

**PINES AT SOUTH MOUNTAIN HOMEOWNERS
ASSOCIATION ARCHITECTURAL COMPLIANCE
GUIDELINES REVISED
JANUARY 2017**

The Pines at South Mountain Development is governed by rules and regulation in the CC&Rs and enforced by the Homeowner Association Board. The Pines at South Mountain Development is located on Baseline Road between 21st and 23rd Street in Phoenix, Arizona. At the time of preparation of this document, the development is being managed by City Property Management. The purpose of these guidelines is to assist homeowners with the architectural review process. These guidelines will be periodically updated and published by Pines at South Mountain HOA.

The Architectural Compliance Committee (ACC), appointed by the Board of Directors, has the responsibility to maintain the existing high standards of architecture and landscaping within its jurisdiction. Although this Committee is appointed by the Board of Directors, it has complete and final say in all matters within its assigned authority, subject to right of appeal as outlined herein.

It is the responsibility of the ACC to assure that the aesthetics of the community are not compromised and that the Declarations of Restrictions are not violated. Obviously, many situations are unique and the ACC must make discretionary decisions that serve the best interest of the community in order to maintain property values. **Not all situations are covered in this document. If you are uncertain whether a particular improvement or change will require Architectural Committee approval, please contact the Home Owner's Association, Property Manager or Architectural Committee.**

Nothing contained herein shall be construed as altering, amending or changing the Conditions, Covenants and Restrictions (CC&Rs) that run with the land and are recorded with the County of Maricopa, or the Articles of Incorporation and Bylaws of Pines at South Mountain Homeowners Association.

ATTENTION HOMEOWNERS

Pines at South Mountain HOA and/or the ACC will not recommend or advise as to building contractors or landscaping contractors to perform exterior changes or modifications and/or landscaping. Carefully research contractors before selecting and paying money for services in advance.

Licensed and bonded contractor's status can be verified by calling (602) 542-1525 (State of Arizona Registrar of Contractors Office)

Additions (structural)	4
Air Conditioning Condenser Replacements	4
Allowable Plants	6
Antenna	4
Architectural Compliance Committee	1, 2
Architectural Compliance Form.....	2
Architectural Compliance Process	2
Awnings	4
Basketball Standards	4
Bird Feeders	4
Bird Houses	4
Bug Lights.....	4
Carports	<i>See Garages</i>
City Property Management	1, 2
Clotheslines	4
Common Area Plants	6
Debris	5
Downspouts	<i>See Gutters</i>
Driveways	4
Easements.....	5
Evaporative Coolers.....	4
Exterior of House	6
Failure to Comply	2
Fences	<i>See Walls</i>
Flag Poles.....	5
Flags	5
Front Yard	5
Garages.....	5
Garbage	5
Gates	5
Gazebos	<i>See Ramada's</i>
Ground Cover	5
Gutters	5
Heaters.....	6
Irrigation System.....	5
Landscaping.....	5
Lighting.....	6
Neighboring Property View.....	3
Non Compliance	2
Outside Drying of Clothes.....	4
Painting	6
Patio.....	7
Patio Covers	<i>See Ramada's</i>
Plant Palate	6
Plants.....	6
Pools.....	6
Private Common Area View	3
Propane Tanks	7
Property Manager.....	2
Public Common Area View	3
Pumps.....	6
Ramada's	7
Registrar of Contractors Office	1
Right to Use Area.....	5
Roofs	7

Rubbish.....	<i>See Garbage</i>
Satellite Receivers	7
Screened in Patio.....	7
Security Doors	7
Shrubs.....	7
Signs	7
Skylights.....	7
Solar Panels	7
Solar Pool Heaters.....	7
Solar tubes.....	7
Spas.....	6
Storage Facilities	7
Street View	3
Sunshades.....	8
Tanks	6
Trees	6
Trellises	8
Ventilation Devices	8
Walkways.....	<i>See Driveways</i>
Walls	8
Water Features.....	8
Water Softener Tanks	8
Wind Turbines	<i>See Ventilation Devices</i>
Window Coverings	8

ARCHITECTURAL COMPLIANCE PROCESS

Regardless of whether specifically referenced in the Architectural Compliance Guidelines, all exterior modifications or changes to the home, landscape, hardscape or any other part of the property must be reviewed and approved by the ACC prior to commencing work.

Homeowners who wish to make exterior changes to their property (house, addition and/or landscape) must complete an Architectural Compliance Form (ACF). Forms are available from the property manager, City Property Management at 602-437-4777. Forms will be reviewed by the Pines at South Mountain Architectural Compliance Committee.

COMPLETING THE ARCHITECTURAL COMPLIANCE FORM

1. Attempt to answer all information when completing form.
2. A plot plan, drawings and/or specifications must be submitted with each ACF. No changes or deviations of such plans and specifications, once approved, may be made without written approval of the ACC authorizing the amended plans. Please include a complete set of plans or construction documents along with any required permits with the ACF. These plans will not be returned and will be retained in the homeowner's property file.
3. A plot plan must be attached whenever additions or alterations to the existing structure are involved or whenever property lines or setbacks are involved.
4. It is the responsibility of the homeowner to obtain the necessary zoning clearances and building permits from the City of Phoenix. A copy of the City of Phoenix permit, if required, must be filed with the ACF. All construction must be in compliance with all city, county, state, and federal zoning and building codes. The Pines at South Mountain Homeowners Association reserves the right to require more restrictive requirements based upon the type of construction and the changes made to the existing structure.
5. Plans will be approved/denied or returned to the homeowner within thirty (30) working days after receiving the request. Copies of an approved request will be returned to the homeowner. This approval must be available for inspection by the ACC while the work is being done. Upon completion, the homeowner must notify the property manager that the work has been completed for visual inspection of the work by a member of the ACC.
6. If plans are denied, upon request from the homeowner, an appeal may be made to the Board of Directors at the next board meeting.
7. All work must be completed within specified time. If work cannot be completed in this time frame, the homeowner is required to submit a request for a time extension.
8. All construction materials, landscaping materials, debris, etc. must be maintained in a neat and organized manner. The homeowner is responsible for assuring access to all neighboring properties, drive, sidewalks, etc. Failure to maintain materials and debris can result in a fine to the homeowner.

NON COMPLIANCE/FAILURE TO COMPLY

1. The ACC reserves the right to require the homeowner to stop any and all work being performed either by the homeowner and/or contractor for which a modification has not been approved or which is deemed unsuitable, undesirable or in violation of the Declaration of Restrictions. Homeowners not in compliance will be subjected to penalties as defined in Board policies.
2. If a violation is noted, the homeowner will receive a notice of violation from the ACC requesting a reply within 10 days or the matter will be referred to the Board of Directors.

DEFINITIONS USED IN THIS DOCUMENT

PUBLIC COMMON AREA VIEW

This is the area visible in a view lot (perpendicular view to the wrought iron fence only) from a constructed path/walkway.

PRIVATE COMMON AREA VIEW

This is the area visible in a view lot (through the wrought iron fence only) from a common area not intended for public access (there is no sidewalk).

STREET VIEW

Anything that is viewable from the street and/or sidewalk.

NEIGHBORING PROPERTY VIEW

Any object visible to a person six (6) feet tall, standing at ground level on any part of an adjoining Lot at the same elevation as the object being viewed.

ARCHITECTURAL SPECIFICATIONS

ADDITIONS (structural)

Additions must be of similar design with compatible materials to existing residence and harmonious to the community. The addition cannot extend beyond the approved building setbacks. CC&R regulations should be followed regarding allowed additions. Any structural addition and/or modification must be in conformity with the established aesthetics of the neighborhood. Requires ACC approval.

AIR CONDITIONING CONDENSER REPLACEMENTS

Any replacement of condensers on the outside of your property must be submitted to the ACC. Replacements should also be located in the same location as the original equipment.

ANTENNA

Exterior antennas are not allowed on any residential lot except to the extent permitted by federal law. Satellite dish antennas must meet both federal government and ACC regulations. Any deviation from these criteria requires ACC approval. Any wires, cables, etc. that are visible on the outside of your home must be securely attached to the house and painted to match the house.

AWNINGS

Rear locations only are permitted. Color, material and style must be specified for awnings or sunshades to be reviewed. Sunshades must be tied down when extended. The color of awnings and sunshades must be consistent with the existing color of the home. Awnings and sunshades must be properly installed and maintained in good condition.

BASKETBALL STANDARDS

Portable basketball standards must be stored out of view when not in use. Permanent basketball standards are not permitted. Please note that all noise and/or damage issues arising out of usage of basketball standards are the responsibility of the owner of the lot.

BUG LIGHTS, BIRD FEEDERS AND BIRD HOUSES

Bug lights, bird feeders, birdhouses and other similar fixtures shall not be visible from the street view or neighboring property view.

CARPORTS

See Garages

CLOTHESLINES, OUTSIDE DRYING OF CLOTHES

Outside clotheslines or other outside facilities for drying or airing clothes shall not be erected, placed or maintained on any property unless hidden from the street view and neighboring property view.

EVAPORATIVE COOLERS

Evaporative coolers are not permitted on the roof or attached to any window or wall.

DOWNSPOUTS

See Gutters

DRIVEWAYS

Extension of walkways and/or driveways requires plot plans specifying the work to be performed. Driveways cannot exceed twenty-two (22) feet in width per these design guidelines. It is the responsibility of the homeowner to make sure that utility lines or cable lines are not disturbed when extending existing exterior walkways and/or driveways.

All changes in color or texture of walkways and/or driveways whether by painting, seal coating or any other method must be accompanied by sample colors or patterns. All coating of driveways requires an ACC permit.

EASEMENTS and RIGHT TO USE AREA

Each owner must research County requirements as well as the Declaration of Covenants, Conditions and Restrictions for The Pines at South Mountain to ensure full compliance with any change and/or addition.

Homeowners should be aware that they are responsible for any damage caused to party walls or residences as a result of landscaping, drainage or irrigation whether willful, negligent or accidental.

FENCES

See Walls

FLAGS / FLAG POLES

Only one permanent, wall mounted or freestanding flagpole is permitted on a Lot.

The height of a freestanding flagpole shall be no taller than 15 feet (15') or the highest point of the roofline, whichever is lower.

Wall mounted flagpoles shall not exceed 5 feet (5') in length and must be painted to match the color of the attachment area.

Flags and flagpoles must be maintained in good condition at all times.

The maximum size of a flag shall be three feet in height by five feet in width (3'x5').

No flags that are ripped, torn or shredded may be displayed on a Lot.

No flags may be displayed on any of the Common Areas.

No more than two (2) flags may be displayed at once on a Lot.

The American Flag may only be displayed from sunrise to sunset unless appropriate lighting is installed which properly illuminates the flag without disturbing the quiet use and enjoyment of neighboring properties. If an Owner wishes to illuminate the flag, the Owner must submit, in writing, a request to install lighting to illuminate the flag along with the lighting plans and specifications to the Architectural Committee prior to illuminating the flag.

Only the following flags may be displayed on a Lot:

The American flag or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard flag if such flags are displayed in a manner consistent with the federal flag code.

The POW/MIA flag.

The Arizona state flag.

The Arizona Indian nation's flag.

The Gadsden flag.

GARAGES

All garage doors must be of the overhead type and match design and color of the residence. No artwork is allowed on garage doors.

GARBAGE

Garbage containers must be kept so they are not visible from the Public Common Area View except to make them available for collection and then only for the shortest time necessary to affect this collection. Common areas should not be used for placement of debris.

GATES

Wrought iron gates must be painted the color of the stucco wall on which it is mounted. Replacement or new gates must match the type, size, and color scheme of the original gate installed on your fence. Gates over 4 feet wide will not be approved.

GAZEBOS

See Ramada's

GUTTERS

Gutters and downspouts of any type are not with the property's design guidelines and will not be approved.

GROUND COVER - FRONT YARD

The front yard areas cover should be bark mulch, chocolate in color.

IRRIGATION SYSTEM

Each owner's front yard irrigation should be controlled via the #1 valve, A Program. The #1 Valve and the A Program will be monitored and changed as needed by the HOA's landscaping contractor. All other valves and programs may be used for the rear yard areas and will not be altered by the landscaping contractor.

LANDSCAPING

Any and all changes to the front yard landscaping requires ACC approval. Landscaping changes to the rear yard area do not require approval unless changes are visible from the Street View or Neighboring Property View. See "Irrigation System above for regulations on irrigation valves for the back yard.

LIGHTING (attached to house)

Lights must be directly pointed downward toward the property on which they are located. Lighting shall be shielded so that the light shines primarily on the lot; lights, which create a glare visible from other lots, are prohibited. All lighting should be painted to match the exterior color of the house.

PAINTING - EXTERIOR OF HOUSE

All painting requires prior approval. The approved paint color chart is available from the property manager's office.

PATIO COVERS

See Ramada's

PLANT PALATE**Shrubs**

Purple Lantana, Yellow/Gold Lantana, Red Yucca, Carissa 'Garden Carpet', Katie' Ruellia, Texas Sage 'Heavenly Cloud' & 'Green Cloud', Calliandra, Petite Oleander, Penstemon, Bougainvillea shrub, Desert Lavender, Mexican Bird of Paradise, Baja Fairy Duster, Angelina, Daisy, Cape Honey Suckle, La Jolla, Chuparosa

Trees

Blue Palo Verde, Acacia 'sweet', Arizona Mesquite, Model Pines, Citrus Trees (replacement only), Mexican Fan Palms, Purple Leaf Plum, Chilean Mesquite, Brazilian Pepper, Chaste Tree, Honey Locust

Common Area Plants that may be added to lots

Baja Ruellia, Trailing Lantana, Black Dahlia, Bush Morning Glory, Gazania, Agave, Desert Spoon, Compact Myrtle, Silver leaf Cassia, Deer grass

POOLS/ SPAS (PRIVATE)

When laying out a pool for your yard, please remember to stay out of the neighbor's five-foot setback/right to use area- it is their property. This means pool, pipes leading to pool, motors, pumps, pool decking and landscaping.

All pools will require a permit from the City of Phoenix before they will be considered for approval by the ACC. The owner is responsible for complying with all regulatory agencies.

During pool construction, the homeowner is responsible for maintaining a sufficient barrier from the common area, as well as their front yard and the backyard of the residence. Any walls or fences, or portions thereof that are removed by the homeowner, or its agents, must be replaced to match in structure, size, finish, and color of the original fences or gates. The homeowner is also responsible for replacing any damaged landscaping, concrete, or walls that may be affected by the pool installation. If the homeowner does not replace these items to the ACC's standards or timelines, the ACC may have these items corrected at the expense of the homeowner.

All pumps, heaters and tanks must be concealed from the street and neighboring property. No equipment of any type relating to the pool may be permanently attached to party walls.

All equipment must be located so as not to disturb neighbors and must be maintained in good working condition.

Pools/Spas should not be drained into common area property.

PROPANE TANKS

Permanent propane bottles are not allowed.

RAMADAS (patios and Gazebos)

These proposed structures must have a plot plan, construction plans and color specified for review by the ACC. Patio covers require ACC approval and may require a City of Phoenix permit prior to construction.

Structure covers must be of wood or stucco construction and must be painted to match the color of the home. Roofs must match that of the home.

ROOFS

Only concrete tile roofs are allowed (All homes at The Pines at South Mountain have Eagle Ponderosa roofing tiles). Color changes must be approved by ACC.

RUBBISH AND/OR DEBRIS

See Garbage

SATELLITE RECEIVERS

See Antenna

SCREENED IN PATIO

Screening in an existing patio requires a plot plan showing the location of the existing covered patio and specifications of the proposed screening area. The color should match the color of home.

SECURITY DOORS

Screen/Security Doors colors shall match the color of the house and must have ACC approval before installation of the door.

SIGNS/ DECALS

Security Signs shall be installed at a distance no less than 9 feet from the outside curb of the street and must be conservative in size. One sign per yard is permitted. Most security companies offer window decals for all operable windows.

Only HOA approved dog signs may be installed. Homeowners wishing to install the HOA approved dog sign must submit an architectural request to the management company for approval to display the sign and to purchase/obtain the dog sign. Approved dog signs may only be displayed on side gate to backyard.

SKYLIGHTS

Skylights are not permitted. Solar tubes are permitted.

SOLAR PANELS

Specifications of the roof and location of proposed solar collectors/panels must be submitted. Additionally, a brochure or sketch of the solar panel must accompany the plans. The ACC will review each application on a case-by-case basis.

SOLAR POOL HEATERS

Specifications of the roof and location of solar collectors/panels must be submitted. Additionally, a brochure or sketch of the solar panel must accompany the plans. The ACC will review each application on a case-by-case basis.

STORAGE FACILITIES

Complete specifications as to the size, type of material and location of the storage facility to be erected must be submitted to the ACC for approval.

Storage facilities must be on a concrete or brick slab. If the storage facility is viewable from The Public Common Area View, Street View or Neighboring Property View, it must be painted the same color as the house or finished in stucco to match the house.

A storage facility must be in back of the home, not permanently attached to a party wall and should not be visible from the street view or neighboring property view.

SUNSHADES

Color, material and style must be specified for sunshades to be reviewed. The color of sun shades must be consistent with the existing color of the home. Sunshade frames must match exterior of window frame.

Sunshades must be properly installed and maintained in good condition.

TRELLISES

Trellis are not permitted in the front yard area. Trellises in the rear yard area should not be Visible from the street view or neighboring property view (unless ACC approval is received).

VENTILATION DEVICES

Any additions of turbines, dormers, tile vents, or electric vents must be submitted for ACC approval.

WALKWAYS

See Driveways

WALLS

Masonry - Each homeowner is subject to the Declarations of Restrictions with respect to party wall. Alteration or modification of any party wall requires written consent of the adjacent lot owners. Walls and fences must match color and texture of the existing development party walls.

Wrought iron fences built as a part of the developer construction on greenbelt lots may not be removed. Fences and walls must be kept painted and rust free. Homeowner is only responsible for the inside of the wall; the outside of a fence facing the green belt is the responsibility of the HOA. The HOA is responsible for painting all wrought iron.

Guidelines for Replacing Fences and Walls Adjacent to Common Areas - Must be of like construction and material of original wall. Must conform to overall community structure. Color must conform to existing theme wall color. The wrought iron portions of the fence must be black.

View Walls (Combination of Masonry and Wrought Iron) - A wall may be part masonry and part wrought iron. Minimum 2 feet masonry w/ 4 feet wrought iron or maximum 6 feet masonry. Masonry must match color and texture of existing development party walls. The wrought iron rails should be painted black. Masonry should have no open or decorative block

WATER FEATURES

Water features must not be visible from the street view or neighboring property view unless ACC approval is obtained.

WATER SOFTENER TANKS

All soft water or water filtration systems must be placed inside your home.

WIND TURBINES

See Ventilation Devices

WINDOW COVERINGS

Aluminum foil, sheets, blankets, cardboard, newspaper, insulation material, or any other such material is not allowed inside or outside to shade windows from the sun. No reflective window treatment or coverings allowed without the prior written approval of the Architectural Committee.