



**UNANIMOUS CONSENT TO ACTION  
BY THE BOARD OF DIRECTORS  
PALOMA RANCH COMMUNITY ASSOCIATION  
c/o AAM, LLC  
1600 W. Broadway Rd., Ste 200  
Tempe, AZ 85282  
(602) 957-9191**

The undersigned, constituting all of the members of the Board of Directors of Paloma Ranch Community Association, an Arizona nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Section 10-3821, Arizona Revised Statutes, which actions shall have the same force and effect as if taken by the Board at a duly called meeting of the Board.

**RESOLVED** that the Board of Directors hereby adopts the attached Association Rules and Design Guidelines dated November 1, 2020.

IN WITNESS WHEREOF, the undersigned have executed this consent as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DocuSigned by:  
  
\_\_\_\_\_  
Roger Cannon  
President and Director, Board of Directors

DocuSigned by:  
  
\_\_\_\_\_  
Joe Vannelli  
Vice President and Director, Board of Directors

DocuSigned by:  
  
\_\_\_\_\_  
Heather Davenport  
Secretary/Treasurer and Director, Board of Directors

# **PALOMA RANCH COMMUNITY ASSOCIATION**



## **ASSOCIATION RULES AND DESIGN GUIDELINES**

November 1, 2020

**PALOMA RANCH COMMUNITY ASSOCIATION  
ASSOCIATION RULES AND DESIGN GUIDELINES**

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**PALOMA RANCH COMMUNITY ASSOCIATION**  
**Association Rules and Design Guidelines**

**I. INTRODUCTION**

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

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

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for Paloma Ranch Community Association (the “Declaration”) and any supplements or amendments thereto, unless the context requires otherwise. The Association Rules and Design Guidelines will be administered by the Committee pursuant to Article 5 of the Declaration.

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

**II. ARCHITECTURAL REVIEW PROCESS**

**APPLICATION PROCEDURE**

**Submittal**

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

**Paloma Ranch Community Association**  
**c/o AAM, LLC**  
**1600 W Broadway Rd., Ste 200**  
**Tempe, AZ 85282-1112**  
**602-957-9191 Fax: 602-870-8231**

The following information must be included with each submittal;

1. Application Form – a completed application form (copies of which can be obtained from the Management office)
2. The Committee shall have the right to charge a Two Hundred Fifty Dollar (\$250.00) fee for reviewing requests for approval of any construction, installation, alteration, addition, repair, change or other work pursuant to Section 5.2 of the CC&Rs. This fee shall be payable at the time the application form is submitted.
3. Plot Plan – A site plan showing dimensions, relationship to existing dwelling and property lines (setbacks). Measurements must be written on plans.

4. Elevation Plans – Plans showing finished appearance of the proposed addition or change in relationship to existing dwelling. An accompanying photograph of the proposed location would be helpful.
5. Specifications – Detailed description of materials to be used and color samples.

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

**NOTE: In addition to all other requirements of Section 5.4 of the Declaration and these Association Rules and Design Guidelines, the Owner of a Lot must be In Good Standing to be eligible to submit plans for Improvements, additions, alterations, repairs, changes, or other work to the Design Review Committee for approval.**

**Review – Approval and/or Disapproval.**

The Committee shall have 45 days after submittal of plans to approve or disapprove plans. Review and approval or disapproval will include but not be limited to, consideration of material, colors, consistency with the external design and color of existing structures on the Lot and to neighboring lots. The location of the improvements with respect to topography and finished grade elevation will also be considered.

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

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

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

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

**III. ARCHITECTURAL AND DESIGN CHARACTER**

1. The architectural design of all additions, alterations and renovations to the exterior of any Dwelling Unit shall conform to the design of the original Dwelling Unit in style, detailing, materials and color.
2. The height of any addition to an existing Dwelling Unit shall not be higher than the original roof line.
3. All additions to Dwelling Units shall be built within the setback lines originally established for Paloma Ranch Community Association or as changed by the Declarant or Developer with the requisite approval of the City.

4. All materials used in the maintenance, repair, addition and alteration of any structure or Improvement subject to review hereunder, shall match those used in the initial construction of the Improvement as to color, composition, type and method of attachment. The Committee may allow substitute materials if it deems such materials to be compatible with the theme of the Community.
5. No addition, alteration or renovation of an existing Dwelling Unit or any other activity on a Lot may alter the established Lot drainage (as established by the Declarant).
6. Any addition or change to a Dwelling Unit shall be within the model selection choices offered by the original Builder, or if it was not offered by the original Builder, may not exceed ten percent (10%) of the footprint of the Dwelling Unit.
7. Any applicable City or County permits must be obtained prior to installation.

#### **IV. ASSOCIATION RULES AND DESIGN GUIDELINES**

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

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

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

**B. ANTENNAS AND SATELLITE DISHES** - No antenna, aerial, satellite dish or other device for the transmission or reception of television or radio (including amateur or ham radio) signals of any kind (collectively referred to herein as "Antennas") will be allowed outside any Dwelling Unit, except that a device covered by 47 C.F.R. § 1.400 (Over-the-Air Reception Devices Rule), as amended, repealed, or recodified, will be permitted. Any such device shall comply with the applicable antenna installation rules of the Association and shall be mounted, to the extent reasonably possible, so as to not be Visible From Neighboring Property or the street. The devices governed by 47 C.F.R. § 1.400 (Over-the-Air Reception Devices Rule) as of the date of the recording of this Declaration are as follows:

- a) Direct Broadcast Satellite ("DBS") antennas one meter in diameter or less, and designed to receive direct broadcast satellite service, including direct-to-home satellite
- b) Multi-point Distribution Service ("MDS") antennas one meter or less in diameter or diagonal measurement, designed to receive video programming services (wireless cable) or to receive or transmit fixed wireless signals other than via satellite;
- c) Antennas designed to receive local television broadcast signals ("TVBS"); and
- d) Antennas designed to receive and/or transmit data services, including Internet access.

If the FCC expands the types of antennas that fall under the FCC Rule, this Section 4.5 shall encompass those antennas as well. The Board is hereby vested with the broadest discretion to enact rules and regulations to implement this Section to conform to the law. The Board may enact rules and regulations that are more restrictive than Section 4.5 of the CC&Rs, if permissible by federal and state law.

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

**C. AWNINGS AND OTHER ARCHITECTURAL FEATURES** - Awnings, canopies, shutters, security shields, tile, iron, stone or other such architectural features on the front of the Dwelling Unit must conform to the theme and color scheme of the Dwelling Unit and Community. All architectural features require Committee approval. Awnings or canopies must be a high quality and durable fabric of a solid color. Patio awnings must be retractable, horizontally stabilized and made of quality material. The total square footage of the patio must not exceed ten percent (10%) of the livable square footage of the Dwelling Unit. Submittal of such items must include a drawing with the location of the proposed installation, a sample of the material to be used, colors and designs. Owners shall be responsible for the maintenance and repair of such items. The Association retains the right to determine when items must be cleaned, repaired or replaced due to weathering, fading, tearing, etc.

**D. BASKETBALL GOALS** – No portable basketball goals or backboards may be kept or stored on a Lot so as to be Visible From Neighboring Property. Permanent basketball goals or backboards attached to a free standing pole may be constructed, installed or maintained on a Lot, provided the location, design, material and color of the pole and the basketball goal or backboard are approved by the Design Review Committee and they are used in accordance with the Design Guidelines and Association Rules, both of which may govern the hours of use and placement thereof.

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

**E. CLOTHES DRYING FACILITIES** – Outside clotheslines or other outside facilities for drying or airing clothes shall not be erected, placed, or maintained on any Lot, unless they are erected, placed, and maintained exclusively within a fenced service yard or otherwise concealed and are not Visible From Neighboring Property.

**F. COURTYARDS** - Walled courtyard areas are defined as an enclosure of the front portion of the residence to create a private/semi-private walled area. Courtyard walls must be approved by the Committee and constructed of concrete masonry unit (CMU) block and be stucco and painted to complement the body color of the home. Courtyard walls may be enhanced by stone or other accents that are consistent with that used on the homes within Paloma Ranch.

The color of the planting pots must complement the body color of the home. Courtyard walls and pillars/columns, as described, cannot be outside the building setback area.

All gates installed on courtyard entrances must be submitted to the Committee for approval.

**G. DECORATIVE ART ON HOUSES/LAWN ART** Decorative Art on houses require Committee approval and 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. Potted plants are not considered yard art; however, pots that are larger than four (4) feet tall or four (4) feet wide or that are in non-natural or non-neutral colors should be submitted for approval if Visible From Neighboring Property.

**H. DRAINAGE** - No Dwelling Unit, structure, building, landscaping, fence, wall or other Improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for the Community, or any part thereof, or for any Lot or Parcel as shown on the drainage plans on file with the City. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot or Parcel in proper condition free from obstruction.

**I. DRIVEWAY EXTENSIONS AND SIDEWALKS** - Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Driveway extensions/additions and sidewalk additions are allowed as long as they are submitted and approved in writing by the Architectural Committee prior to installation.
2. 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; (c) the total linear feet of Lot frontage; and (d) the material proposed for the driveway extension.
3. Driveway extension must be at least one (1) foot off of the side Lot line.
4. All driveways on Lots shall be of concrete construction or pavers.
5. Painting of paved surfaces that will be Visible From Neighboring Property is prohibited.

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

1. The additional sidewalk is four (4) feet or less in width and is setback one (1) foot or more from the property line and one (1) foot or more from the home.
2. Such setback areas between the property line and the sidewalk and the home and the sidewalk must have groundcover installed to match the existing front yard ground cover (i.e., decomposed granite, grass).

Sidewalks that do not meet the above conditions must be submitted for approval and will be considered on a case-by-case basis. Additional sidewalks in any other location must be submitted for approval.

**J. EXTERIOR LIGHTING** – Except as initially installed by Declarant, spotlights or other lights shall not be installed, maintained or used in a manner which causes glare to neighboring property or an annoyance to the Owner or occupant of neighboring Lots. All exterior lighting, including any lights operated by a photo cell, shall be kept in good and working order at all times.

Exterior lighting shall be permitted on a Lot or Parcel so long as (i) the source of such lighting is not Visible From Neighboring Property; (ii) the source of the lighting is not pointed at or directly illuminates any neighboring property; (iii) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Dwelling Unit Owner; and (iv) such lighting conforms with such other requirements as may be imposed by the Committee. Neighboring property for this section shall include Lots and Parcels, common areas, streets, and Open Mountain or field



areas. Notwithstanding the foregoing, but subject to reasonable regulations by the Committee, exterior floodlights may not continuously remain on after 10:00 PM.

Owners may display holiday lights and/or decorations located or visible from outside their Dwelling Unit, if the decorations are of reasonable size and scope and do not disturb the quiet enjoyment of other Owners in the Community by excessive light or sound emission or by causing an unreasonable amount of spectator traffic. Holiday decorations and/or lights may be displayed in season only from November 20 until January 20 and during other times of the year, from one week prior to and one week after any nationally recognized holiday.

**K. FLAGS AND FLAGPOLES** - Except for flags that cannot be prohibited by law, no flag may be displayed on a lot if the flag is Visible From Neighboring Property without the prior written approval of the Board.

The official flag of (i) the United States; (ii) the State of Arizona; (iii) the Armed Forces; such as U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, U.S. Coast Guard, (iv) the Gadsden Flag; (v) POW/MIA flags; and (vi) an Arizona Indian Nation Flag may be displayed on any Lot provided (i) such flag is displayed in the manner required under the federal flag code from a pole attached to a Residential Unit on the Lot; (ii) the pole is no higher than the top of the Residential Unit; (iii) the pole is no longer than ten feet (10') in length and does not extend more than ten feet (10') from the edge of the Residential Unit; (iv) the flag is no more than twenty-four (24) square feet in size; (v) any flag lighting is in compliance with the Lighting section below; and (vi) the flag is maintained in good condition at all times. The flag of another nation may be displayed in lieu of the United States Flag on national holidays of such nation provided such display complies with the requirements for displaying the United States Flag.

**L. GARAGES** - No garage shall be converted to living space or altered or used for storage of material or other purposes which would prevent the use of the garage for the parking of the number of vehicles for which it was designed, except that Declarant and Designated Builders may use a garage in one or more model homes for a sales office and/or a construction office. Further, the interior of all garages situated upon any Lot shall be maintained by the respective Owners thereof in a neat and clean condition. It is recommended and preferred that garage doors be kept closed unless vehicles or Persons are entering or exiting, work is being performed on the Lot, or a Resident is nearby. All driveways on Lots shall be of concrete construction or pavers. A carport may not be built in addition to or as a replacement for a garage, unless initially constructed by Declarant or a Designated Builder.

**M. 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 may be painted to match the fence with approval from the Committee.

Gates of any kind on Perimeter walls or View fencing on Lots bordering common areas are prohibited.

**N. GUTTERS AND DOWNSPOUTS** - Gutters and downspouts may be considered for approval. The finish must match the dwelling in color. Downspouts must be directed so as not to drain on neighboring properties. High quality materials that offer long life are recommended, as the Lot owner will be required to maintain the addition in good repair. Plans must include the proposed

locations of the gutters and downspouts, the quality of materials to be used, warranty by the manufacturer and the name and telephone number of the installer.

**O. HOLIDAY DECORATIONS AND LIGHTING** - For the holiday seasons that occur during November and December, decorations may be displayed beginning November 20<sup>th</sup> and must be removed by January 20th. For other seasonal holidays, decorations may be put up one week before the holiday and must be removed within one week after the holiday.

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

**P. PAINT COLORS** - Prior to exterior painting, the Committee must approve proposed colors.

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

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

Color and material of supports should match the home. Roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the Declarant 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.

**S. PLAY STRUCTURES** – 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.

The maximum height that will be considered for approval of swing sets is twelve feet (12'). The maximum height for any deck/platform area is four feet (4') above ground level. The play structure may be placed no closer than five feet (5') to any Lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or brochure of the structure, total dimensions, materials and a plot map or drawing indicating the proposed location and its proximity to adjacent property lines.

The color of canopy of the play structure must be one of the following (i) a “neutral” color of off white, beige, or light brown, (ii) a single solid color of red, blue, green, or yellow, or (iii) striped with white or another primary color and one (1) other color of red, blue, green, or yellow. Prints and multi-colored striped canopies are prohibited.

Batting cages will not be considered for approval.

**T. POOLS, SPAS AND JACUZZIS** - In ground swimming pools do not require the prior approval of the Committee subject to the following restrictions: (a) perimeter walls on Lots bordering

common areas cannot be torn down to allow access to rear yards. **An assessment of \$2000.00 will be applied to an Owner in which such wall has been removed without Committee approval;** (b) access for pool installation shall be through the front gate access or by removing a portion of the front wall. Repairs to the front wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. In addition, any landscape that may be destroyed or damaged must also be replaced; (c) pool ladders, slides, rock waterfalls, etc. that will be Visible From Neighboring Property must be submitted to the Committee for approval; (d) Owners are responsible to ensure all codes and ordinances are complied with in regard to the installation of a pool; (e) pools may not be backwashed off of the Lot. Check with your pool contractor concerning ordinance requirements for backwashing your pool. Damage to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be charged to the Owner.

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

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

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

**U. ROOFTOP EQUIPMENT** - No machinery, fixtures or equipment of any type, including but not limited to heating, ventilating, cooling, evaporative, air-conditioning and appurtenant equipment may be mounted, installed or maintained on the roof or wall mounted on the Dwelling Unit or other building so as to be Visible From Neighboring Property.

**V. RV GARAGES** - Detached RV Garages shall be built in the back yard only and shall not be in excess of one-third ( $1/3^{\text{rd}}$ ) of the total area of the rear and side yards. Detached RV garages may not exceed twenty feet (20') to the highest ridge, as measured from natural grade. Maximum garage door height may not exceed fourteen feet (14'). Structure must be a minimum of sixty feet (60') from the front lot line, and four feet (4') from the side and rear lot lines. Material, finishes, paint, and roof tile must match existing home structure. Minimum spacing between RV Garage and dwelling shall be seven feet (7'). Accessory buildings shall be detached from the main building except that they may be attached by means of an unenclosed structure that has only one wall not over six feet (6') high which shall be placed on only one side of the structure.

**W. SECURITY DOORS** - Security doors shall be permitted provided that they are of a color to match the front door or exterior base color of the home. Silver-colored aluminum screen doors are prohibited. Ornamental doors require approval from the Committee. All screen door designs must be submitted to the Committee for approval prior to installation.

**X. SIGNS** - No signs whatsoever which are Visible From Neighboring Property shall be erected or maintained on any Lot except:

- a) Signs required by legal proceedings and signs that must be permitted by law;

- b) No more than two (2) identification signs for individual residences, each with a face area of seventy-two square inches (72") or less;
- c) Signs and notices erected or posted in connection with the provision of building security with a face area of seventy-two square inches (72") or less;
- d) Promotional and advertising signs of Designated Builder on any Lot, approved from time to time in advance and in writing by the Committee as to number, size, color, design, message content, location, and type. In addition, Declarant shall have the right and authority to construct and install on its own behalf, and permit and authorize any Designated Builder to construct and install, temporary signage necessary or convenient for the development and sale of any Lots within the Property, which may be as more particularly provided in Section 4.31 of the CC&Rs;
- e) No more than one (1) professionally lettered "For Sale" or "For Rent" or "Open House" sign with maximum size to be eighteen (18) inches x twenty-four (24) inches to be placed on any individual Lot within the Community. Such sign shall be located wholly within the Lot being advertised "For Sale" or "For Rent";
- f) Political signs may not be in place more than seventy one (71) days before an election and must be removed within three (3) days after the election to which the sign pertains; signs must conform to City or County sign ordinances or may not exceed a total of nine (9) square feet; and,
- g) Such other signs (including, but not limited to, construction job identification signs, builder identification signs and subdivision identification signs) which are in conformance with the applicable requirements of all applicable governmental agencies and which are permitted by the Association Rules and Design Guidelines or have been approved in advance and in writing by the Committee as to size, color, design, message content, and location.

**Y. SOLAR EQUIPMENT PANELS OR DEVICES** – Declarant recognizes the benefits to be gained by permitting the use of solar energy as an alternative source of electrical power for residential use. At the same time, Declarant desires to promote and preserve the attractive appearance of the property and the improvements thereon. Except as initially installed by the Declarant or a Designated Builder, no heating, air conditioning, evaporative cooling or solar energy collecting unit or panels shall be placed, constructed or maintained upon any Lot without the prior written approval of the Committee.

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

Solar collecting panels and devices must be placed so as not to be Visible From Neighboring Property, or are placed in such locations and with such means of screening or concealment as the Committee may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when Visible From Neighboring Property. Solar roof panels should be made to look like an integrated part of the roof design and mounted directly to roof plane and may not break roof ridgeline. Any visible cabling must match existing color theme so as to blend in with roof, eaves, trim, etc. Cabling must be attached to structure and not allowed to hang loose.

A ground mounted installation may be approved only if; the resulting potential visual exposure is reduced when compared to a similar roof mounted installation, existing vegetation and other natural features of the Lot are not disturbed or eliminated, and related visual mitigation screening (such as walls, landscape, etc.) is included.

Owners shall comply with these requirements to the extent such compliance does not prevent the installation, impair the functioning of the device or restrict its use, or adversely affect the cost or efficiency of the device.

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

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be approved prior to construction and be constructed of materials that match the materials used by the Builder in the original construction of the Dwelling Unit. Shed must match the exterior color of the Dwelling Unit.

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

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

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

Plans to modify any Party Walls must be submitted for approval. Party Walls are defined in the Declaration under Section 4.9 as any wall or fence that is located between Lots or between Lots and an Area of Association Responsibility whether the wall is located directly on the dividing line between the Lots or between the Lots and an Area of Association Responsibility or whether it is not located directly on the dividing line but serves as the wall or fence separating the Lots or separating the Lots and an Area of Association Responsibility. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being modified, materials to be used and texture and color of the finished wall. Side and rear walls may not exceed six (6) feet in height from ground level, as measured from the highest side of the wall.

Decorative walls shall not exceed forty-eight (48) inches in height. Pillars or columns shall not exceed fifty-two (52) inches in height. Such decorative walls, pillars or columns shall be stucco and painted to match the body color of the home or enhanced by stone or other accents that are consistent

with that used on the homes within Paloma Ranch. The placement of 'Coach Light' type fixtures and planting pots is permitted on the top of the pillars/columns. All wiring and irrigation for coach lights and pots must be concealed within the body of the pillar. The location of all decorative walls, pillars and columns shall not encroach into the building setback lines and must be approved by the Committee.

See COURTYARDS above for additional information in regard to Courtyard walls.

**CC. WINDOW COVERINGS/SCREENS** - Permanent draperies or suitable window treatments shall be installed on all front-facing windows within ninety (90) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.

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

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

## **EE. LANDSCAPING REQUIREMENTS AND GUIDELINES**

**Front Yard Landscaping** - Unless installed by the Declarant, within ninety (90) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot, any portion of a right-of-way for a dedicated street which is between the boundary of the Owner's Lot and the back of the curb of such street. All landscaping Improvements installed in such areas must be approved by the Committee prior to installation.

Front yard landscaping must have a minimum of one (1) 24-inch Box tree, twenty (20) five-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 cacti with a minimum height requirement of five feet (5').

**Back Yard Landscaping** - Unless installed by the Declarant, within ninety (90) days from close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements on such backyard and/or side yards. If any portion of the yard landscaping will be Visible From Neighboring Property when planted, the Owner shall submit a landscaping plan to the Committee prior to installation.

All visible portions of the Lot within the Community are subject to the following guidelines:

- Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition.

- All dead and dying plants must be replaced with same species or other appropriate plants.
- Yard tools, equipment and general storage items should be stored out of sight when not in use.
- Any hardscape additions such as concrete work, built in barbecues, fire-pits, fireplaces, etc. must be approved by the Committee prior to installation.

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

**Granite** - Decomposed granite used in Paloma Ranch shall be neutral earth tone in color and a minimum of ½” in size.

Granite shall be installed with a minimum one and one-half (1½) inch thick layer. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

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

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

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

**Turf** – Turf is permitted in front and backyard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage and void any warranty. Drainage should flow away from all walls and any structures.

If you choose to install turf, you will have the option to overseed with winter rye, but are not required to do so. The Bermuda grass in the summer must be fertilized and well-maintained.

Homeowners may submit approval requests for high quality artificial turf; the Committee will make case by case determinations regarding this material after reviewing the submittals which shall include a sample of the proposed artificial turf. In the event artificial turf is approved, homeowner must maintain the appearance of the artificial turf in a clean, “like-new” condition. Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damage. Artificial turf must be replaced with same turf originally approved or real turf if replacement or repair is required.

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

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

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

**Landscape Lighting** - Landscape lighting shall be low-voltage only. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from view.

Light fixtures shall not exceed an illumination intensity of more than one (1) foot candlepower as measured from the Lot line. Outside lights should be screened wherever possible with walls, plant materials, or internal shielding.

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

1. Olive trees (*Olea Europaea*) other than the "Swan Hill" variety
2. Fountain Grass (*Pennisetum setaceum*) or Pampas Grass (*Cortadena Selloana*)
3. Oleanders other than the dwarf or petite variety (*Nerium Oleander*) and *Thevetia* species
4. Mexican Palo Verde (*Parkinsonia aculeata*)
5. All varieties of Mulberry trees
6. Eucalyptus (all varieties)
7. Citrus Trees and other Fruit Trees (permitted in Rear Yard Only)
8. Sissoo Trees (*Dalbergia sissoo*)

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

**Water Features, Fountains** - Items such as water features/fountains are permitted within rear yard areas and do not require approval by the Committee, except on Lots with view fencing. Water Features/Fountains to be located in the front yard or in the rear yard of Lots with view fencing must be approved in advance of installation by the Committee. Water features Visible From Neighboring Property may not exceed five (5) feet in height and must be earth tone in color. It is recommended that water be chlorinated.

**Hardscape** - The Committee must approval any hardscape items proposed for front yard installation. Only hardscape items that will be visible From neighboring property in the rear yard



will require approval. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls and decorative walls.

**FF. MAINTENANCE OF LANDSCAPING** - Each Owner shall maintain the landscaping on such Owner's Lot and any right-of-way areas lying between the front, rear or side boundaries of such Lot and an adjacent street (including, without limitation, landscaping located on the Lot between the sidewalk and street and landscaping located within a public right-of-way adjacent to a Lot), shall keep the land free of debris and weeds at all times, and shall promptly repair portions of the landscaping which have been damaged.

In the event any such landscaping is damaged or disturbed as a result of the installation or maintenance of any utility lines, cables or conduits for the use and benefit of the Owner of the Lot, such Owner shall promptly repair and restore any damage or disturbance to such landscaping in accordance with the landscape plans previously approved by the Committee, if applicable. Each Owner shall promptly replace any dead tree and restore any uprooted or toppled tree to an upright position if such tree is Visible From a Neighboring Property, provided that, if the Owner wishes to replace the tree with a different type of tree, then the Owner shall submit a plan to the Committee for review and approval.

**GG. OVERHEAD ENCROACHMENTS** - No tree, shrub or planting of any kind on any Lot, Parcel or other property shall be allowed to overhang or otherwise to encroach upon any sidewalk, street, bicycle path or pedestrian way from ground level to a height of eight feet (8') without the prior approval of the Committee.

**HH. VEHICLES AND PARKING** - Personal vehicles (including, but not limited to, cars, trucks, passenger vans, utility vans, cargo vans and sport utility vehicles) may be parked on the Property, within a garage or on the private driveway appurtenant to a Dwelling Unit. Permitted vehicles must park on the paved surface of the Lot. Parking is prohibited on the landscaped portion of a Lot, or at any time on a sidewalk or on a driveway so as to encroach on a sidewalk or overnight on the streets. The Board shall have the right to have any vehicle or equipment parked, maintained, kept or operated, reconstructed or repaired in violation of Section CC&Rs booted and/or towed at the sole expense of the Owner of the vehicle or equipment. If the vehicle is owned by an Owner, any amounts payable to the Association shall be secured by the Assessment Lien and the Association may enforce collection of such amounts.

Personal recreational vehicles including mobile homes, motor homes, campers, boats, boat trails, all-terrain vehicles or similar vehicles or equipment, but not commercial vehicles (including, but not limited to, semi-trucks, food trucks, food trails and freight trucks) may be kept, placed or maintained upon the Property subject to the following:

1. Within a garage constructed by the Declarant or a Designated Builder or approved in writing by the Committee.
2. Within the walled, fenced and/or gated portion of a Lot, but only within the Lot's perimeter wall, fence or gate and not in the Dwelling Unit's driveway.
3. In such areas and subject to the rules and regulations as the Declarant may designate and adopt in its sole discretion.

No vehicles of any kind which are not in operating condition shall be parked in any place Visible From Neighboring Property (including, but not limited to, private driveways appurtenant to a Dwelling Unit) for a period of longer than ten (10) days.

**ARCHITECTURAL REVIEW SUBMITTAL FORM**

**Please Submit To:**

**PALOMA RANCH COMMUNITY ASSOCIATION**

**c/o AAM, LLC**

**1600 W Broadway Rd., Ste 200 – Tempe, AZ 85282-1112**

**Phone: 602-957-9191 Fax: 602-870-8231**

Owner's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Community: \_\_\_\_\_ Lot#: \_\_\_\_\_

Address: \_\_\_\_\_ Phone#: \_\_\_\_\_

Submittal Type (i.e., landscaping changes to be made to my property, changes to the exterior of my home, etc.)\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Material to be used (attach samples/pictures/brochures): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Color to be used (attach samples/pictures/brochures): \_\_\_\_\_

\_\_\_\_\_

**A PLOT PLAN INDICATING LOCATION OF SUBMITTAL AND ALL APPLICABLE MEASUREMENTS AND DIMENSIONS MUST BE INCLUDED WITH SUBMITTAL**

**INCOMPLETE SUBMITTALS WILL BE DENIED**

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

I understand that I must have no outstanding assessments, fines or unresolved compliance issues in order for this submittal to be considered by the Design Review Committee.

Design Review Committee requests will be reviewed within 45 days. Requests will be approved, approved with stipulations rejected or returned for additional information.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Email Address: \_\_\_\_\_

\_\_\_\_\_