA#2 that are on the property line between private homeowner lots and common areas such as golf courses. There is a special group of these walls which were constructed by the Developer on the boundary between SaddleBrooke and surrounding areas such as Catalina, Lago Del Oro Parkway, Eagle Crest, Loma Serena, etc. Pots, artwork, sculpture, etc. may not be placed on common or perimeter walls.

Special restrictions and circumstances apply to these walls, especially those separating SaddleBrooke from the surrounding areas. Any modifications or use of these walls is prohibited. Any special circumstances require review and prior authorization from the both the ALC and the SBHOA#2 General Manager.

The HOA common area side of Common/Perimeter Wall must be SaddleBrooke Wall color. The homeowner side must be either SaddleBrooke Wall or house stucco/body color.

2. **Party Walls:** Walls constructed by the Developer on the property line between neighboring lots. Party walls belong equally by both neighboring homeowners. Each Owner shall have the right to use the Party Wall, provided that such use does not interfere with the other Owner's use and enjoyment thereof. No planters, plants, art or other item, material or substance may be placed atop a Party Wall that is not mutually authorized by all owners sharing that Party Wall.

Homeowners who wish to modify the height of party walls must first obtain written authorization from the neighboring homeowner prior to applying for an ALC Permit as noted in A. above. The total height of party walls must not exceed seven

courses, or 60", of eight-inch block or two courses of eight-inch block plus 48 inches of wrought iron. The height of the walls is measured from the ground on the highest-grade side of the subject wall as left by the Developer. The maximum height of all common/perimeter walls must follow any grade change along the wall so that no more than seven courses are visible at any one point along the wall.

Party walls must be masonry or wrought iron and match the design installed by the Developer. Masonry used to raise party walls must match the type, style, and size of the existing masonry used by the Developer for constructing walls. To ensure structural integrity and prevent mid-level moisture bleed-through, the solid block top cap must be removed prior to raising walls and reinstalled on top of the wall.

The homeowner side of Party Wall must be either SaddleBrooke Wall or house stucco/body color. Homeowners may continue to use Palo Tofu, if the adjacent wall is still painted in Palo Tofu.

**SWIMMING POOL EXCEPTION:**

Walls surrounding yards with swimming pools may be granted a variance to meet Pinal County codes calling for a minimum five-foot height measured from the outside of the wall. This requirement can be achieved by walls of concrete block only, or a combination of block and fence.

Depending on the finished-grade elevation of lots immediately adjacent to the one with a pool, seven courses of eight-inch block may be insufficient to meet the County's five (5') foot height requirement. If these walls are solid block (meaning they are not a combination of block and wrought iron as required for golf course lots), it may be necessary to add one additional block.

A five-foot height may also be attained by reducing the height of the Developer-installed three-course property wall by removing one row of blocks and adding a standard 48-inch-high section of wrought iron fence. The 48-inch-high section of wrought iron also meets the Pinal County 45-inch step-over requirement for fences atop block walls.

3. **Pony Walls:** Walls designed to screen front-yard patios and provide a measure of privacy. The maximum height of these walls is 48 inches, including pilasters. They can also be used in rear yards to screen equipment.
  - The wall should be proportionate with the house, blend with neighboring architecture. If the pony wall is within 5 feet of the frontmost portion of the home (frontmost portion of home is that part of home closest to the street, including the garage), it may be no higher than 48 inches, including pilasters. However, pony walls in the front of the home may be built outside this 5-foot limit (now referred to as knee/decorative walls) - but must be at least 10 feet from the curb and, in this case must be a maximum of 24 inches in height plus a 4-inch cap (28 inches - total maximum height).

- In all cases, the pony walls or knee/decorative walls in the front yard are to be stuccoed and painted to match the house. Brick or flagstone caps may be used. Adobe brick, kiln-dried brick, stone to match what is used on the front of the home, or slump block are approved alternate materials . These walls are subject to public utility maintenance.

4. **Retaining Walls:** Walls constructed along a slope to hold back or support the earth in the slope. Small architectural walls may be used to minimize erosion on sloped front areas. These should be stuccoed and painted to match the house and may be no higher than 24-inches. They will be subject to utility maintenance access. In such cases the homeowner will be responsible for replacing or repairing the walls within the utility easement.
5. **Return Walls:** Walls that connect a party wall to the nearest wall of the residence. Construction must be of masonry or wrought iron and must match the wall design installed by the Developer (See Appendix E). Wall height should be no higher than seven courses. A “weep block” is required at the bottom of solid return walls to allow for proper drainage.

Masonry return walls must be painted to match the house stucco/body color on both sides and have a stucco finish on the side facing the street.

6. **Seat Walls:** Seat walls are both decorative and functional small structures like a concrete bench. Constructed of concrete block finished in stucco or concrete cast and painted to match the house stucco/body color. Seat walls are 18”-22” in height from the ground to the bench surface and sometimes include a seat back which is limited to a 48” height. The seat bench may be capped in flagstone or tile.
7. **The Preserve**

Party walls and Perimeter/Common walls are to be constructed with the same unpainted brown colored block used by the Developer and may not be stuccoed.

Occasionally, when existing walls are raised, repaired, replaced or extended, the dye used in the manufacturing process may vary, thus resulting in a finished look similar to a striped or checkboard pattern. For this reason, the ALC provides an exception to the painting rule:

- a. Any ALC issued Permit for altering a Common/Perimeter or Party wall within The Preserve may be issued with the caveat that if the new block color does not match the existing, and creates a significant striped or checkboard pattern, painting may be authorized as an exception upon inspection of the finished work. When the homeowner requests this exception, it must be noted on the Permit by the ALC.
- b. The homeowner becomes responsible for maintaining both sides of the painted common/perimeter wall(s) **in perpetuity**, thereby transferring responsibility

to new homeowners when/if the home is ever sold. The HOA will not be responsible to repaint the common/perimeter walls within The Preserve.

- c. The exception shall not be granted until after the wall is raised, repaired, replaced or extended and inspected by the ALC to determine if it resulted in a significant striped or checkboard appearance.
  - d. The **only** color authorized as an exception for painting Common/Perimeter and **Party Walls is Sherwin-Williams Preserve Common Wall, SW6060 Moroccan Spice**. Stucco is not allowed.
  - e. Party walls that adjoin an empty/unsold lot may not be painted on the top, front or exterior side of the wall.
  - f. Any homeowner who has previously raised, repaired, replaced or extended their walls may request a Site Inspection by the ALC to obtain approval to Paint their walls if they appear striped or checkerboard.
  - g. Stucco is not allowed under any circumstances.
  - h. Other walls in **The Preserve**.
    - 1. Pony Walls located in the front yard must be stuccoed and painted to match the house stucco/body color.
    - 2. Return Walls must have a stucco finish on the side facing the street and must be painted the house stucco/body color.
    - 3. Seat Walls must be painted to match the house stucco/body color and the seat bench surface may be capped in flagstone or tile.
8. **Party Wall Height:** The total height of party walls must not exceed seven courses, or 60”, of eight-inch block or two courses of eight-inch block plus 45 inches of wrought iron. The height of the walls is measured from the ground on the highest-grade side of the subject wall as left by the Developer. The maximum height of all common/perimeter walls must follow any grade change along the wall so that no more than seven courses are visible at any one point along the wall.
9. **Fences – ALC Permit Required**
- Wrought iron fences must match those installed by the Developer (See Appendix E). A drawing of the proposed fence or modifications to the existing fence must be submitted with the Permit Application. The drawing must be to scale with indicated dimensions. Top and bottom rails must be one-inch square, vertical spindles must be one-half inch square, and sections must be attached to the sides of pillars/columns. They cannot be attached to tops of pillars for structural reasons. Fencing anchored into pillars by core drilling and setting in non-shrink grout is acceptable.

Wrought iron fences, which were part of the Developer's construction on golf course and/or green belt lots, may not be removed. However, such fences may be reconstructed to a height of not less than twenty-four inches above grade.

When raising fences in locations along the golf course, wrought iron must be used. At no time may the height of the fence exceed five feet. The height of the fence must parallel any change in ground elevation. For new fences, aluminum fencing is an acceptable substitute for wrought iron provided the style and design are not changed. Wood, screen, metal screen or chain link fencing are prohibited.

SBHOA#2 (excluding The Preserve may be painted either Black, Bronze, SaddleBrooke Wall or the current house paint color. Any wrought iron Party Wall must have written and signed approval from the neighboring property owner.

Wrought Iron Fences in The Preserve must be painted SW7069 Iron Ore as required by the Preserve paint schemes. Any wrought iron Party Wall must have written and signed approval from the neighboring property owner.

#### **10. Wall/Fence Elevation Drawings**

When party walls and common/perimeter walls are modified, a wall elevation drawing must accompany the ALC Permit Application. The drawing must show the number of courses of concrete block by which the wall will be raised or lowered and the number of wall sections that will be altered. If the walls are to be modified by a combination of concrete block and wrought iron, the drawing must show both the finished height of the wall, the height of the wrought iron and the height of the concrete block. Paint color for both the concrete block and the wrought iron must be shown on the drawing.

#### **52. Weather Recording Equipment – ALC Permit Required**

Weather recording equipment and/or weathervanes must not be placed on the roof or chimney of any residence without the review and approval of the ALC. A drawing is required showing the placement of the equipment.

#### **53. Weeds, Trees, Plants and Rubbish**

Homeowners are required to maintain their Residential lots per CC&Rs. Specifically, the CC&Rs require that "No weeds, dead trees or plants, rubbish or debris of any kind can be placed or allowed to accumulate upon" any lot, and that no trees or shrubs must be allowed to overhang streets, sidewalks and other areas adjacent to any lot.

If an individual or SBHOA#2 Patrol notifies the ALC of a maintenance issue and if the ALC observes or confirms the issue, the ALC will issue a Notice of Violation (NoV) along with specific instructions to correct it. Homeowners will be fined \$50 - if the specified issue is not adequately corrected by day 15 from original NoV date. Homeowners may call the ALC office to obtain a one-time extension of 7 additional days to correct the issue. On day 15, with no extension, or day 22 with an extension, the ALC will assess the homeowner a \$100 fine and an additional \$100 fine for each week that the issue is not



adequately resolved. If the issue is not adequately resolved and no response is received by homeowner after 45 days from the date of the original fine, SBHOA#2 has the right, by CC&R rules, to access property using SBHOA#2 employees, or to hire a contractor to resolve the issue. The ALC will assess the homeowner for either SBHOA#2 employee costs or Contractor fees plus a \$250 administration fee.

**54. Windows and Sliding Glass Doors – ALC Permit Required**

- A. All window installations and replacements require an ALC Permit, except where only the glass is being replaced.
- B. If a new window is being installed, or an existing window is being replaced, the architecture style and design must conform to the windows installed when the house was built. The frame color must match that of the existing windows.
- C. A Pinal County permit is required for changing the size or location of a window, installing a new window in a previously blank wall, or replacing a window with a door.
- D. Solar tubes do not require an ALC Permit.
- E. installation of a skylight window requires an ALC Permit.
- F. Window Treatments: Within ninety (90) days of close of escrow, each Owner of a Dwelling Unit must install permanent draperies or suitable window treatments on all windows visible from neighboring property. In no event may windows be covered with paper, aluminum foil, bed sheets or any other materials or temporary coverings not specifically intended for such purpose. No interior or exterior reflective material may be used as a window covering unless such material has been approved by the ALC.

**55. Yard and Wall Art**

Art in yards and on walls visible from the street must be consistent with the Sonoran Desert/Southwestern Theme and limited in number to prevent clutter. Pots, artwork, sculpture, etc. may not be placed on common or perimeter walls.

- A. **Yard Art** is any object placed on the ground as a decorative accent in an area visible from the street and is limited to eight (8) pieces. Maximum size of any single piece of Yard Art must be limited to four (4) feet by three (3) feet by 3 (3) feet. No more than two (2) pieces of the Yard Art may be at the maximum size. All remaining six (6) pieces may not exceed (1) foot tall by two (2) feet wide.
- B. **Focal Yard Art** are pieces of “themed” **Yard Art** placed together in the front yard of the dwelling and are limited to one (1) group of three (3). Maximum finished placement size on the ground not to exceed five (5) feet wide by four (4) feet tall by three (3) feet deep, measured by the total street facing size after placement in the yard.

No individual piece of Focal Yard Art may be in excess of four (4) feet tall by three (3) feet wide.

- C. **Wall Art** is any piece attached to the exterior walls of a house or the surrounding walls of a dwelling that is visible from the street and should be in proportion to the wall area. Wall art cannot comprise more than 20% of the wall area upon which it is placed and cannot project lengthwise beyond any portion of the wall.
- D. **Set Back** All maximum size pieces of Yard/Focal Art must be placed at least ten (10) feet away from any street, sidewalk or neighboring Lot and must not prohibit the visibility of drivers on roadways or leaving driveways.

The Sonoran Desert/Southwestern theme Art includes items which are consistent with traditional Sonoran Desert/Southwestern culture and environment including Mexican and Native-American art as well as, traditional art replications of the small Sonoran Desert birds, reptiles and mammals. Also included as Sonoran Desert/Southwestern art are Abstract Art pieces that do not attempt to represent an accurate depiction of a visual reality, rather they involve the use of shapes and forms to achieve its effect and uses only desert coloring of browns, blacks and rust.

While the ALC regulates Yard Art and the type, size and number of pieces allowed, the intention is not to prohibit pieces that enhance the aesthetics of the homeowner's property and the SBHOA#2 community. The ALC therefore reserves the right to approve/disapprove Yard Art based on the committee's assessment of how well the item supports the overall aesthetics of the SBHOA#2 community.

Yard Art not conforming to these Requirements and Guidelines may be submitted by a homeowner and considered for approval by the ALC. A Permit Application is required for the ALC to consider the request, which must include a photo or professional rendering of the art, its dimensions, material and color, and a plot plan of the property showing where the art will be located.

The ALC has the absolute right to require removal of any piece(s) of Yard Art that has not been properly maintained and fallen in disrepair, regardless if it has previously been approved by the ALC.

Art that is deemed by the ALC to be non-conforming must be removed from the front yard, and/or placed in the back yard out of view from the street, golf courses and neighbors, within 15 days of notification by the ALC. Yard art that exceeds 5 feet in height, but not more than 6 feet in height must be placed 15 feet away from any Party or Common/Perimeter wall in any backyard. Any Art category not listed above is prohibited.

Below are examples of Unacceptable Art pieces:

Bicycles

Bowling Balls

Cherubs

Flamingoes

Gargoyles

Gazing Balls

Geese

Japanese Pagoda Lanterns

Planes, Trains, Automobiles

Plastic/Fabric Plants and Flowers

Religious Articles or Religious Statuary

Signage with “quaint sayings”

Skis

Windmills

## ARTICLE IV: ALC PROCEDURES

### 1. Overview

Anything not expressly discussed in these Guidelines (allowed or not allowed) requires a review or permit by the ALC.

The ALC monitors and guides the environmental development of SBHOA#2 through a formal review of homeowners' landscape and architecture plans and an on-site review program after completion of work. This process assures continuation of the standards of excellence established by the Developer and subsequently by individual homeowners and helps to protect property values within the community.

### 2. Permit Application Process

Where these Guidelines stipulate a Permit is required, it is a violation of these Guidelines to perform such work without first obtaining the Permit and therefore may be subject to fines and/or require removal of such unauthorized work performed. (See Fees and Fines)

A homeowner may request their contractor act on their behalf with the ALC in plan/drawing review, submitting Permit Applications and obtaining approved Permits, however, the homeowner must first complete and sign a "Contractor as Homeowners' Authorized Agent" form. This form expires at the expiration of the Permit, or sooner if terminated by the homeowner in writing. This form must be submitted with each Permit Application. The use of this form does not absolve homeowners of supervisory responsibilities regarding their property or project.

The CC&Rs require new home initial landscaping to be completed within 90-days from the close of escrow. See Appendix J for requirements.

The ALC is available to issue Permits and to assist homeowners in the completion of their projects:

To ensure timely ALC review, the following procedures must be followed:

1. An ALC Permit Application form must be completed by the homeowner (printed or typed), along with any/all supporting documents and sent electronically to [askhoa2alc@sbhoa2.org](mailto:askhoa2alc@sbhoa2.org), or presented to the Administration Office. Only the most current Application form will be accepted.
2. The Permit Application must contain the date and signature of the homeowner or the homeowner's Authorized Agent. The most current version of the Permit Application Form is available online at the SBHOA#2 website.
3. Permit Applications for full or complex landscape, golf cart garage addition or extension, room additions, casita additions, ramadas/pergolas, pools and spas will require an On-Site Preview Inspection.

Homeowners must drop off a copy of the Permit Application, with supporting documents including drawings, a Pinal County Permit (if required), and copies of all

documents submitted to Pinal County for the permit, to the SBHOA#2 Administrative Office or sent electronically to askhoa2alc@sbhoa2.org. All drawings submitted must be to scale.

An ALC Permit Team will review the plans and, if necessary, call the homeowner or do an On-Site Preview Inspection. If all is in order a Permit will be issued and sent electronically to the ALC Administrative Assistant who will contact the homeowner to pick up their Permit at the Administrative Office.

4. A copy of the Developer's plot plan must be included for all construction projects and clearly note any changes to the hardscape or fixed items, such as ramadas, plus dimensioned placement of the structure on the site plan. The plan must show all the proposed additions or revisions, items to be removed, and existing construction with locations dimensioned. All drawings submitted to Pinal County for a County Permit should be included. No vertical structure is permitted to encroach on the building-set-back lines (BSLs) as shown on the plot plan or Appendix M of this Guideline. The owner's attention is directed to the requirements for elevation drawings of hardscape items projecting above original grade. All drawings must be drawn to scale and fully dimensioned.
5. Any time a contractor is changed from that which is shown on the Permit, the homeowner must notify the ALC to report and record the change in contractors as soon as it is known. The new contractor must be recorded prior to the start of, or continuation of, construction work. (ALC e-mail address and ALC phone hotline located on the cover of these ALC Requirements and Guidelines).
6. Where items are to be installed and color is involved, such as yard art, ramadas, canopies, awnings, sunshades, etc., color photos, color printouts, color catalogs or samples must be provided by the homeowner. This information may be retained by the ALC. If any questions are raised about color, samples are to be provided.
7. The ALC has the absolute right to deny any Permit Application it deems to be incomplete, should the Application not be accompanied by the required supporting documents, such as landscape drawings drawn to scale, gate designs, etc.
8. It is the responsibility of the homeowner to maintain landscape and construction records. These records should be passed on to buyers when selling the home.
- ~~9.~~ Performance bonds are not required. Homeowners are fully responsible for all cleanup of work conducted on their property by either contractors or by the homeowner. Failure to fully clean up the property upon the completion of the work or the expiration date of the relevant Permit, whichever date comes first, or dumping or storing any debris or materials at any time on a Common Area or in the street is a violation and will result in a fine. (**Fees and Fines**).
- ~~10.~~ Homeowners and contractors are encouraged to request RCI approval before staging construction materials on vacant homesites. Failure to do so may result in the

contractor having to remove such materials, adversely affecting cost and schedule of the project.

11. Failure to submit a Permit Application prior to the start of any work will result in a late approval fee. (**Fees and Fines**).

### **3. Pinal County Permits**

It is the responsibility of the homeowner to obtain all necessary Pinal County permits. Pinal County currently requires a permit for all electrical and plumbing work which is not repair or replacement like for like, natural gas lines, all swimming pools and spas, exterior construction alterations, room additions, casitas, golf cart additions or expansions and other types of work. For complete information, the Pinal County Building and Safety Department is located at 85 N. Florence St. PO Box 2873, Florence AZ 85132; it may be contacted in Florence at 520-866-6442, fax 520-866-6517. No ALC Permits will be issued until all required Pinal County permits are obtained and copies are provided to the ALC including drawings submitted to Pinal County.

### **4. Plans and Drawings**

- A. Homeowners must submit two copies of complex plans and drawings (e.g., full landscapes, pools, new structures, or additions) or a single copy of plans and drawings of simple projects (e.g., driveway coating, replacing windows, replacing walkways) to the ALC. All drawings must be drawn to scale and fully dimensioned, along with a completed ALC Permit Application prior to making any exterior additions, alterations or modifications to their property, including landscaping and hardscaping. All homeowners are responsible for adherence to all standards listed in these ALC Requirements and Guidelines, as well as all requirements of the CC&Rs and Pinal County codes.
- G. To expedite approval, it is recommended that either the homeowner or their authorized agent (Contractor as Homeowners' Authorized Agent' form is required), must be present when the plans and drawings are reviewed by the ALC to answer any questions or make needed changes. If it is later determined that a Permit was approved based on incorrect or incomplete information, the Permit may be revoked by the ALC and the homeowner so notified.
1. In cases where a Pinal County permit is required, a copy of that permit must be provided to the ALC prior to the issuance of an ALC Permit including all drawings submitted to the Pinal County.
- H. All plans and drawings must have a title block located in the lower right-hand corner with the homeowner's name, address, telephone number, unit and lot number, the name of the preparer and phone number, plan title, and date. In the title block, show the particular scale used for the plan.
- D. Landscape plans and drawings must be submitted in duplicate and contain a detailed and complete description of all landscape elements, including the following:

1. A site landscape plan with complete description of all landscape elements. The ALC would prefer the landscape plan be drawn on an 18-inch by 24-inch C-size sheet at a scale that fills the sheet, to a scale that is noted and fully dimensioned. Minimum scale is 1/8 inch to one foot, zero inches.
  2. All plant materials and trees are to be depicted on the plan and drawings at mature size.
  3. All plant materials and trees must be labeled with the common name and the botanical name, as well as container size, such as five-gallon, 15-gallon, 24-inch box, etc.
  4. The plan and drawings must identify whether any party walls are to be raised. All hardscape, including such things as walkways, pony walls, patios, BBQ's, fireplaces, planters, etc. must be shown on the plan and drawings along with the type and color of materials to be used, including all dimensions.
  5. The location of all mechanical equipment, proposed and existing, must be shown, including the required screening (such as a return wall or the type and size of plants.)
  6. The color and size of the rock used for ground cover must be shown. River rock/rip locations must also be indicated, together with the location and size of any mounds to be built.
  7. The direction of surface drainage must be indicated on the plan by arrows.
  8. Identify North direction on the plan.
  9. Once the landscape plan has been approved by the ALC, no changes may be made except for the landscape features listed in ARTICLE I. If any other changes (either hardscape or trees) are to be made, the homeowner must request approval from the ALC. "Volunteer" trees that naturally sprout must be approved if they are to be retained in the landscape.
  10. After the landscaping has been installed, no ALC Permit is required for the addition, change or removal of small shrubs or plants as noted above. However, an ALC Permit is required to add, move or substitute the species of any tree.
- E. Building/residence modification plans must be submitted in duplicate and contain a detailed drawing, including the following:
1. A site plan and drawing, drawn to scale as noted above, and showing the location of all structures on this lot, easements, set-back lines, underground utilities, sidewalks, driveways, patios, retaining walls and related grades, both new and existing mechanical equipment with screening, grade modifications, proposed and existing drainage, and existing and proposed party walls. The plan must be

complete with all dimensions. Exterior construction over 30 inches above original grade must have elevations with dimensions.

2. A complete set of construction documents must be submitted, including floor plans, elevations, roof plans and details. The plans are to be drawn to scale, dimensioned, and include notes for all materials and colors.
3. The roof plan, the pitch, color and type of materials proposed and parapet heights, when appropriate.
4. Upon completion of the review by the ALC, the original set of plans will be kept by the ALC and one set of plans must be returned to the homeowner along with a copy of the Permit Application form and, if approved, original Permit.

## **5. ALC Approval Process**

- A. The Permit Application and all the associated documentation will be evaluated with regard to this ALC Requirements and Guidelines document.
- B. If the homeowner does not have the complete documentation necessary, then the Permit is not issued and the Permit Application is denied until the homeowner provides the necessary documentation to proceed.
- C. A Permit will be issued for approved items detailed on the Permit Application form. The homeowner must display the Permit on a front, street facing, window, easily accessible for viewing/reading, or other protected location visible from the street until the project is completed. The permit may be removed by the Homeowner upon completion of the work.
- D. Homeowners who proceed with items on their submitted Permit Application form that were not approved and made a part of the approved Permit, may be required at their own expense to remove any non-approved work that has been done. If the work is not removed within the time specified by the ALC in writing to the homeowner, such homeowners will be subject to fines, fees and/or penalties. (See the section **Fees and Fines**).
- E. If work is not complete and the permit has expired, homeowners must apply, in writing (email is acceptable), for an Extension in advance of the expiration date on the Permit or make an appointment for a new Permit. Under these circumstances, if no application for extension has been received, a 30-day extension fee will be automatically assessed. (See the section for Fees and Fines.)

## **6. Verification Program**

- A. All approved work for which a Permit is issued is subject to an on-site verification by the ALC. Upon completion of the project a final verification will be completed and, if all work has been completed, the Permit is closed and filed in the corresponding Lot file. Verifications may also be conducted when a Report of Violation is received.



- B. The purpose of the Verification Program is to verify that the original plans and drawings approved by the ALC have been followed, nothing at the property is out of compliance with the CC&Rs and/or the ALC Requirements and Guidelines and to complete the file. On large, ongoing jobs such as full landscape, home addition, casita, etc., multiple interim verifications will be made throughout the project to ensure the progress and completion timeliness. If through ALC verification, the work is noted as not completed and the permit has expired, a 30-day extension fee will be automatically assessed. (See the section for Fees and Fines.) If a homeowner believes there are extenuating circumstances such as weather, material shortage, family illness, injury or death in the family, and that the extension fee should be waived, a detailed justification must be submitted in the request for extension. Waiver of fees is solely the purview of the ALC. Approval of the waiver can be made by the ALC co-chair or the ALC member responsible for that unit.
- C. When verifying work completed pursuant to an ALC issued Permit, the ALC Member will ring the doorbell or knock at the door, if nobody answers the door, verifications may be conducted in the homeowner's absence and ALC member may enter onto the property for the purpose of performing the verification. Any member of the ALC has the express right to enter the property of a homeowner for the specific task of performing a verification.
- I. Reports of Violation: These Reports are most often of something visible from the front of the home and thus may be confirmed or rejected without accessing the property. ALC Member may ring the doorbell or knock on the door to speak with the homeowner to mitigate the Report of Violation from escalating to an ALC Complaint. If the homeowner is not home, contact will be attempted via telephone or US Mail.
- J. Notice of violation: Once a violation is verified a letter will be sent to the homeowner detailing the Violation and action required to bring the Violation into compliance. The homeowner shall have 21 days to respond, bring the violation into compliance or Appeal. If a response is not received, on or before the 21<sup>st</sup> day, or if the response does not provide a satisfactory explanation, and the violation is not corrected the fine process will commence on day 22<sup>nd</sup> and a Notice shall be mailed.
- K. If it is determined by the ALC that the approved and Permitted work completed is not in compliance with the approved Permit, these ALC Requirements and Guidelines and/or the CC&Rs, (or work in progress in the case of a Report of Violation), or that landscaping has not been completed in a timely manner, or the property is otherwise in violation of these ALC Requirements and Guidelines and/or the CC&Rs, the ALC will notify the homeowner of the violation in writing via first class mail ("Notice of Violation") or personal delivery if homeowner resides within the community. The Notice will specify the particulars of the violation advising that corrective action must be completed within a specified time period. The homeowner must remedy the violation within the specified time period or may provide written notice to the ALC in accordance with ARTICLE IV, Section 10, Appeals below.

Failure to provide a written response, correct the violation and so advise the ALC, or to notify the ALC of a reasonable course of action to correct the violation within the specified time frame, may result in fines and/or the matter being referred to the SBHOA#2 Board of Directors. Such homeowners may be subject to fees and fines.

**7. Resale Disclosures**

- The ALC receives an HOA Demand Request when a home that is for sale receives an offer, and the purchaser secures a title company and proceeds into Escrow. As required per ARS 33-1806.3(e), a Resale Disclosure Statement is provided after a review of the association records as to whether the records reflect any alterations or improvements to the unit that **DO** or **DO NOT** violate the Declaration. The statement is then sent to the Finance Accounting Specialist to include in the Title Companies HOA Demand Request packet.

**8. Fees and Fines**

Permit fees must be received before a Permit will be issued. Pricing and length of permits are listed in 1. Fees below.

All fees are non-refundable. Fees for modifications of completed work may be waived at the discretion of the ALC.

All ALC Fees and Fines are established by and approved by the Board of Directors as shown below and also noted in some areas throughout these Requirements & Guidelines

**1. Fees:**

a. Permit Fee:

Major project permits (swimming pools, casitas, golf cart garages, and additions to the home or garage) ..... \$30 for 180-day permit.  
All other permits ..... \$15 for 90-day permit.

b. Permit Extension(s)

Multiple extensions are allowed; however, the ALC may periodically check to assure the project is progressing.

All permit extensions ..... \$15 for each 90-day increment

c. A new Permit may not be issued in lieu of an extension unless no work has been started on the original Permit.

d. A written request for an extension must be submitted to the ALC.

The request can be emailed to askhoa2alc@sbhoa2.org or a written letter may be dropped off at the Administration building. An extension request accompanied by the appropriate extension fee will automatically be approved. If a homeowner believes there are extenuating circumstances such as weather, family illness, a death in the family, or injury, such that the fee should be waived, a detailed justification must be included in the request for extension. Waiver of fees is solely the purview of the ALC. Approval of the waiver can be made by the ALC co-chair or the ALC member responsible

for that unit.

- e. If a homeowner does not formally request an extension for projects extending beyond 90 days, the extension fee will automatically be assessed. No waiver of fees will be considered in these circumstances.

**2. FINES:**

- a. Work without a Permit or Permits requested after work has started/completed.

- (1) Homeowners who begin Work without proper Permits where the Project requires both a Pinal County Permit and an ALC permit, will be fined by the ALC and may also be fined by Pinal County. The ALC will issue a Notice of Violation (NoV) and assess the homeowner a \$250 fine immediately upon observing the Work. The ALC will assess the homeowner an additional \$500 per week thereafter until Permits are approved.
- (2) Homeowners who begin Work without proper Permits where the Project requires only an ALC permit, will be fined by the ALC. The ALC will issue a Notice of Violation (NoV) and assess the homeowner a \$125 fine immediately upon observing the Work. The ALC will assess the homeowner an additional \$250 per week thereafter until Permits are approved.
- (3) In either case, an ALC and/or required Pinal County permit must be obtained to satisfy the Notice of Violation, whether the work is in progress or has been completed.

- b. See para. 38b. and 53. for fines for contractor signs and weeds respectively.

- c. Initial Landscape: New Homeowners have 90 days from Close of Escrow (CoE) to complete their landscaping as required by SBHOA#2 CC&Rs. Before any work may begin, landscape plans must be approved and a permit must be issued by the ALC. If work cannot be concluded by the end of the 90-day period, extensions may be granted by the ALC on an individual basis. However, if landscaping has not been completed per issued permit and no extensions have been granted by day 90, after CoE, the ALC will issue a \$250 fine to the homeowner. If landscaping has not been completed per issued permit and no extensions have been granted by day 120 from CoE, the ALC will issue a \$500 fine to the homeowner. After day 120, the ALC will issue a \$500 fine on a monthly basis until landscaping has been completed per issued permit, unless extensions have been granted.

**d. Storing Materials on the Roadway:**

- i) A \$200 Citation/Fine will be assessed to the homeowner for each day materials are placed on the street. The Fine may be issued by Patrol as a citation or the ALC as a notice of Fine.**

- e. Street Clean-up and Damage
  - (1) Damage to street: Any damage to the street caused by a contractor or their subcontractors, is subject to a fine to the homeowner of \$125 or the actual cost of repair, whichever is greater.
  
- f. Escalating Fines:
  - (1) Per Incident: 1st Fine: \$125.00 if not corrected or appealed within 21 days
  - (2) 2nd Fine: \$250.00 if not corrected after 60 days (additional)
  - (3) Thereafter: \$250/month until corrected
  - (4) If the violation is not corrected within six (6) months, it will be sent to the
  - (5) Board for consideration of revocation of homeowner community privileges.

## 9. Notice of Violations

A Notice of Violation (NoV) may be issued by the ALC under several conditions. Work shall only be conducted per an approved Permit. These include, but are not limited to, the approved and Permitted work completed is not in compliance with the approved Permit, an ALC member observes the work is not in compliance with these Requirements and Guidelines, or a resident or patrol submits a Report of Violation.

- Once a violation is verified, a letter will be sent to the homeowner detailing the Violation and action required to bring the Violation into compliance. A 21-day corrective action period will accompany the initial NoV. The homeowner must adequately correct the issue or provide the ALC with a satisfactory response to the issue within the corrective action period.
- After 22 days from the original NoV without adequate corrective action or homeowner response, a \$125 fine will be charged to the homeowner and a second corrective notice will be mailed.
- Thereafter, corrective notices will be mailed each time another fine is charged to the homeowner.
- After 43 days from the original NoV without adequate corrective action or homeowner response, another \$250 fine will be charged to the homeowner.
- After 60 days from the original NoV without adequate corrective action or homeowner response, a \$500 fine will be charged.
- For every 30 days thereafter, a \$500 fine will be charged to the homeowner until violation is corrected and an additional corrective notice will be mailed.
- Also, at that time, if homeowner has not responded to request for corrective action, SBHOA#2 has the authority, by CC&R rules, to access the property and correct said violation. If that occurs, the homeowner will be charged the cost of remediation, provided by SBHOA#2 or contractor, plus a \$250 administration fee.
- All Notices, letters or other correspondence sent via US Mail will be deemed received unless returned by the Post Office as undeliverable. All Notices are sent to the address

on file with SBHOA#2 Administration Office for the homeowner. Homeowners are solely responsible for advising the Administrative Office of any changes to their current mailing address.

## **10. Report of Violation**

- A. When a homeowner believes there exists a violation of these ALC Requirements and Guidelines and/or the SBHOA#2 CC&Rs, a written Report of Violation may be made by completing and submitting an ALC Report of Violation form. The ALC will only accept written and signed Report of Violation forms; no Report of Violations are accepted by leaving messages on the ALC's voice mail. The form may be obtained from the SBHOA#2 Administration Office reception desk, or online at the SBHOA#2 website.
- B. To assist the ALC, photos must be attached that clearly depict the violation and provide a clear and definitive description of the violation. Any photos or other supporting documentation submitted with a Report of Violation becomes the property of the ALC and will not be returned.
- C. When a Report of Violation is filed with the ALC it will be investigated and an on-site verification inspection will be conducted.
  - i) A Report of Violation will be dealt with in a confidential manner between the two homeowners involved and the ALC.
  - ii) If a violation is found, a Notice of Violation will be sent by the ALC via first class mail, or personal delivery if homeowner resides within the community, to the homeowner against whom the Report of Violation is made.

## **11. Appeals**

A homeowner who receives a written notice that the condition of the property owned by the homeowner is in violation of the community documents, without regard to whether a monetary penalty is imposed by the notice, may provide the Association with a written response by sending the response within twenty-one (21) calendar days after the date of the notice.

The Notice of Violation will include:

- i) The provision of the community documents that has allegedly been violated.
- ii) The date of the violation or the date the violation was observed.
- iii) The process the homeowner must follow to contest the notice.

A. Procedure to appeal an ALC Notice of Violation:

1. Appeals must be delivered to the ALC along with supporting documentation within twenty-one (21) calendar days of the date of the Notice of Violation. The Appeal may be sent by U.S mail, or email to:

SaddleBrooke Homeowners' Association #2 – ALC  
38735 S Mountain View Blvd  
Tucson AZ, 85739

by email to: [askhoa2alc@sbhoa2.org](mailto:askhoa2alc@sbhoa2.org)

or dropped off at the Administration Office.

2. Your appeal must include the date of the Notice of Violation, your address and telephone number, unit and lot number and the grounds for appealing the Notice of Violation. Please include any photos or documents to support your appeal. If an email response by the ALC is acceptable, include your email address.
3. At any time throughout the Appeal process, a homeowner may request to appear before the ALC to personally present documentation, items or other supporting information not previously provided or anything they believe warrants additional consideration. Such request shall be made in 10-minute time slots. Homeowners are expected to conduct themselves in a professional manner and respect the directions of the Chair, Co-Chair, or Vice-Chair, whoever is presiding over the meeting.
4. The Committee will review all statements, documents and photos presented and issue a decision within 10 business days. The homeowner will be notified in writing or by email if acceptable.

If your appeal is determined unsubstantiated by the ALC, you may appeal to the SBHOA#2 Board of Directors.

5. Appeals to the Board of Directors may be made only after the ALC has issued, and the homeowner has received, a Notice of Appeal Decision from the ALC and must be made in writing.
  - i. Appeal must Include the date of the Notice of Violation, your address and telephone number, unit and lot number and the grounds for appealing the Notice of Violation and any photos or documents to support your appeal. If email response by the Board is acceptable, include your email address.
  - ii. Appeals must be delivered to the BOD along with supporting documentation within ten (10) calendar days of the date of the Notice of Appeal Decision issued by the ALC. The Appeal may be sent by mail, or certified mail to:

SaddleBrooke Homeowners' Association #2 Board of Directors  
38735 S Mountain View Blvd  
Tucson, AZ 85739

or dropped off at the Administration Office.

**12. Severability**

If any individual provision of these Requirements and Guidelines is ruled invalid, the remainder of these Requirements and Guidelines will remain in full force and effect.

**13. Limits of Liability**

- A. ALC approval of plans or specifications used or reference to support issuance of an ALC Permit do not constitute a representation, warranty or guarantee that such plans and specifications comply with architecture or engineering design practices or with zone or building ordinances, or other governmental regulations or restrictions. By approving such plans, drawings and specifications in conjunction with issuing an ALC Permit, neither the ALC, nor the members thereof, SBHOA#2 nor any member thereof, nor the Declarant or any of its related entities or affiliates, assumes any liability or responsibility for any defect in the structure or project constructed from such plans or specifications. None of the aforementioned shall be liable to any member, homeowner, occupant or other person or entity for any damage, loss or prejudice suffered or claimed due to (a) the approval or disapproval of any plans, drawings and specifications, whether or not defective, or (b) the construction or performance of any work, whether or not pursuant to the approved plans, drawings or specifications. All parts of the CC&Rs regarding this subject remain in full force and effect.
3. These ALC Requirements and Guidelines and any updates, as approved by the SBHOA#2 Board, supersede all previous ALC Requirements and Guidelines. Homeowners who have been notified in writing by the ALC of prior violations of ALC Requirements and Guidelines that have not been corrected may be subject to the above fines.
4. To the extent possible, all provisions of these ALC Requirements and Guidelines must be read in conjunction with the CC&Rs. Should any provision(s) contained herein contradict any provision(s) of the CC&Rs, then the CC&Rs shall control, followed in priority order by: Articles of Incorporation, By-laws and these ALC Requirements and Guidelines.

**Appendix A – Prohibited Trees / Plants**

PROHIBITED TREE/PLANT NAME	REASON FOR PROHIBITION
<b>African Sumac</b>	A, I
<b>Arborvitae</b> (Thuja Species)	H, P
<b>Ash Species</b> (Fraxinus, Sorbus) - Except Gregg's	S, P, L
<b>Aspen</b> (Populus Species)	S, I, W, R, B
<b>Bear Grass</b> (Pavacetum Species)	B, I, L
<b>Bermuda Grass</b> (Cynodon Species) - Except seedless "TIF" Series	A, W, I
<b>Bottle Tree</b> (Brachychiton populneus)	F, R, L
<b>Buffalo Grass</b> (Buchloe dactyloides)	B, I, L, S
<b>California Pepper</b> (Schinus molle)	R, S, L, P
<b>Cottonwood</b> (Populus Species)	S, I, W, R, B
<b>Cypress Arizona</b> (Cupressus arizonica); or <b>Italian Cypress</b> (Cupressus sempervivens)	S, P
<b>Desert Broom</b> (Baccharis sarothroides)	A, I
<b>Elm Species</b> (Ulmus)	I, S, P, R
<b>Eucalyptus</b> (All species)	S, P, L
<b>Fountain Grass</b> (Pennisetum setaceum)	I, L
<b>Italian Cypress</b> (Cupressus sempervivens)	H, P
<b>Ivy</b> , English or Algerian (Hedera Species)	I, P, H
<b>Mexican Palo Verde</b> (Parkinsonia aculeata)	L, I, P
<b>Mulberry</b> (Morus alba)	S, P, A
<b>Olive</b> (Olea europea) - Except fruitless selections "Swan Hill" or "Little Ollie"	A, P, L
<b>Palm trees</b> – all varieties <u>except</u> the following	F, L, R, S, W
<b>Costa Rican Parlor Palm</b> (Chamaedorea costaricana)	
<b>Mediterranean Fan Palm</b> (Chamaerops humilis)	
<b>Pindo Palm</b> (Butia capitata)	
<b>Sago Palm</b> (Cycas revoluta)	
<b>Palo Verde</b> (Parkinsonia) – except Littleleaf Palo Verde (Parkinsonia Microphylla)	S
<b>Pampas Grass</b> (Cortaderia selloana)	I, S
<b>Pine</b> (Pinus Species) - Except Pinus edulis, Pinus thunbergiana	S, L
<b>Poplar</b> (Populus Species)	S, I, W, R, B



<b>PROHIBITED - TREE/PLANT NAME</b>	<b>REASON FOR PROHIBITION</b>
<b>Shoestring Acacia</b> (Acacia Stenophylla)	F, S
<b>Silk Oak</b> (Grevillea robusta)	S, B, R
<b>Sycamore Species</b> (Plantanus)	S, I, P, H
<b>Tamarisk</b> (Tamarix aphylla)	I, B, L, W
<b>Weeping Willow</b> (Salix babylonica)	I, S, B, P
<b>Willow Acacia</b> (Acacia Salicina)	F, S
<p><b><u>Prohibition Reason Keys:</u></b></p> <p>A = Allergenic  B = Brittle, subject to breakage  F = Frost sensitive  H = Heat, aridity sensitive  I = Invasive  L = Heavy Litter  P = Prone to Pest  R = Subject to Root rot  S = Size is unacceptable  W = Excessive water required</p>	

## Appendix B – Focal Trees Most Commonly Planted (Permit Required)

Whenever the name listed below is available in a shrub/plant, only the TREE variety is approved.

<u>TREE NAME</u>	<u>Height</u>	<u>Notes</u>
Chaste	to 25 feet	Purple flowers, deciduous, multi-trunk
Costa Rican Parlor Palm	to 10 feet	Shade, frost tender, container
Desert Ironwood (Olneya Tesota)	to 50 feet	Pink Flowers
Desert Willow (Chilopsis Linearis)	to 30 feet	Purple Flowers
Fruitless Olive (Olea Europaea)	to 25 feet	Evergreen, Drought tolerant
Gregg's Ash (Fraxinus Greggii)	to 20 feet	Prune regularly
Guajillo (Acacia Berlanderi)	12 to 15 feet	White Flowers, prune regularly
Leather Leaf Acacia (Cracia Craspedocarpa)	12 to 15 feet	Yellow flowers, prune regularly
Little Leaf Palo Verde (Parkinsonia Microphylla)	to 20 feet	Yellow flowers, allergy problem, messy pods
Mediterranean Fan Palm (Chamaerops Humilis)	to 20 feet	drought/freeze tolerant
Mastic (Pistacia lentiscus)	To 25 feet	Evergreen, well adapted to arid areas
Pistache (Pistacia Chinensis)	to 30 feet	Males produce pollen, females produce berries, needs regular pruning
Red Bud, Western (Cercis Occidentalis)	to 30 feet	Pink Flowers
Sago Palm (Cycas Revoluta)	to 15 feet	Grows wide, easy care.
Native Sonoran saguaro (Carnegiea gigantea)	to 40'	VERY slow growing, 95+ years to grow arms

Texas Mt. Laurel ( <i>Dermatophyllum Secundiflorum</i> )	to 25 feet	Purple Flowers, seed pods. Needs irrigation
Texas Ebony ( <i>Ebenopsis Ebanum</i> )	to 30 feet	Fragrant flowers, evergreen, seed pods. Not cold tolerant
Velvet Mesquite ( <i>Prosopis Velutina</i> )	to 30 feet	Yellow flowers, messy pods, inch-long thorns

## Appendix C – Controlling Irrigation Close to Home’s Foundation

The amount of water needed by any plant will vary based on exposure to the sun, climatic seasons and changes within the seasons, location of the plant relative to the home (how much sunlight reaches that location), and soil types. However, when the plant, shrub, or tree has established itself, then watering can be reduced in some cases by 70%.

The following pointers will help in keeping irrigation flows away from the concrete slab foundation.

- Do not locate any **uncontained** (see footnote below for definition) irrigation system main line, emitter line, or emitter closer than 2 feet from the foundation.
- Plants that require no water source can be used in the area less than 2 feet from the foundation. The most common types of these plants in the Tucson area are all low watering native cacti and certain succulents. Good choices are Golden Barrels and Agaves. Established cacti and succulents only require one watering every thirty days. It is best to hand-water and not irrigate on such a time scale and close to the foundation.
- Plants that require no more than one to two gallons of water per day are generally acceptable in the area from two to three feet away from the foundation, provided that the emitter for the plant is at least two feet from the foundation. The most common types of such plants in the Tucson area are:
  - Trailing Gazania
  - Blue Euphorbia
  - Bush Morning Glory
  - Flame Honeysuckle
  - Yellow or Red Mexican Bird of Paradise
  - Baja or Pink Fairy Duster
  - Cape Honeysuckles
- Trees, other than those indigenous to the desert, require a large volume of water based upon the type of tree, but generally in the volume of twenty gallons every three days. For this reason, most trees, and the water source for them, should be located no closer than eight feet from the home’s foundation. Further consideration should be given to the canopy of the tree when it matures, so that the tree is far enough from the home not to cause damage by the branches or root system when mature. A recommendation for watering trees is a feeder line with emitter located two feet below grade as opposed to surface emitters. This is best accomplished by installing a feed or water tube. This will meet the tree’s need for water using less volume of water. Indigenous trees that would be

acceptable within the area four to eight feet from the foundation (provided the canopy or root systems will not create damage) are:

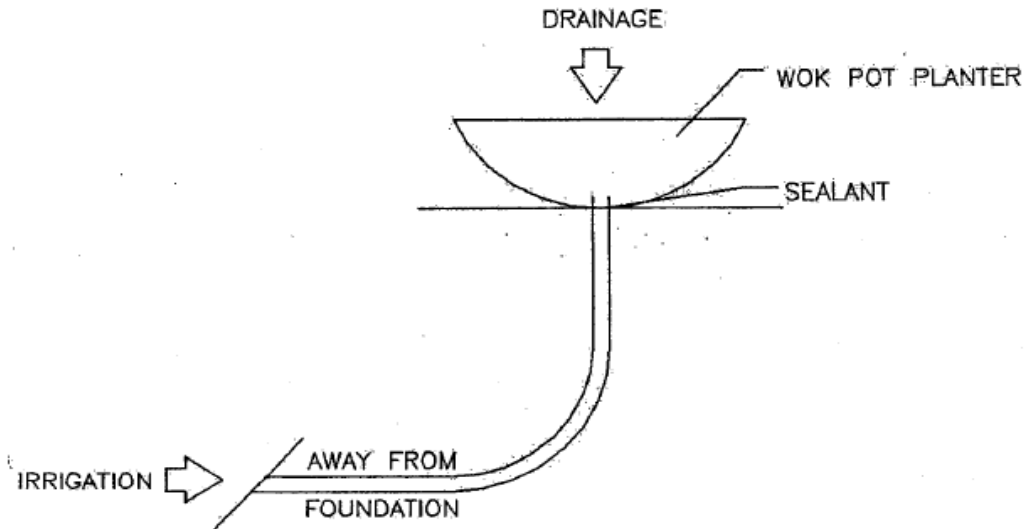
- Leather-Leaf Acacia
- Sweet Acacia
- Anacacho Orchid Tree
- Hybrid Palo Verde
- Palo Brea
- Mediterranean Fan Palm
- Fruitless Olive
- Indian Rosewood

Although each plant has a recommended amount of water, this amount will vary based upon multiple different conditions. It is very important that the Landscaping Company determine the correct plant and water usage for each plant based upon the specific orientation of the home on the lot (relative to the sun), and soil types. Simple percolation tests should be done to ensure that the correct plant is selected for the areas close to the home's foundation. Additional sources for watering recommendations for plants are:

- [www.wateruseitwisely.com](http://www.wateruseitwisely.com) A Guide for the Arizona Desert
- [www.amwua.org/landscape\\_plants\\_online](http://www.amwua.org/landscape_plants_online) provided by Arizona Municipal Water Users Association

It is each homeowner's responsibility to monitor their irrigation system regularly to ensure that it is operating as designed, and to make seasonal adjustments to the watering cycles for seasonal climatic changes.

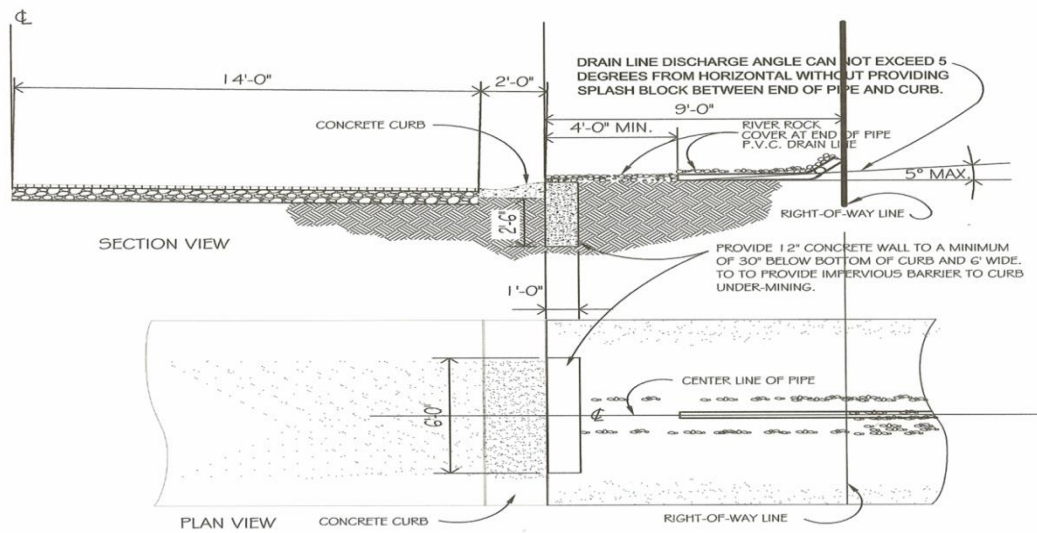
Footnote: **Contained** irrigation systems are those that are designed to ensure that no water can escape the containment closer than four feet from the home's foundation. An example would be: a contained planter or pot that is connected to an underground solid pipe which ends four feet or more from the foundation. The water line enters the planter or pot by running through the solid pipe, and all excess water leaves by the same pipe. See illustration below.



# Appendix D – Drainage Design

## D-1: Barrier Wall Termination Design

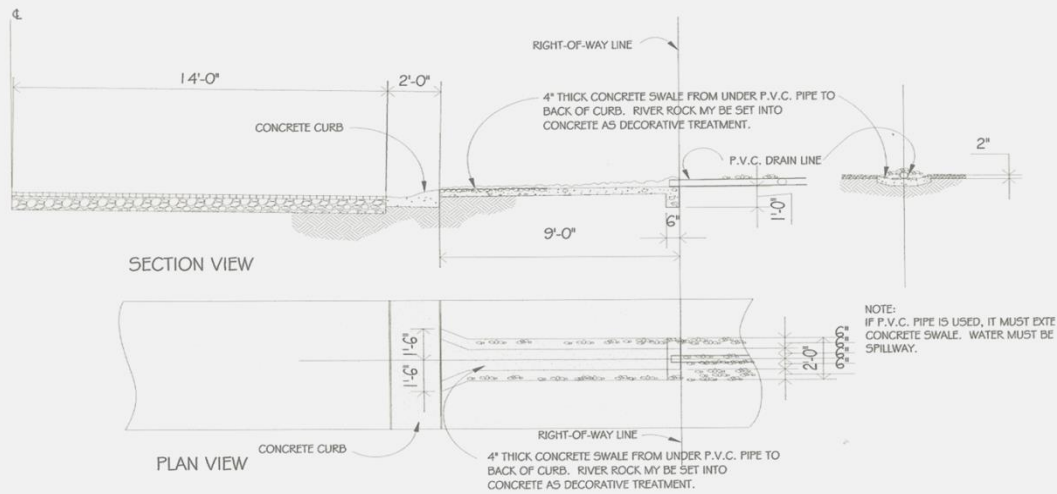
### BARRIER WALL TERMINATION DESIGN



F:\My Documents\My Drawings\H&M2-ALC-Ext\Drainage at Curb.dwg, BARRIER WALL, 4/17/2007 4:22:25 PM, HP Orthojet 7400 series, 1:0.979174

**D-2: Flat Lot Design – Low Slope Swale With Or Without Pipe**

**FLAT LOT DESIGN  
LOW SLOPE SWALE WITH OR WITHOUT PIPE**



F:\My Documents\My Drawings\HDM\2-ALC-Eso\Drains at Curb.dwg, LOW SLOPE SWALE, 4/17/2007 4:22:37 PM, 1/8" Offsetjet 7400 series, 1/4, 993362



## D -3: Pop-Up Storm Drain Termination

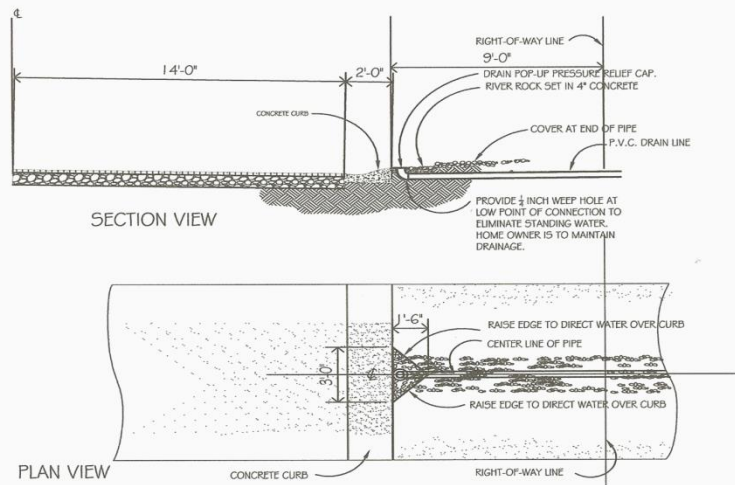
### POP UP STORM DRAIN TERMINATION



EXAMPLE PHOTO #1



EXAMPLE PHOTO #2



F:\My Documents\My Drawings\HOA\F2-ALC-ExtDrainage at Carburweg, POP-UP END, 4/17/2007 4:22:12 PM, 1st Officeplot 7400 series, I-O:099979

**D-4: Splash Block Termination**

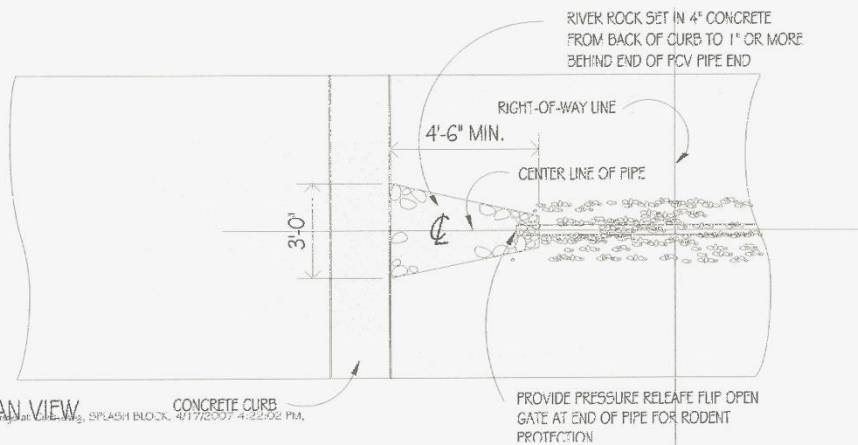
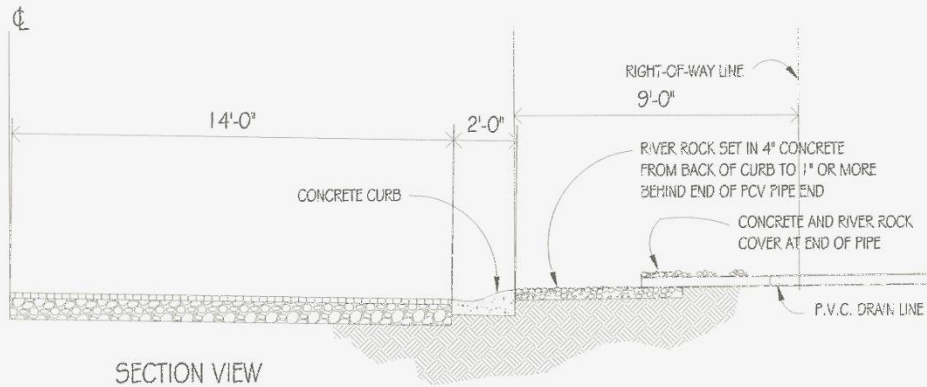
# SPLASH BLOCK TERMINATION



EXAMPLE PHOTO #1

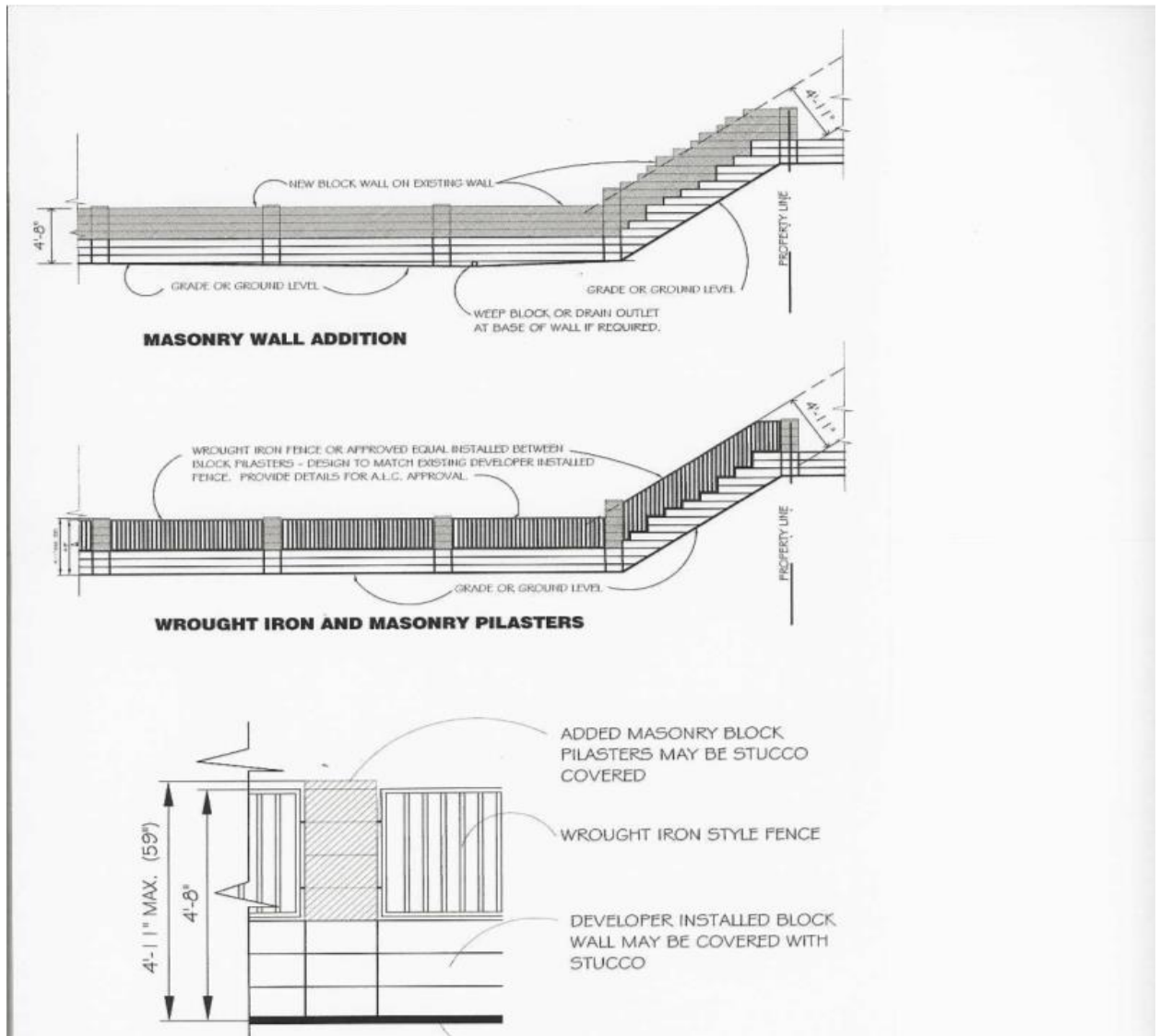


EXAMPLE PHOTO #2



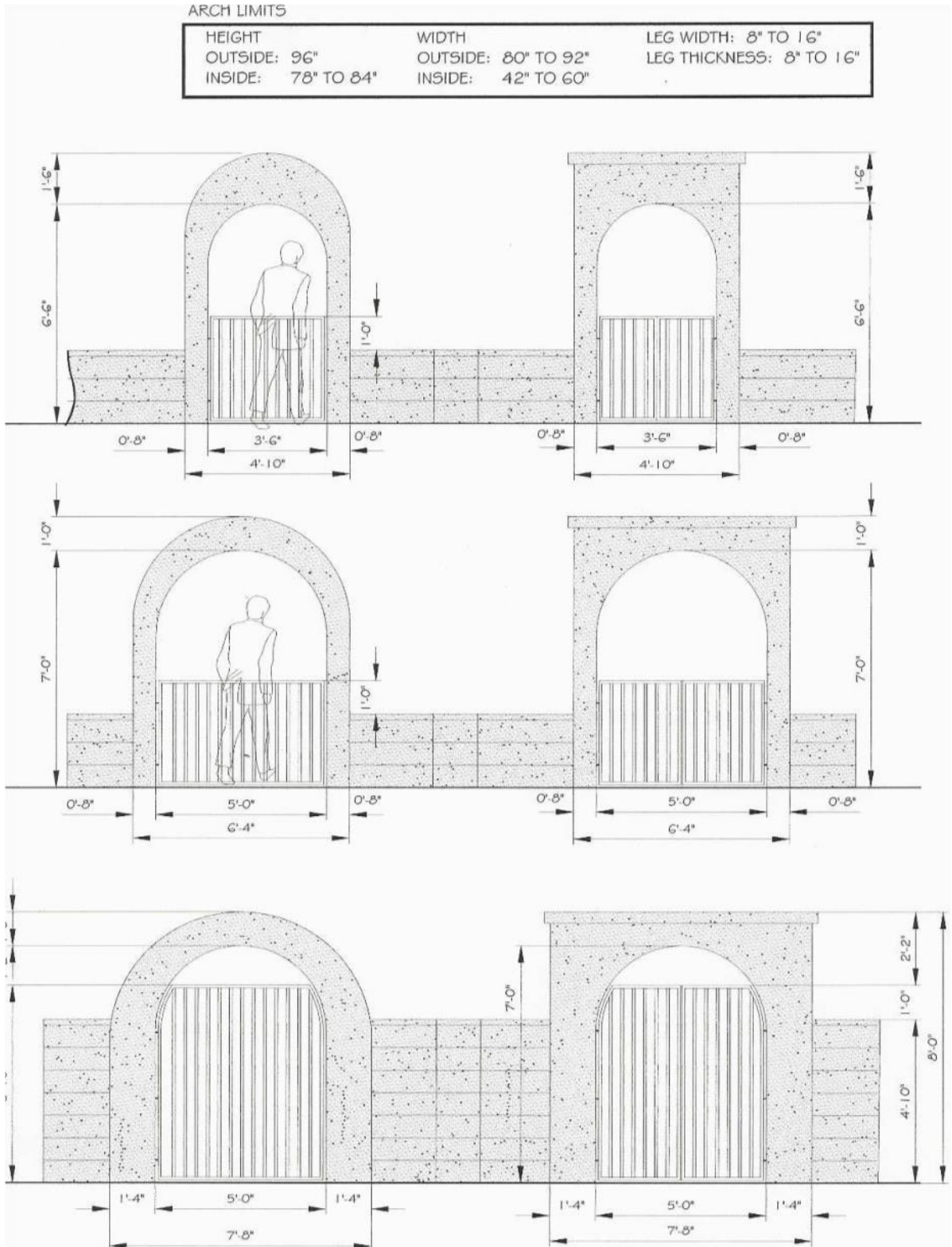
F:\My Documents\My Drawings\HOM2-ALC-Drainage\at 08-11-13\SPASH BLOCK.dwg, 4/17/2007 4:22:02 PM, HP C:\caget 7400 series, 1:0.875816

## Appendix E – Wrought Iron, Aluminum & Masonry Fencing



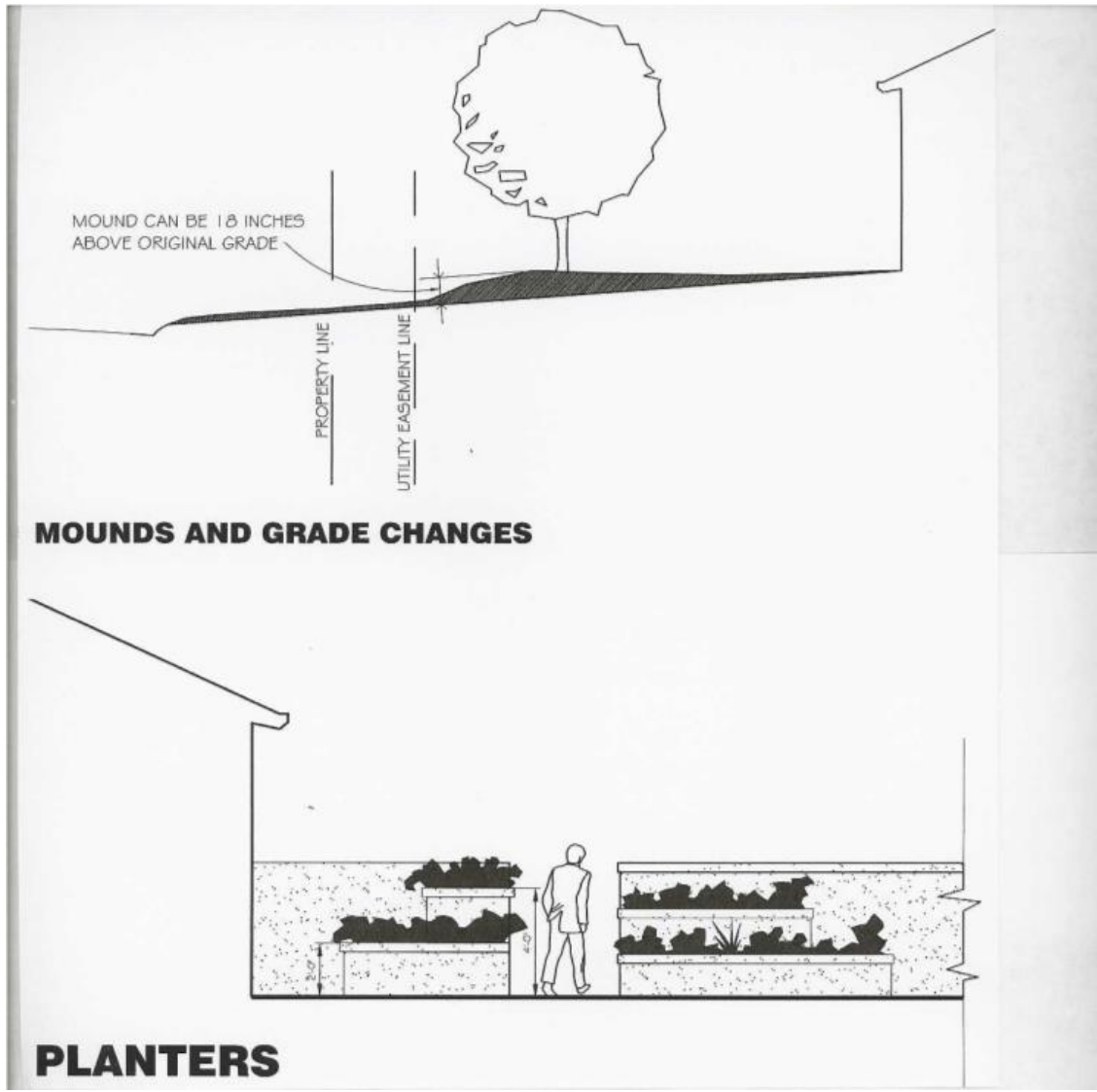
For Swimming Pool Fencing, See Article III, Section 45 (E).

## Appendix F – Arches





## Appendix G – Mounds, Grade Changes & Planters



**Appendix H – House Exterior Paint Colors: Excluding The Preserve**

Dunn Edwards			Stucco	Trim / Pop-Outs
1	Oatmeal Cookie	DE 763	X	X
2	Stucco Tan	DE 6205	X	
3	Inside Passage	DE 764	X	X
4	Bungalow Taupe	DE 6172	X	X
5	Apache Tan	DE C746	X	X
6	Desert Gray	DE C760	X	
7	Egyptian Sand	DE 6207	X	
8	Pigeon Gray	DE 6214	X	X
9	Stonish Beige	DE C716	X	
10	Wooden Peg	DE 6215	X	X
11	Hickory	DE C759	X	X
12	Graham Cracker	DE 6144	X	X
13	Colorado Trail	DE 6117	X	
14	Teddy Bear	DE 6131	X	
15	Carved Wood	DE 6125	X	X
16	Warm White	DEW 380	X	X
17	Carrara	DET 649	X	X
18	Faded Gray	DEW 382	X	X
19	Miner's Dust	DEC 786	X	X
20	Fine Grain	DE 6213		X
21	Sand Dune	DE 6128		X
22	Heather	DE C773		X
23	Riverbed	DE C767		X
24	Chaparral	DE C745		X
25	Boutique Beige	DE 6178		X
26	Sand Dollar	DE 6171		X
27	Rustic Taupe	DE 6129		X
28	Almond Latte	DE 6143		X
29	Pigeon Gray	DE 6214		X
30	Wooden Peg	DE 6215		X
31	Buckskin	DE 6158		X
32	Graham Cracker	DE 6144		X
33	Handwoven	DE 6200		X
34	Bison Beige	DE C750		X
35	Barrel Stove	DE 6216		X
36	Tuscan Mosaic	DE 6208		X
37	Rock -n- Oak	DE 6209		X
38	Sandpit	DE 6118		X
39	Stockhorse	DE 6126		X
40	Cocoa	DE C755		X
41	Weathered Brown	DE C756		X

**Appendix I – The Preserve Exterior Paint Color Schemes**

**(May be used in all HOA2 without substitutions)**

<b>Scheme</b>	<b>Styl e</b>	<b>Stucco body, Chimney cap</b>	<b>Fascia, Eaves, Garage Doors, Headers</b>	<b>Accent, Sills, Doors, Low Walls</b>	<b>Shutters</b>	<b>Wrought Iron</b>
1	A	Softer Tan SW 6141	Otter SW 6041	Colonial Revival Stone SW 2827	Fiery Brown SW 6055	Iron Ore SW 7069
2	A	Stone Lion SW 7507	Java SW 6090	Sycamore Tan SW 2855	Black Bean SW 6006	Iron Ore SW 7069
3	A	Macadamia SW 6142	Van Dyke Brown SW 7041	Dapper Tan SW 6144	Cyberspace SW 7076	Iron Ore SW 7069
4	A	Nomadic Desert SW 6107	Brevity Brown SW 6068	Virtual Taupe SW 7039	Iron Ore SW 7069	Iron Ore SW 7069
5	B or D	Portabello SW 6102	French Roast SW 6069	Balanced Beige SW 7037	Urbane Bronze SW 7048	Iron Ore SW 7069
6	B or D	Canoe SW 7724	Homestead Brown SW 7515	Toasty SW 6095	Outerspace SW 6251	Iron Ore SW 7069
7	B or D	Rookwood Clay SW 2823	Rookwood Dark Brown SW 2808	Universal Khaki SW 6150	Night Owl SW 7061	Iron Ore SW 7069
8	B or D	Basket Beige SW 6143	Sturdy Brown SW 6097	Resort Tan SW 7550	Black Bean SW 6006	Iron Ore SW 7069
9	C	Smokey Topaz SW 6117	Protégé Bronze SW 6153	Artisan Tan SW 7540	Aurora Brown SW 2837	Iron Ore SW 7069
10	C	Hopsack SW 6109	Kaffee SW 6104	Softer Tan SW 6141	Black Bean SW 6006	Iron Ore SW 7069
11	C	Mexican Sand SW 7519	Sable SW 6083	Softer Tan SW 6141	Outerspace SW 6251	Iron Ore SW 7069

<b>Scheme</b>	<b>Styl e</b>	<b>Stucco body, Chimney cap</b>	<b>Fascia, Eaves, Garage Doors, Headers</b>	<b>Accent, Sills, Doors, Low Walls</b>	<b>Shutters</b>	<b>Wrought Iron</b>
12		Ivory Lace SW7013	Half Caf SW9091	Taupe Tone SW7633	Waterloo SW9141	Iron Ore SW7069
12	C	Cardboard SW 6124	Otter SW 6041	Accessible Beige SW 7036	Terra Brun SW 6048	Iron Ore SW 7069
13	B or D	Accessible Beige SW7036	Smokehouse SW7040	Sanderling SW7513	Sealskin SW7675	Iron Ore SW 7069
14	C	Hopsack SW6109	Library Pewter SW0038	Khaki SW7533	Attitude Gray SW7060	Iron Ore SW 7069
15		Taupe Tone SW7633	Manor House SW7505	Skyline Steel SW1015	Bohemian Black SW6988	Iron Ore SW7069
36		Knitting Needles SW7672	Summit Gray SW7669	Crushed Ice SW7647	Black Fox SW7020	Iron Ore SW7069
37		Pussywillow SW7643	Gauntlet SW7019	On the Rocks SW7671	Roycroft Pewter SW2848	Iron Ore SW7069



## **Appendix J – New Build Mandatory 90 Day Landscape Requirements**

- A. The CC&Rs require all homeowners to complete their initial landscaping of their property within 90 calendar days from Close of Escrow. Homeowners are required to submit a detailed drawing of the landscape plans to include all locations and types of plants, trees shrubs, walls, Barbeques, etc. The direction of surface drainage must be indicated on the plan with arrows. Two copies of the drawing must be submitted to the ALC at least one week prior to meeting with the ALC to obtain a Permit.
2. All initial, new home construction, landscaping must be completed within 90 calendar days after the close of escrow. To expedite this process, owners in escrow may meet with the ALC to obtain pre-approval, however, no ALC Permit will be issued, and no work may be done, until the day of Close of Escrow. If the initial landscape project is complicated, consideration should be given to phasing in the plan through a series of small projects. The first project must include the mandatory minimum landscape elements.
  3. Issuance date or expiration date of an ALC Permit does not override the timeline to complete the mandatory 90-Day Landscape from the Close of Escrow date.
  4. If the Full Landscape or other Permitted work cannot be completed within the mandatory 90 calendar days from Close of Escrow due to reasons beyond the homeowner's control, such as weather, family illness, a death in the family, or injury, a written request for an extension must be submitted to, and is subject to approval by, the ALC. Unless an extension is granted, all initial landscape projects which are not completed within 90 calendar days are subject to escalating fines. For complete details on such fines please see Fees and fines in Article IV.
  5. Contractor availability is not considered a justified reason for an extension.
  6. Installation of a swimming pool is not considered a justified reason for an extension.
- B. FRONT YARDS: Sufficient landscape materials must be used to maintain harmony with surrounding areas and must be shown on the landscape drawing. Every front yard must have:
5. A native Sonoran saguaro (*Carnegiea gigantea*) may be substituted for a focal "tree" for new plantings.
  6. A focal tree five feet high (or taller) measured from the ground after planting and have a trunk no less than 2" in diameter. The focal tree must be an approved tree or a native Sonoran saguaro (*Carnegiea gigantea*) cactus. Consideration should be given to location when planting a focal, or any other, tree to avoid branches encroaching onto adjoining lots. It is recommended focal trees not be planted within 15 feet of the house or any wall.
  7. Properties with very small front areas may be given exemptions for a tree at the discretion of the committee.

8. 20 five-gallon plants (or equivalents) as approved by the ALC. The ALC, in its judgment, may require additional plantings or grant variances to the number of living plant materials, predicated on the size and shape of lot and front patio or entry walk installation.
  9. All ground not covered by plantings or hardscape, including front, side and backyards, must be evenly covered with 2 inches deep of crushed native colored rock (with the fines/dust removed).
- C. **BACK & SIDE YARDS:** There are no minimum planting requirements for back or side yards, however, all ground not covered by plantings or hardscape, must be covered with 2 inches deep of crushed native colored rock (with the fines/dust removed). Any plants or trees to be planted must be shown on the drawing.
- D. **ROCK/GRAVEL:** All ground not covered by plantings or hardscape, including front, side and backyards, must be covered with crushed native colored rock (with the fines/dust removed) evenly spread to a depth of at least 2 inches deep.
1. The range of crushed rock size permitted is, for the front yard a minimum of 1/2 inch to a maximum of one inch, and for the side and backyards a minimum of 3/8 inch to a maximum of one inch.
  2. Rock colors are limited to two color choices, one base color and one color for accent and decorative purposes. If an accent color scheme is used, the accent color can cover no more than 10% of the relevant landscaping area available. If no accent color scheme is used, the base can only consist of one color.
  3. Native river rock and boulders may be used for accent purposes.
  4. White rock, artificially colored rock or crushed man-made material, are not allowed.
  5. Lava rock may be used as an accent color only.
  6. **Air Conditioning Unit Screening:** Construction of a return wall is preferred. Planting of a shrub is an acceptable means of screening the Air Conditioning Unit from street view. The Unit must be screened from street view at least 50% initially, with an anticipated 100% screening within a year when using a plant or shrub.
  7. Any additional items such as Ramadas, Walls, Walkways, Patios, Barbeque, planters, spa/hot tubs, etc. to be installed must be shown on the drawings depicting location, dimensions, material, colors and any other descriptive information relevant to the item.

## Appendix K – Stone Veneer / Ledgerstone

Examples of approved installed stone.





## Appendix L – Standard SBHOA#2 Ramada

Front of house installed attached Standard SBHOA#2 Ramada:



**Appendix M – SaddleBrooke II Unit BSL (Building Setback Line)**

<b>UNITS</b>	<b>FRONT*** (PUE)**</b>	<b>SIDE *</b>	<b>REAR *</b>	<b>MEASURED FROM</b>
14	13.5' (8')	5.0'	10.0'	Property Line
15	13.5' (8')	5.0'	10.0'	Property Line
17	13.5' (8')	5.0'	10.0'	Property Line
22	13.5' (8')	5.0'	10.0'	Property Line
23	13.5' (8')	5.0'	10.0'	Property Line
24	13.5' (8')	5.0'	10.0'	Property Line
25	13.5' (8')	5.0'	10.0'	Property Line
27	13.5' (8')	5.0'	10.0'	Property Line
28	13.5' (8')	5.0'	10.0'	Property Line
29	13.5' (8')	5.0'	10.0'	Property Line
30	13.5' (8')	5.0'	10.0'	Property Line
31	13.5' (8')	5.0'	10.0'	Property Line
32	13.5' (8')	5.0'	10.0'	Property Line
32A	13.5' (8')	5.0'	10.0'	Property Line
33	13.5' (8')	5.0'	10.0'	Property Line
35	10.0' (8')	5.0'	10.0'	Property Line
35A	10.0' (8')	5.0'	10.0'	Property Line
36	13.5' (8')	5.0'	10.0'	Property Line
36A	13.5' (8')	5.0'	10.0'	Property Line
42	10.0' (4')	5.0'	10.0'	Property Line
43	10.0' (4')	5.0'	10.0'	Property Line
44A	10.0' (4')	5.0'	10.0'	Property Line
45	10.0' (4')	5.0'	10.0'	Property Line
46	13.5' (4')	5.0'	10.0'	Property Line
46A	15.0' (4')	5.0'	10.0'	Property Line
47	15.0' (4')	5.0'	10.0'	Property Line
48	15.0' (4')	5.0'	10.0'	Property Line
48A	15.0' (4')	5.0'	10.0'	Property Line
49	13.5' (4')	5.0'	10.0'	Property Line

(\*) No Casita, Room Addition, Golf Cart Garage, Pergola or Ramada can be built within the Rear or Side BSL (Building Setback Lines) as measured from the Rear, or side Property Line. This includes any overhang associated with a proposed project.

(\*\*) PUE (Public Utility Easement) is part of the Front Building Setback. This is an easement granted to the Utilities for Electric, Gas, Phone, TV, and Water and includes maintenance and upgrades.

(\*\*\*) No proposed Casita, Room Addition, Ramada, or Golf Cart Garage can extend further than 5' in front of the existing residence (usually but not limited to the garage). This included any overhang associated with the proposed project.

**Important Notice: If there is any conflict regarding setbacks within the Architecture and Landscape Requirements and Guidelines for a specific Unit, then the distances as noted in the chart above (Appendix M) will prevail.**



## **Appendix N - Exterior Lighting Terms and Definitions.**

### **1. Low Ambient Lighting Zone**

Low Ambient Lighting Zones are “areas where lighting might adversely affect flora or fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience, but it is not necessarily uniform or continuous. After curfew (10:00 pm), lighting may be extinguished or reduced as activity levels decline.”

### **2. Joint International Dark Sky Association (IDA) – Illuminating Engineering Society – IES Model Lighting Ordinance**

“All fixtures, except fixtures of 1,500 lumens (100 watts incandescent) or less, must be shielded and/or located so that the light source is not directly visible from beyond any of the property lines.”

#### **Pinal County Code, 2.195 Outdoor Lighting (Residential)**

### **3. Further Information**

Information on landscape and pathway lighting can be found at numerous websites, including those of big box home improvement stores.

Pinal County Building Codes: Outdoor Lighting is chapter 2.195, and is found at:

<http://www.codepublishing.com/AZ/PinalCounty/html/PinalCounty02/PinalCounty02195.html>

The International Dark Sky Association (IDA) is found at: <http://darksky.org/>

The Illuminating Engineering Society (IES) is found at: <https://www.ies.org/>

### **4. Definitions:**

- **Color and Hue:**

The hue and quality of light is measured in units called Kelvin, which measure the effect on the human eye from light sources associated with glare. It is recommended that warm light colors be used as opposed to bright white light sources, recommendation is a maximum of 3200 Kelvin. Colored lights are prohibited except as holiday lighting.

- **Glare:**

Glare is intense light that results in discomfort or reduction in visual performance and visibility. Lighting must not cause glare in neighboring lots or common areas and must not be directed into the street such as to blind oncoming drivers.

- **Lumen:** The definition of a lumen is the measure of brightness from a light source. Examples: A candle emits 13 lumens of light and a 100-watt light bulb emits approximately 1,300 -lumens of light.

Lumens - Watts Conversions

The following table shows the relative efficiencies between the traditional metric of Watts and the current metric of Lumens for different lighting technologies. Source is <https://www.energuide.be/en/> under heading for “Questions and Answers: What new-generation light bulb corresponds to my old bulb?”

<b>Lumens produced:</b>	220+	400+	700+	900+	1,300 +
<b>Watts used:</b>					
Incandescent	25	40	60	75	100
Halogen	15	25	40	45	60
CFL	6	10	15	18	25
LED	2	5	7	9	12