

**DESIGN GUIDELINES  
FOR  
FOOTHILLS MOUNTAIN RANCH HOMEOWNERS ASSOCIATION**

**MAY 23, 2011**

The Design Guidelines (herein “Rules”) as set forth in this document, shall interpret and implement procedures for the Design Review Committee’s (herein “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 Foothills Mountain Ranch Homeowners Association. Prior approval from the Committee is required. The Guidelines 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 TO THE COMMITTEE. APPROVAL TO PROCEED SHALL BE REQUIRED IN WRITING FROM THE COMMITTEE. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS.**

**APPLICATION PROCEDURE**

**Submittal**

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

**Foothills Mountain Ranch Homeowners Association  
C/o Vision Community Management  
16625 S Desert Foothills Pkwy  
Phoenix, AZ 85048  
480-759-4945 / Fax 480-759-8683**

The following information should be included with the submittal:

1. **Application Form – Architectural Design Review Form:** A fully completed application form (copies may be obtained from the management office or at the web site [wearevision.com](http://wearevision.com)).
2. **Plot Plan:** A site plan showing dimensions relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
3. **Elevation Plans:** Plans showing finished appearance of improvement in relation to existing dwelling.
4. **Specifications:** Detailed description of materials to be used, color samples, and dimensions must be submitted.

5. **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 Foothills Mountain Ranch Homeowners Association, and the use and appearance of all land within Rogers Ranch Unit Two Homeowners Association, shall comply with all applicable City of Phoenix zoning and code requirements as well as the Declaration and these Rules. The proper permits must be obtained by the homeowner before construction begins.

#### **REVIEW – APPROVAL/DISAPPROVAL**

The committee shall have thirty (30) 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 U.S.P.S. mail. Review and approval or disapproval 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, nor the Board of Directors, nor the Declarant, 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. It is the sole responsibility of the homeowner to obtain the proper permits for construction within the guidelines of the City of Phoenix.

**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.

**Construction Period:** Once started, construction shall be pursued diligently in order to assure prompt completion thereof. Absence of 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.

#### **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:

**Foothills Mountain Ranch Homeowners Association  
C/O Vision Community Management  
16625 S Desert Foothills Pkwy  
Phoenix, AZ 85048**

**Project completion review:** The committee may request a project review upon completion by the homeowner. This request will be included in the approval as a

stipulation of the committee. Failure to comply with committee stipulations could result in approval being revoked.

**THESE DESIGN GUIDELINES MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS.**

**DESIGN GUIDELINES**

**ANTENNAS**

To the extent permitted by applicable law, the installation of antennas or other devices for the transmission or reception of television or radio signals or another form of electromagnetic radiation, shall be subject to the prior written approval of the Committee unless applicable law prohibits the Committee from requiring such approval. If the applicable law prohibits the Committee from requiring prior approval for the installation of certain antennas, any such antennas are to be installed as follows:

The preferred installation locations are as follows in descending order of preference:

1. A location in the back yard 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 not visible from neighboring property.
3. 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
4. An unscreened location in the side yard not visible from neighboring property.

Wires must be securely attached to the dwelling and painted to match where attached.

**BASKETBALL GOALS**

No permanent basketball goals or backboards shall be constructed, installed, or maintained on any Lot. Portable basketball goals may be kept on a lot provided they meet the following requirements.

1. Portable basketball equipment must be stored in the backyard when not in use, and are subject to removal by the Association if left in the street.
2. 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 Plexiglas backboards are acceptable without painting.
3. Basketball poles must be painted to match the color of the body of the exterior of the home or black in color.
4. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., should be promptly repaired or replaced.
5. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited.
6. Keys may not be painted on the driveway.
7. Basketball areas may not be lighted for night play.

## **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 that the Board may determine.

**Seasonal and Decorative Flags:** Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags must be removed within thirty (30) days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Torn, ripped, faded, etc., constitute grounds for fines and removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

**Holiday Decorations:** Holiday decorations may be installed thirty (30) days prior to the holiday and must be removed within thirty (30) days after the holiday.

**Decorative and Seasonal Items:** The Board of Directors reserves the right to require the removal of decorative items in front yards based on size, quantity, color, location and any other criteria. The Board of Directors, at its sole discretion, shall make its determination on a case-by-case basis.

**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.

**Water Features, Statuary, Etc.:** Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Committee, so long as it is not more than six feet (6') in height, except on lots with view fencing. Any items installed in the rear yard must not exceed the wall or fence height. Such items must be approved by the Committee for installation in the front yard. Water features may not exceed four and one half feet (4 ½') in height. It is recommended that water features be chlorinated and always have moving water to eliminate the possibility of breeding mosquitoes and other pests. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as rear yards with view fencing. Statuary must not exceed twelve inches (12") in height, must be earth tone color, and must be approved by the Committee.

## **DRIVEWAY EXTENSIONS**

All driveway extensions require prior approval. The following conditions must be met on the application when submitting for approval:

1. Submittals must include a plot plan with: (i) the location and dimensions of the proposed extension, (ii) the existing driveway dimensions, and (iii) the total linear feet of lot frontage.
2. The total parking area may not exceed the greater of thirty feet (30') of contiguous frontage or fifty percent (50%) of the lot width (existing plus extension) as measured at its widest point.

Painted driveway surfaces are prohibited.

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

Plans to raise the height of a party wall must be submitted for approval with written permission from the adjacent neighbor(s) as well as with information on the height of all walls that will abut the wall(s) being raised. 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.

Access for pool installation must be through the front gate access or by removing a portion of the front wall. Corner lots must receive prior approval to remove a portion of the sidewall.

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 stuccoed and painted to match the base color of the home.

## **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 three feet by five feet (3'x 5').
3. The maximum height of a permanent, removable or freestanding pole shall be twenty feet (20') or the height of the roof peak, whichever is less, and must be submitted for approval by the Committee.
4. Wall mounted flagpoles shall be a maximum of five feet (5') long with attaching brackets painted to match the attachment area and will not require prior approval.
5. All poles and flags must be maintained in excellent condition according to the United States Flag Code, Title 36, U.S.C. Chapter 10.
6. Only one permanent, removable, wall mounted or freestanding pole will be permitted per residence or lot.
7. 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 replacement of existing gates other than those, which were offered by the original developer of the lot/home, must be submitted for architectural approval. Placement of gate(s) must be approved by the Committee. All gates (double or single) should be of the similar 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.

## **GUTTERS AND DOWNSPOUTS**

Gutters and downspouts will be considered for approval if the finish matches the color of the home. 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**

Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property.

## **LANDSCAPE GUIDELINES**

**Front Yard Landscaping:** If the Builder does not install landscaping, it shall be installed by the homeowner within ninety (90) 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, five (5) five-gallon shrubs, organic or inorganic ground cover and underground irrigation to plant material. The tree requirement may be substituted with approved cactus with a minimum height requirement of five feet (5').

**Rear Yard Landscaping:** Rear yard landscaping does not require Committee approval, except on Lots with view fencing. All rear yard landscaping must be installed within one hundred eighty (180) days after becoming the Owner of a Lot.

**Hardscape:** Any hardscape items proposed for front yard installation must be approved by the Committee. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.

**Rock Ground Cover:** If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not white, green, blue or other bright colors. River rock shall be one inch (1") to six inches (6") in diameter and cover not more than fifteen percent (15%) of the front yard landscaping.

**Prohibited Plant Material:** The following vegetation types and varieties are expressly prohibited:

- A. Olive trees (*Olea europaea*) other than the "Swan Hill" variety.
- B. Oleanders (*Nerium oleander*) other than the dwarf variety and *Thevetia* (*Thevetia* species).
- C. Fountain Grass (*Pennisetum setaceum*) or Pampas grass (*Cortaderia selloana*).
- D. All varieties of Citrus are permissible within the confines of the rear yard only.

- E. Mexican Palo Verde (*Parkinsonia aculeata*).
- F. All varieties of mulberry trees.

**LIGHTING** – Please refer to Landscape Rules or Security Lighting.

**MACHINERY AND EQUIPMENT**

No machinery, fixtures, or equipment of any type, including, but not limited to, heating, cooling, air conditioning, refrigeration equipment, and clotheslines, may be placed on any lot or parcel without screening or concealment from view of non-residential neighboring property or public property.

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.

**PAINT COLORS**

The paint colors used by the original developer are highly recommended for use in all instances. In the case of any variation from the original colors, the preferred colors are earth tones. Trim colors shall not dominate the exterior appearance and shall be of the same color range of the major color. The Committee must approve colors prior to painting.

**PATIO COVERS**

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.

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 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.

**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.

An architectural submittal is required for any such structure, and shall take into consideration the impact of all adjacent neighbors. In no case will the maximum height of any such improvement be permitted to exceed twelve feet (12'). The maximum height for any deck/platform is four feet (4') above ground level.

The play structure may be placed no closer than seven feet (7') 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 canopy of the play structure must be one of the following: (i) a “neutral” color, off white, beige or light brown; or (ii) a single solid color of red, blue, green or yellow; or (iii) striped with white or another primary color and (1) other color either red, blue, green or yellow. Prints and multi-colored stripped canopies are prohibited.

### **POOLS AND SPAS**

Pools and spas do not require the prior approval of 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 property. (Lots with view fencing must submit plans for screening for approval by the Committee.)

Pools may not be backwashed into any common area. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage, including erosion, to common areas due to backwashing will be repaired by the Association and all expenses incurred by the Association will be billed to the homeowner.

### **POOL FENCING AND EQUIPMENT**

The specifications for rear yard wrought iron pool fencing installation 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 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 enclosures do not require approval if the enclosure does not exceed four feet (4’) in height and painted to match the base color of the home. All other screening material requires approval from the Committee.

### **ROOF AND ROOF STRUCTURES**

If the dwelling unit has pitched roof, the roofing material for that portion visible from neighboring property must be clay or concrete tile. 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 (please see 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 neighboring property.

### **SANITATION**

No garbage or trash may be placed on any lot or parcel except in covered containers meeting the City specifications, and must be stored out of sight. Trash cans 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. Rubbish, debris and garbage shall not be allowed to accumulate.

Each owner shall be responsible for removal of rubbish, debris and garbage not only from his lot or parcel, but also from all public right-of-ways either fronting or along side his lot or parcel, excluding (a) public roadway improvements, and (b) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

### **SECURITY LIGHTING/DEVICES**

Security lighting must be directed as not to shine on neighboring property.

Security features including but not limited to doors and windows must be submitted for approval.

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

Wrought iron security/screen doors need to be submitted for approval and they are to be painted to match the base color of the home or are a neutral “earth tone” color.

Silver colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and need to be submitted for approval. The window frame must match the sunscreen material or the existing window frames.

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

### **SIDEWALKS**

Sidewalks installed to utilize the side gates need to be submitted and all the following conditions need to be met:

1. The additional sidewalk is three feet (3’) or less in width, is one foot (1’) or more from the property line, is one foot (1’) or more from the home, and attaches to the existing driveway.
2. The area between the home and the sidewalk addition must have groundcover installed per the landscaping guidelines or to match the existing front yard ground cover.

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

Painted sidewalk surfaces are prohibited.

Additional sidewalks in any other location must also be submitted for approval.

## **SIGNS**

No signs shall be displayed on any lot except the following:

1. Signs required by legal proceedings
2. A maximum of two (2) street address identification signs for each individual residence, each with a maximum face area of seventy-two (72) square inches or less
3. "For Sale" and "For Lease" signs no larger than five (5) square feet placed on a lot by the owner of that lot
4. Signs used by Declarant to advertise the Property during the construction and sales period
5. Political signs as required by State Statute
6. Signs approved by the Committee

All signs shall conform and comply with City ordinances. Signs advertising landscaping or pool contractors, etc., must be removed within forty-eight (48) hours of completion of work.

## **Security Signs**

Security signs must be located a maximum distance of 2 feet from the front of the home. Security signs must not exceed 12 inches by 12 inches (12" x 12") and must be maintained in good condition at all times.

## **SOLAR PANELS AND EQUIPMENT**

Must meet Federal, State and City guidelines.

## **STORAGE SHEDS**

Storage sheds will be permitted and need to be submitted for approval. The maximum height of the shed, including roof, do not exceed the height of the immediately surrounding walls or fences. Sheds shall have a minimum setback of 5 feet (5') from any rear yard walls. Sheds must not exceed 100 square feet (100 ft<sup>2</sup>) in size.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must be constructed of block, stuccoed and painted to match the home, and have a tile roof to match the existing tile on the home.

Storage sheds on lots with a view fence are subject to the following provisions:

The shed may not be placed adjacent to the view fence. The shed must be screened from view with approved plant materials. Placement of the shed must be approved prior to installation.

## **WINDOWS**

Permanent draperies or suitable window treatments shall be installed on all front-facing windows within sixty (60) 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. 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.