

# Canyon Trails - Unit 3 Homeowners Association

## ARCHITECTURAL COMMITTEE RULES and LANDSCAPE/DESIGN GUIDELINES for CANYON TRAILS UNIT 3 HOMEOWNERS ASSOCIATION

**Revised and adopted unanimously on 6/22/10 by the Board of Directors**

The Architectural Committee Rules and Landscape Guidelines ("Rules"), as set forth in this document, shall interpret and implement procedures for the Architectural Committee's ("Committee") review and standards, including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, and wall design. These documents are intended to enhance property values and high standards of development that exist within Canyon Trails Unit 3 Homeowners Association. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the Committee is required. The Rules are established to assist residents in conforming to the standards established, and amended from time to time, by the Committee. Each application will be reviewed on a case-by-case basis.

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

### APPLICATION PROCEDURE:

#### 1. Submittal

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

Royer Association Management, Inc.  
PO Box 5445  
Goodyear, AZ 85338  
Phone (602) 490-0320 / Fax (480) 275-3013  
[WeManage@CanyonTrailsUnit3.com](mailto:WeManage@CanyonTrailsUnit3.com)

The following information should be included in your submittal:

- a) **Architectural Review Committee Submittal Form:** A completed application form (copies may be obtained from Royer Association Management or the Community website located at [www.CanyonTrailsUnit3.com](http://www.CanyonTrailsUnit3.com)).
- b) **Plot Plan:** A site plan showing dimensions, relation to existing dwelling and Property Lines (setbacks). Measurements must be written on the plans.
- c) **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.
- d) **Specifications:** Detailed description of materials to be used, color samples, and dimensions must be submitted.
- e) **Photograph:** If submittal is for an existing structure or improvement, a photograph of the structure or improvement must accompany the submittal application.

All buildings, structures and other improvements erected within Canyon Trails Unit 3 Homeowners Association, and the use and appearance of all land within Canyon Trails Unit 3 Homeowners Association, shall comply with all applicable City/County/State zoning and code requirements, as well as the Declaration (CC&Rs) and these Rules.

#### 2. Review: Approval and/or Disapproval

The Committee shall have sixty (60) days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed via US mail.

Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the Lot and impact on Neighboring Lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee, the Board of Directors, the Declarant, nor the Management Company (if in place) shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the

improvement nor its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

- a) **Approval Expiration:** Construction must be started within ninety (90) days of the date of the Committee's approval of the application, or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Rules.
- b) **Construction Period:** Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absent a different deadline for completion of construction (which may be shorter or longer, at the Committee's discretion), such construction shall be completed within six (6) months of the date of the Committee's approval of the application.

### 3. Appeal

Any appeal of the Committee's decision must be submitted in writing, within thirty (30) days of the mailing date of the Committee decision to:

*Canyon Trails - Unit 3 Homeowners Association*

c/o Royer Association Management, Inc.  
PO Box 5445  
Goodyear, AZ 85338  
Phone (602) 490-0320 / Fax (480) 275-3013  
[WeManage@CanyonTrailsUnit3.com](mailto:WeManage@CanyonTrailsUnit3.com)

**THESE ARCHITECTURAL COMMITTEE RULES AND LANDSCAPE GUIDELINES MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.**

### DESIGN GUIDELINES

#### **ANTENNAS/SATELLITE DISHES:**

This section applies to antennas, satellite television dishes, and other devices ("Receivers"), including any poles or masts ("Masts") for such Receivers, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation. All Receivers one meter or less in diameter are subject to the provisions of Title 47, Section 1.4000 of the Code of Federal Regulations ("Federal Regulations") must be approved in writing by the Committee prior to installation. The Satellite dish/antenna must be installed in accordance with Section 5.19 of the CC&Rs, but not to violate section 7.3 of the CC&Rs, regarding "Damage by One Owner" to Party Walls. Below are the following locations the dish/antenna shall be installed, listed in order of preference:

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

#### **AWNINGS:**

All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning, is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

#### **BASKETBALL GOALS:**

Permanent and portable basketball goals must be submitted for approval by the Committee and meet the following requirements:

1. Basketball equipment (including portable basketball goals) must be stored in the backyard and completely out of view when not in use. Any portion of the stored portable basketball goal and any basketball equipment must NOT be visible from any Neighboring Properties and/or Common Areas (this DOES apply to backyards with non-solid/view fencing).
2. Only pole mounted backboards and goals are acceptable. Poles must be set in the ground permanently. Backboards shall not be attached to the house, garage or roof.

3. All basketball poles installed or used in front of the home must be placed on the exterior side of the driveway.
4. Backboards must be of a predominantly neutral color (gray, black or white) or match the color of the body of the exterior of the home. (Clear backboards are acceptable without painting).
5. Permanent basketball poles must be gray, black or white (neutral colors that match the body/main color of the exterior of the home will be considered for approval, but no other colors are permitted).
6. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped torn nets, chipped and/or peeling paint, etc., should be promptly repaired or replaced.
7. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
8. Courts may NOT be painted or permanently outlined on the driveway or other concrete surfaces.
9. Lighting for night use of the equipment is prohibited.
10. Permanent basketball goals located in the rear yard must comply with all above applicable guidelines.

#### **CHIMNEYS:**

Chimneys must be submitted for approval by the Committee. Chimneys shall be constructed of the same material, texture, and color of the home. Exposed flues are prohibited.

#### **DECORATIVE ART ON HOUSES:**

Decorative Art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet (3') in length, width and height.

#### **DECORATIVE ITEMS:**

Front yard item(s) must be submitted for approval by the Committee. The Board of Directors reserves the right to require removal of decorative items in front yards based on size, quantity, color and location and any other criteria the Board may determine.

- **SEASONAL ITEMS, DECORATIONS AND DECORATIVE FLAGS:**

Seasonal items, decorations and decorative flags, which are house mounted, below the roofline do not require approval. Seasonal items, decorations and flags can be put up two weeks prior to the date of the nationally recognized holiday to which such items pertain to and must be removed within one week after the date of the holiday to which the items pertain. The homeowner may have seasonal items, decorations and flags up longer during November 15 to January 31 as long as they comply with the guidelines for Holiday Decorations. Seasonal items, decorations and decorative flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc., constitute grounds for fines and removal. Seasonal items, decorations and decorative flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

- **HOLIDAY DECORATIONS:**

Owners may display holiday decorations which are visible from Neighboring Property only if the decorations are of the kinds normally displayed in single family residential neighborhoods, are of reasonable size and scope, and do not disturb other Owners and residents by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations may be displayed between November 15 and January 31 of each year and, during other times of year, from one week before to one week after any nationally recognized holiday. Holiday decorations must be in compliance with Section 5.31 of the Canyon Trails Unit 3 CC&Rs.

#### **DRIVEWAY EXTENSIONS:**

Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Only driveway extensions located in the side yard (on the side of the home which the garage is located) will be considered.
2. Driveway extensions CANNOT be added into the "boulevard area" (the area between the sidewalk and curb) and the homeowner must curve or angle the driveway extension at the portion that connects to the bottom of the driveway and sidewalk.
3. Driveway extensions must meet up to a double gate.
4. Submittals must include a plot plan with the following noted thereon: a) the location and dimensions of the proposed extension, b) the existing driveway dimensions, and c) the total linear feet of the Lot frontage.
5. The total parking area may not exceed thirty feet (30') of contiguous frontage or fifty percent (50%) of the Lot width (existing plus extension) as measured at its widest point, whichever is greater.
6. Driveway extensions must be a minimum of two feet (2') from any side Property Line (including side Property Lines abutting Common Areas).
7. Painting of paved/driveway surfaces is prohibited.
8. Driveway extensions are prohibited from being strips of concrete (or concrete material) and MUST be a full solid and continuous surface, that meets the original driveway.
9. Driveway extensions must be done in concrete. Concrete must match the current concrete driveway in color and pattern, or inter-locking concrete pavers of the same durability or more as a concrete driveway;

they need to be earth tone in color using asphalt for driveways or driveway extensions is expressly prohibited.

10. Driveway extensions in rear yards with non-solid/view fencing are strictly prohibited. Lots with rear yards that have non-solid/view-fencing are allowed hardscape (concrete additions, pavers, etc.) improvements (see appropriate sections), but are not allowed to have driveway extensions in their rear yards. No vehicle parking, trailer parking, etc. are allowed in rear yards with view non-solid/view fencing.

#### **FENCES AND WALLS INCLUDING DECORATIVE WALLS:**

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

Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing wall in texture and color. Painting existing fences or walls (belonging to the Lot owner) must be submitted for approval by the Committee. The only color considered for approval will be that of the base color of the home. Lots with non-solid/view fencing need to submit for approval the painting and/or stuccoing of their interior rear yard walls (as they are visible from Common Areas). Again those walls would need to be stuccoed and/or painted to match the existing texture and/or base color of the home.

Perimeter walls on Lots bordering Common Areas may NOT be torn down to allow access to rear yards. **AN ASSESSMENT OF \$2,000.00 WILL BE ASSESSED TO A LOT IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT COMMITTEE APPROVAL.** Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion and include repairing the old wall to match the texture and color of the remaining wall.

Decorative or garden walls may not exceed thirty-six inches (36") in height. Decorative or garden walls must be submitted for approval prior to installation, and be finished to match the base color and texture of the home. Decorative or garden walls must be a minimum of five feet (5') from any Property Lines and five feet (5') from the sidewalk. Decorative or garden walls are not allowed in the "boulevard area" (the area between the sidewalk and curb). Lots with non-solid/view fencing must submit for approval of decorative and/or garden walls and must follow the guidelines for decorative and/or garden walls. Decorative and/or garden walls on Lots with non-solid/view fencing CANNOT be installed within five feet (5') of the non-solid/view fence.

#### **FLAGPOLES:**

Flag display requirements:

1. Only the flag of the United States and either the Arizona State flag or a nationally recognized Military Unit Flag (not both) may be displayed.
2. The maximum size of any flag shall be twenty four square feet (24 s.f.).
3. Wall mounted flag poles shall be a maximum of ten feet (10') long, and may not extend more than ten (10') from the edge of the residence, with attaching brackets painted to match the attachment area and will not require prior approval.
4. All poles and flags must be maintained in excellent condition according to the United States Flag Code, Title 36, U.S.C., Chapter 10.
5. Only one (1) permanent, removable, wall mounted or freestanding pole will be permitted per residence or Lot.
6. It will be the responsibility of the homeowner or resident of the Lot on which a flag is displayed to do so with proper respect and flag etiquette.

**\*These requirements are within the context of State Bill 1055, as approved by the Governor on April 29, 2002.**

#### **GATES:**

All requests for additional gates or gates other than those which were offered by the original developer/builder of the Lot/home must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design and color as the originally installed single gates, unless approved by the Committee. Gates will only be allowed on the front and side yard of the home, which the garage is located.

Gates may be painted to match the fence with approval from the Committee. No other color, except the color of the fence, will be considered.

#### **GUTTERS AND DOWNSPOUTS:**

Gutters and downspouts will be considered for approval if the finish matches the base and/or trim color of the home, whichever color of the home the gutters and downspouts are touching should be used. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

## **HVAC INCLUDING EVAPORATIVE COOLERS AND SOLAR PANELS/EQUIPMENT:**

Except as initially installed by the Declarant or a Designated Builder, no heating, air conditioning or evaporative cooling unit or equipment shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee. All units/equipment shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of the Neighboring Property and Common Areas.

Solar energy collection units or panels do NOT presently need to be submitted to the Committee for approval according to Arizona Revised Statutes. However, any installation of solar energy collection units or panels must meet all applicable Federal, State, County and City laws/ordinances.

## **LANDSCAPING:**

If landscaping is NOT installed by the Builder, it shall be installed by the homeowner within thirty (30) days after becoming the Owner of a Lot. The landscaping and irrigation improvements shall be installed in accordance with plans approved in writing by the Committee. Prior to installation of such landscaping, the Owner shall maintain the front yard of the Lot in a weed-free condition.

Front yard landscaping must have a minimum of one (1) fifteen-gallon tree, seven (7) five gallon shrubs and seven (7) one-gallon shrubs, organic or inorganic ground cover on all areas (no bare earth is allowed), and underground irrigation to plant material. The tree requirement may be substituted with approved cactus with a minimum height requirement of five feet (5'). Homeowner should be in compliance with Section 7.3 of the Canyon Trails Unit 3 CC&Rs regarding where plants/trees, sprinklers, drippers, etc. are required to be placed (required distances from all common walls).

Owner must maintain landscaping in the boulevard (area between sidewalk and curb) in front of their houses, and the side yard for homes on corner Lots. The Homeowners Association has the right to enforce maintenance if there is non-compliance from the homeowner. If the Homeowners Association is required to perform "self help" to keep a Lot landscaping in good maintenance/repair the cost of the "self help" maintenance will be billed back to the homeowner.

Fine grading and mounding is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the applicable municipal grading and drainage plan. Every effort should be made to make mounding or berming appear natural. Homeowner should be in compliance with Section 5.25 of the Canyon Trails Unit 3 CC&Rs regarding drainage.

Any Lot that has non-solid/view fencing (e.g. wrought iron rather than a solid wall) on any boundary of its rear yard shall be completely landscaped and irrigated (front, rear, and side yards) by the Owner of such Lot within ninety (90) days of becoming the Owner of the Lot. Homeowners with non-solid/view fencing must submit landscaping plans for architectural approval and must meet the design guidelines for non-solid/view fence Lots (see that section).

- **HARDSCAPE:**

Any hardscape items proposed for front yard or rear yard with non-solid/view fencing must be submitted for approval by the Committee prior to installation. Materials included in hardscape include, but are not limited to; concrete, pavers, brick, masonry, stone, tile, wood, metal, etc. Examples of hardscape items include, but are not limited to; planters, walkways, built in barbeques (specific to rear yard with non-solid/view fencing), retaining walls, decorative walls and fountains (see WATER FEATURES, FOUNTAINS, STATUARY, ETC. – for fountains). All hardscape items should be completed in colors and textures matching those of the home or, if that is not possible, in neutral "earth tone" colors (.i.e. beiges, light browns, etc.).

- **ROCK GROUND COVER:**

If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors. No more than two (2) different colors of rock are allowed in the front yard or rear yard with non-solid view fencing, and rock shall not spell out any words or names. Granite must be treated with pre-emergent at regular intervals to retard weed growth.

River rock shall be one (1") to six (6") inches in diameter and cover not more than ten percent (10%) of the front yard landscaping. Rip rap of a similar color as the front yard, placed in a "run," must also meet this ten percent (10%) maximum calculation.

- **PROHIBITED PLANT MATERIAL:**

The following vegetation types and varieties are expressly prohibited in both front and rear yards.

1. Olive tree (*Olea europaea*) other than the "Swan Hill" variety

2. Oleander (*Nerium oleander*) other than dwarf variety and Thevetia (*Thevetia* species)
3. Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*)
4. All varieties of citrus plants are permissible only within the confines of the rear yard, including rear yards with non-solid/view fencing. Citrus plants are prohibited in front yards.
5. Mexican Palo Verde (*Parkinsonia aculeata*)
6. All varieties of mulberry trees

#### **LIGHTING:**

1. High Intensity Lighting: Except as installed by the Declarant, no spotlights, floodlights or other high intensity lighting shall be placed or utilized upon any Lot or any structure erected thereon which in any manner will allow light to be directed or reflected on any other Property. Any spotlights, floodlights or other high intensity lighting that does not direct or reflect light on any other Property must still be submitted to the Committee for approval. The homeowner should provide the committee with the location of the high intensity light and the area of coverage of the light.
2. Pillar Lighting: All pillar lighting added to the front yard or rear yard with non-solid/view fencing must be submitted for approval by the Committee.
  - a. The support structures for pillar lighting must be a maximum of thirty-six inches (36") in height and twenty-four inches (24") by twenty-four inches (24") in depth and width.
  - b. The support structures must be constructed of materials that match the finish of the home. Acceptable finish materials are stucco (finish and color must match the home), stone/stone veneer (if there is stone/stone veneer on the home it should match it, otherwise it should follow the guidelines for stone/stone veneer) or brick (the color of the brick needs to be a natural "earth tone" color that blends with the base and trim color of the home).
  - c. The light fixture(s) used must be consistent in color and style to any porch or garage coach lights on the home.
3. Post Lights: All post lights added to the front yard or rear yard with non-solid/view fencing must be submitted for approval by the Committee.
  - a. Front yards are allowed a maximum of one post light. That single post can have a matching color light fixture with a maximum of three lights.
  - b. Rear yards with view fencing or rear yards in which the post light is visible above the fence line are allowed a maximum of two post lights; each post can have a matching color light fixture with a maximum of three lights.
  - c. The post and light fixture must not exceed ninety-six inches (96") in height.
  - d. The color of the post and light fixture must match each other and be either black or white. The Committee will consider other colors, but considered colors must be neutral "earth tone" colors (i.e., beiges, light browns, etc.) and match or blend with both the color of the home and any current garage coach lighting, porch lighting and/or pillar lighting.
4. Low voltage/landscape lighting: Does not require Committee approval as long as it meets the following requirements:
  - a. The lighting must be black, brown, nickel, bronze, pewter or other commonly sold low voltage lighting color. The homeowner is not allowed to paint the low voltage lights another non-commonly sold color.
  - b. Any wiring used to power the low voltage lights must be follow hidden from view.
  - c. The number of low voltage lights being installed is eight (8) or less. If the homeowner plans to add over eight (8) low voltage/landscape lights they must submit for approval from the Committee (this applies to homes with non-solid/view fencing also).

#### **MACHINERY AND EQUIPMENT:**

No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Lot except such machinery or equipment as is usual and customary in connection with the use or maintenance of improvements constructed by the Declarant or a Designated Builder or approved by the Committee.

Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use to prevent them from being visible.

#### **NON-SOLID/VIEW FENCE LOTS (e.g. wrought iron rather than solid fence)**

Homeowners with Lots that have non-solid/view fencing (e.g. wrought iron rather than solid fence) must submit any landscaping plans for architectural approval and must follow the design guidelines for non-solid/view fence Lots. Any Lot that has non-solid fencing/view fencing on any boundary of its rear yard shall be completely landscaped and irrigated (underground irrigation must be used) by the Owner of such Lot within ninety (90) days of becoming the Owner of the Lot. **The homeowner should thoroughly review the Architectural Committee Rules and Landscape/Design Guidelines and CC&Rs for Canyon Trails Unit 3 and be aware because their rear yards are visible from Common Areas they need to meet ALL the Landscape/Design Guidelines in this document and all CC&Rs.** In addition, to having to meet all the Landscape/Design Guidelines and CC&Rs, the homeowner should be aware that there are items in both the Landscape/Design Guidelines and CC&Rs that

specifically apply to non-solid/view fence Lots. Listed below are the Landscape/Design Guideline sections that have some areas that apply specifically to non-solid/view fence Lots:

- BASKETBALL GOALS
- DRIVEWAY EXTENSIONS
- FENCE AND WALLS INCLUDING DECORATIVE WALLS
- LANDSCAPING
  - HARDSCAPE
  - ROCK GROUND COVER
  - PROHIBITED PLANT MATERIAL
- LIGHTING
- POOLS AND SPAS
- POOL FENCING AND EQUIPMENT
- SANITATION
- SECURITY/SCREEN DOORS/SUNSCREENS
- STORAGE SHEDS
- WATER FEATURES, FOUNTAINS, STATUARY, ETC.
- WINDOWS

All Lots with non-solid/view fencing must to be kept in good repair.

- The landscaping upkeep has the same requirements as a front yard (the yard must completely free of trash, debris, weeds, etc... and plants/trees appropriately cared for)
- Furniture used should be appropriate outdoor/patio furniture (non-outdoor/non-patio furniture is strictly prohibited). Items/furniture, which are not for outdoor living, that can be seen from Common Areas are strictly prohibited (i.e. indoor furniture, workout equipment, construction equipment, automotive equipment, etc. – these are examples and items prohibited are not limited to these examples).
- Storage of household items, which can be visible from Common Areas, is strictly prohibited (i.e. cleaning supplies/equipment, landscape maintenance equipment, clothing etc. - these are examples and items prohibited are not limited to these examples).
- Painting of the wrought iron fence a different color is prohibited.

#### **PAINT COLORS:**

The paint colors/schemes used by the original developer/builder are required for use in all instances dealing with the exterior of the home.

#### **PATIO COVERS:**

All patio covers not installed by the builder will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood. The patio extension or addition must be one offered by the builder. Roofing materials should match that which were installed by the builder on the original roof of the home or that which were offered as an option by the builder for a patio cover. Roof shall be flat or match the pitch of the roof of the home. Color and material of supports should match the home. If it is a patio extension and some supports already exist, the new supports should match the current supports exactly (size, material, color, etc.).

In addition to obtaining approval of the Committee the homeowner should also obtain the appropriate approval and permits from the municipal having jurisdiction over the project (the City of Goodyear) and be aware of and in compliance with CC&R Section 5.22.

#### **PLAYGROUND EQUIPMENT:**

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

The maximum height that will be considered for approval of swing sets is twelve feet (12'). The maximum height that will be considered for any part of a play structure is twelve feet (12'). The maximum height for deck/platform (that is freestanding or a part of a play structure) is four feet (4') above ground level.

The play structure may be placed no closer than five feet (5') to any Property Lot Line. When considering plan approval, the Committee will consider the appearance, height and proximity to Neighboring Properties. Submittals must include a picture or brochure of the structure, total dimensions, materials and a plot map or drawing indicating the proposed location and its proximity to adjacent Property Lines.

The color of the play structure must be one of the following: 1) a "neutral" color of "off white", beige, or light brown; or 2) a natural wood material/color.

The color of canopy of the play structure must be one of the following: 1) a “neutral” color of off white, beige, or light brown; 2) a single solid color of red, blue, green, or yellow; 3) striped with white or another primary color and one (1) other color of red, blue, green, or yellow; or 4) wood that matches the rest of the play structure. Prints and multi-color striped canopies are prohibited.

#### **POOLS AND SPAS:**

Pools and spas do not require the prior approval of the Committee on lots without non-solid/view fencing. **Above ground pools on lots with non-solid/view fencing must be submitted for approval by the Committee.** Perimeter walls on Lots bordering Common Areas and shared Homeowners Association walls may not be torn down to allow access to rear yards.

Access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All pool and spa equipment must be screened from view of Neighboring Properties/Common Areas. Lots with non-solid/view fencing must submit plans for screening for approval by the Committee (see POOL FENCING AND EQUIPMENT).

Pools may not be backwashed into any Common Area or off of the Lot on which the pool has been installed. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage to Common Areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the homeowner.

Pool ladders and slides that exceed the height of the fence or wall must have prior approval of the Committee and in no event may they exceed eight feet (8') in height. Any slide or ladder that exceeds the height of the fence or wall (or on a Lot with non-solid/view fencing) must be a neutral “earth tone” color to match or blend with the exterior color of the home.

#### **POOL FENCING AND EQUIPMENT:**

The specifications for rear yard wrought iron pool fencing installation on a Lot with non-solid/view fencing shall be of a neutral “earth tone” color (i.e. beige, light brown, etc.) to match or blend with the exterior color of the home and meet all City, County, State and Federal requirements.

Pool equipment on Lots with view fencing must be screened from view from Common Areas. Screening may be through plant material or hardscape enclosure. Hardscape pool equipment enclosures (on non-solid/view fence Lots) do not require Committee approval if the enclosure:

1. Is used ONLY to enclose the pool equipment
2. The hardscape enclosure is a minimum of five feet (5') from the non-solid/view fence
3. Does NOT exceed four feet (4') in height
4. Does NOT exceed five feet (5') in width
5. Matches the exterior texture and main/base color of the home

All other hardscape screening materials require approval from the Committee. No hardscape screening is allowed within five feet (5') of the non-solid/view fencing.

#### **RAMADAS, GAZEBOS, CASITAS, PERGOLAS, SHADE SAILS AND SIMILAR STRUCTURES:**

All ramadas, gazebos, casitas, pergolas and similar structures must be submitted for approval. They may not exceed ten feet (10') at their highest point. All ramadas, gazebos, casitas, pergolas and similar structures must be a minimum of five feet (5') from any common or party walls (including the wall extension line).

If the structure is a fully enclosed casita or closed roof type ramada the roof, support structures, exterior walls, etc. must be the same color and material that the builder used in the original construction of the dwelling. For example for a ramada the support structures should be similarly stuccoed and painted the color used in the original construction of the home and the roof should be the same concrete tile material and color used by the builder. Stone veneer (or real stone) used on the support structures will be considered, as long as the stone color is a natural “earth tone” color that blends with the homes paint color(s).

If the structure is a beamed or slotted roof type structure, such as a gazebo or pergola the support structure and roof must be constructed of a durable wood or composite wood type material. The wood/composite wood must be weather coated/sealed or stained (a natural “earth tone” color) or painted a neutral “earth tone” color (acceptable colors are “off whites”, beiges, light browns or any color that matches or blends with the color(s) of the home). The colors of white and black will also be considered depending on how the blend with the main/base exterior color of the home.

For all ramadas, gazebos, casitas, pergolas and similar structures the Association strongly recommends use of high quality materials that offer long life, as the structures must be maintained in good condition at all times.



Location of the structure must fully comply with the CC&Rs and any local government ordinances.

- **SHADE SAILS:** All shade sails must be submitted for approval by the Committee. Shade sails shall be high density polyethylene fabric or similar durable material, of solid color on both sides, with all efforts made to have the color match the body (main/base color) of the exterior of the home or roof color. In addition all efforts should be made to have the supports for the shade sails match the body (main/base color) of the exterior of the home or roof color (other neutral “earth tone” colors, i.e. “off whites”, beiges, light browns, will be considered – colors that are NOT neutral “earth tones” will NOT be considered, i.e. red, yellow, green, blue, black, bright whites, etc..). They may not exceed ten feet (10’) at their highest point and must be a minimum of five feet (5’) from any common or party walls (including the wall extension line). All shade sail submittals must include a drawing with the location of the proposed shade sail installation. A sample of the material to be used, along with the color and design of the proposed shade sail, is required. Owner is responsible for maintenance and repair of shade sails. Association retains the light to determine when an awning must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc...

#### **ROOF AND ROOF STRUCTURES:**

If the dwelling unit has pitched roof, the roofing material for that portion visible from Neighboring Property or Common Area must be concrete tile. Any repair or replacement to a roof should be done with the same style concrete tile and color as used by the builder. Unless specifically authorized in this document, no heating, air-conditioning, ventilation equipment or any other equipment or structures shall be located or installed on any roof (see HVAC INCLUDING EVAPORATIVE COOLERS AND SOLAR PANELS). In addition, any such equipment or structures shall not be located or installed or maintained anywhere on a Lot, if it is visible from a Neighboring Property.

#### **SANITATION:**

No garbage, trash, debris, recycle items, etc. may be placed on any Lot or parcel except in covered trash/recycle containers meeting City specifications, and those containers must be stored out of sight. The trash/recycle containers meeting City specifications may be placed out for pickup no more than twelve (12) hours prior to pickup and must be removed from view no more than twelve (12) hours after pickup. Garbage, trash, debris, recycle items, etc. shall not be allowed to accumulate. The suggested time for the City specific trash/recycle containers to be placed at the curb is from the evening of the day before pick up to the evening the day of pick-up.

- Bulk/Loose trash may be placed out for pickup no more than twelve (12) hours prior to the scheduled pickup time. The homeowner must ensure that any bulk/loose trash placed out meets City Code/Ordinances and is placed (located) as required by City Code/Ordinances. The homeowner must pick up and dispose of (appropriately) any bulk/loose trash that is not picked up by the City (bulk/loose trash that is not picked up by the City cannot be left out).

No rubbish, trash, debris, garbage, recycle items, etc. should be visible on any Lot (including rear yards with non-solid/view fencing).

On Lots with non-solid/view fencing the homeowners should make efforts to store their city specific trash/recycle containers completely out of view from Common Areas (in their garage or in their rear side yard screened completely from view with approved landscaping). At a minimum, in order minimize the view of the city specified garbage/recycle containers from Common Areas, homeowners on Lots with non-solid/view fencing must store the city specific trash/recycle containers in accordance with all the following requirements:

- In the rear side yard:
- Against the side of the home which the garage is located (which has gate access):
- The containers must be located as close as possible to the gate.

On Lots with non-solid/view fencing no other non-City specific trash/recycle containers (garbage/trash/recycle cans, etc.) are allowed to be visible from Common Areas.

#### **SECURITY LIGHTING/DEVICES:**

Security lighting must be directed as not to shine/intrude onto Neighboring Property or Common Areas.

Security features that can be seen on the exterior of the home (from any Neighboring Property or Common Area) including, but not limited to, security doors, security features on windows (i.e. bars), security cameras, etc. must be submitted for approval by the Committee. Security features on windows (i.e. bars) must be internal and not able to be viewed from neighboring property or common areas. Internal window bars do not require Committee approval. External bars are expressly prohibited. For security doors please see SECURITY/SCREEN DOORS/SUNSCREENS.

#### **SECURITY/SCREEN DOORS/SUNSCREENS:**

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

home. Security doors that do not match the base color of the home or are not a neutral "earth tone" color that blend with the base and trim color of the home will NOT be approved.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors or doors visible from any Neighboring Properties or Common Areas (including on non-solid/view fence Lots).

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and not submitted for approval provided that the sunscreen frame matches the sunscreen material or the existing window frames. The sunscreens and frames must be kept in good repair at all times. Other sunscreen material or framing will NOT be approved.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed without Committee review.

#### **SIDEWALKS (ADDITIONS):**

Sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

1. The additional sidewalk is three feet (3') or less in width, is one foot (1') or more from the Property Line and is one foot (1') or more from the home.
2. The sidewalk must connect with the driveway already in place no more than six feet (6') from the house/garage door. The six foot (6') distance is for the farthest point the sidewalk is away from the house/garage door (not the closest point).
3. The area between the home and the sidewalk addition must have ground cover installed per the landscaping guidelines or to match the existing front yard ground cover (i.e., decomposed granite).
4. Sidewalk additions must be done in concrete. Concrete must match the current concrete driveway in color and pattern, or inter-locking concrete pavers of the same durability or more as a concrete driveway; they need to be earth tone in color; using asphalt for sidewalk additions is expressly prohibited.

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

Additional sidewalks in any other location must be submitted for approval. Other additions must be three feet (3') or less in width and at least one foot (1') foot from both the home and Property Line. The additions should be concrete of the same color and pattern as the driveway. Other concrete materials may be considered by the Committee, such as concrete pavers (they need to be earth tone in color). Using asphalt for additional sidewalks is expressly prohibited.

#### **SIGNS:**

No sign of any kind which is Visible From Neighboring Property or Common Area shall be installed or displayed on any Lot or Common Areas without the prior written approval of the committee as to size, color, design message content, number and location except:

1. Such signs as may be used by Declarant or the Designated Builders in connection with the development and sale of Lots and/or Dwelling Units or Common Area in the Project;
2. Such signs as may be required by legal proceedings, or which by law may not be prohibited;
3. One temporary sign per Lot no larger than 30" x 24" used exclusively to advertise the Lot for sale, lease or rent; or
4. All signs as may be desired by Declarant or Designated Builder or required for traffic control, construction job identification, builder identification, and subdivision identification as are in conformance with the requirements of the City; and
5. Yard sale signs must comply with CC&R Section 5.30, which states no Owner shall post any signs advertising any yard sale anywhere on the Property except that a temporary sign may be posted on such Owner's Lot on the day that a yard sale is being held.
6. Security signs must be located a maximum distance of two feet (2') from the front of the home. Security signs must not exceed twelve inches by twelve inches (12"x12") and must be maintained in good condition at all times.
7. All other signs must be approved in advance in writing by the Committee.

Any signs that are placed/posted in any Association Common Areas or Tracts will be removed by the Association. All signs shall conform to applicable municipal ordinances and other governmental requirements. Presently Goodyear City Code 11-1-14: Signs and Banners; states, it is unlawful for any person to place any banner or sign upon any streetlight pole, traffic signal pole or utility pole within the city without first obtaining an encroachment permit from the City Manager and owner of the pole.

**Signs advertising landscaping or pool contractors, etc., must be removed within forty-eight hours of completion of work.**

**NO** "For Rent" or "For Lease" signs may be displayed by the homeowner or occupant of a Lot for so long as Declarant or a Designated Builder are marketing new homes in a subdivision.

**STONE /STONE VENEER:**

Stone or stone veneer added to accent the exterior of the home must be consistent with the stone/stone veneer in size, texture and color as the option offered by the original builder. The location of the stone/stone veneer on the home must also be consistent with the location of the option offered by the builder. If the homeowner is not able to locate the exact same stone/stone veneer that the builder used, the stone/stone veneer should be as close to the originally offered product as possible. Any color stone/stone veneer used must be natural "earth tones" and blend with color(s) of the home (base and trim).

**STORAGE SHEDS:**

Storage sheds need to be submitted to the Committee for approval. Each Lot will be permitted to have ONLY one shed.

A storage shed located on a Lot **WITHOUT non-solid/view fencing** must meet the following requirements:

1. Shed must not exceed a maximum height of seven (7');
2. Shed must have a minimum setback of five (5') from any walls (rear, party, common or perimeter walls);
3. Any part of the shed that can be seen from a Neighboring Lot or Common Area must be a neutral "earth tone" color;
4. The homeowner should make all efforts to use plants and trees to screen any part of the shed from being visible from Neighboring Lots or Common Areas;
5. Permanently constructed sheds must be constructed of the same materials (stucco walls, concrete roof tile, etc.) and color (house base and trim paint colors) as the dwelling and meet any applicable City codes.

A storage shed located on a Lot **WITH non-solid/view fencing** must meet the following requirements:

1. Shed must not exceed a maximum height of seven (7');
2. Shed must have a minimum setback of thirty feet (30') from any non-solid/view fence and a minimum setback of (5') from any other walls (party, common or perimeter walls);
3. The shed must be a neutral "earth tone" color;
4. The shed must be completely screened from view from Common Areas (no part of the shed should be visible from any Common Area), using approved plant material;
5. The homeowner should make all efforts to use plants and trees to also screen any part of the shed from being visible from Neighboring Lots;
6. Permanently constructed sheds must be constructed of the same materials (stucco walls, concrete roof tile, etc...) and color (house base and trim paint colors) as the dwelling and meet any applicable City codes.

**WATER FEATURES, FOUNTAINS, STATUARY, ETC.:**

These items (water features, fountains, statuary, etc.) if located in the front yard or rear yard with non-solid/view fencing must be submitted to the Committee for approval. If the items are in a rear yard that does NOT have non-solid/view fencing and do NOT extend above the height of the fence they do NOT require Committee approval.

These items must be submitted for approval by the Committee prior to installation in the front yard and rear yard with non-solid/view fencing or if they are in a rear yard that does NOT have non-solid/view fencing and the items extends beyond the height of the fence. Each Lot will be allowed one (1) water feature/fountain in their front yard and one (1) water feature/fountain in a rear yard with non-solid/view fencing. Water features may not exceed four and one half feet (4-1/2') in height. It is recommended that water features be chlorinated or water must be kept moving so as to not allow for the breeding of pests or any health hazards. The committee reserves the right to limit the size and quantity of statuary in the front yard, as well as in rear yards with view fencing.

**WINDOWS:**

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty (30) days of occupancy. In addition, homes with non-solid/view fencing should have permanent draperies or suitable window treatments also installed on the rear-facing windows within thirty (30) days of occupancy. No materials such as blankets, sheets, towels, paper, garbage bags, etc. (this list is an example and not all inclusive) should be used as temporary or permanent window treatments on any windows. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirror or similar type material, shall be installed or placed upon the outside or inside of any windows. Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the style and color of the home.