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DESIGN GUIDELINES

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*These revised guidelines are the only current accepted version and are enforceable for all areas of the Continental Ranch Community Association. They will remain enforceable until amended or revised by the Board of Directors. Previous versions of these guidelines will not be enforced.*

## Architectural Guidelines Continental Ranch Community Association

### **I. Introduction**

The Architectural Review Committee of Continental Ranch (the “ARC”) was established under Article 4 of the Declaration, defined below. The function of the ARC is to consider and act upon all proposals or plans which have been submitted to it, and to adopt Architectural Guidelines for the construction of new developments on Covered Property within Continental Ranch, as well as for additions and modifications to existing structures on Covered Property within Continental Ranch.

The ARC has the power to adopt, amend, supplement, and repeal these Guidelines, subject to the approval of the Board of Directors. These Guidelines were established to interpret, implement, and supplement the Declaration and set forth the procedures to be used in reviewing modifications to existing improvements, as well as the construction and installation of new developments and improvements in Continental Ranch. In setting the standards for development within Continental Ranch, these Guidelines encompass the architectural design of improvements, landscaping design, and content to ensure they conform to the harmony of the surrounding parcel and general topography of the area.

These Guidelines were adopted pursuant to Sections 4.2 and 4.5 of the Declaration to ensure development is in a consistent manner and of high quality, in an attempt to protect the investment of those who purchase property within Continental Ranch. They provide a documented basis for evaluating and directing the planning and designing of improvements to each parcel. The purpose of the ARC review of all plans is to ensure that such proposals meet the intent not only of these Guidelines, but of the development philosophy of Continental Ranch. The ARC has the authority to interpret accordingly in the event the Guidelines may not be explicit in a particular situation.

Any amendment to the Guidelines, upon approval by the Board, will be mailed or delivered to all Residents. They also will be promptly posted at all recreational facilities’ bulletin boards and copies made available at the Association office. All amendments will become effective upon adoption by the Board, as applicable. Such amendments shall not be retroactive to previous work or approved work in progress.

These Guidelines will apply to any and all improvements to community structures and Common Area made by or on behalf of the Association. Unless otherwise defined herein, capitalized terms shall have the same meanings as set forth in the Declaration.

These Guidelines have the same force and effect as the provisions of the Declaration and may be enforced according to the provisions set forth in such Declaration.

FOR ADDITIONAL REFERENCES TO THE ARCHITECTURAL GUIDELINES, REFER TO ARTICLES IV AND V OF THE CERTIFICATE OF COMPLETE RESTATEMENT AND AMENDMENT OF RESTATED AND AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CONTINENTAL RANCH (the Declaration”), Recorded 11/18/02 in Pima County, Arizona, Docket 11928, page 6229

## **II. Submittal & Review**

It is the ARC's responsibility to ensure that all improvements on Covered Property within Continental Ranch remain in compliance with the Declaration and the appropriate Guidelines. The Guidelines for modifications or additions to existing improvements are meant as a guide for the property owner who wants to make modifications to his/her property and may not adequately address every situation. In the event that these Guidelines do not address a particular situation, and/or there is conflict between these Guidelines and the Declaration as interpreted by the Board, the Declaration shall prevail.

- 1.) **Scope** – All homes, at the time they were initially constructed, were subjected to an extensive design review process which ended when final approval of the completed home was granted by the ARC. Once that approval has been granted, all future construction, landscaping, changes, improvements, modifications, and/or additions to the exterior of the home or the Lot on which the residence is located, must be approved in writing, by the ARC. This includes front and side yards. It is not the intent of these Guidelines to cover all potential situations but rather to provide a simple guide for the most common requests.
  
- 2.) **The Review Criteria** – All applications are evaluated on the basis of the restrictions contained in the Declaration, the appropriate Guidelines, and on the individual merits of the application. In addition to evaluating the particular design proposal, the characteristics of the community, housing type, and the individual site will also be considered; since what may be an acceptable design on the exterior of one home, may not be for another. For example, designs are based on the following criteria:
  - a) **Validity of Concept** – All applications are reviewed as to the soundness of the basic idea and appropriateness to surroundings and the character of the community.
  
  - b) **Design Compatibility** – The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
  
  - c) **Location and impact on neighbors** – The proposed alteration should relate favorably to the landscape, existing structure and the neighborhood.
  
  - d) **Scale** – The three-dimensional size of the proposed alteration should relate appropriately to the adjacent structures and surroundings. For example, a large addition to a small house may be inappropriate.
  
  - e) **Color** – Any addition to the existing house should match or be complementary in color.
  
  - f) **Materials** – Continuity is established by use of the same or compatible materials as were used in the original house.
  
  - g) **Workmanship** – Workmanship is another standard applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area.
  
  - h) **Landscaping** – Requests for modifications to approved landscaping plans will be reviewed for the merits of the particular landscape design, and whether or not the plants shown on the plan conform to the requirements specified in the suggested plant list.

- 3.) **Reconsideration** – An Owner may request reconsideration of an ARC decision if new or additional information, which might clarify the request or demonstrate its acceptability, can be provided. The Owner must request such reconsideration by the ARC before appealing a decision to the Board.
- 4.) **Appeal of the ARC’s Decision** – If the applicant is denied reconsideration or rejected after reconsideration by the ARC, the Owner may appeal the decision to the Board.
- 5.) **Changes During Construction** – If the Owner desires to make changes during construction, a revised application must be submitted to the ARC, which shall act as promptly as possible upon the revised application and provide written approval or rejection of the proposed changes. No construction shall be instituted until the revised application is acted upon by the ARC.
- 6.) **Notice of Completion** – The Owner must provide the ARC with written notice of completion, photographs of the completed project, and copies of all required government permits. The ARC may schedule an on-site inspection at their discretion. If the project is in compliance with the approved plans, the ARC will issue a letter of completion. No person shall inhabit any additions or make any use thereof, until the letter of completion has been issued by the ARC.

### **III. Requirements for Applications**

Owners who desire to make any changes permitted by these Guidelines must submit a written application for approval. Any applications submitted by a tenant must also be signed by the Owner. Signatures of neighbors may also be required. Oral requests will not be considered. Requests are to be submitted by 48 hours prior to the ARC meeting.

If you do not receive written notice of the ARC decision within 30 days following submittal of a complete application, please contact the Association office.

When submitting a request, in addition to completing the application form, the Owner should provide dimensional sketches or plans, elevations, specification sheets, photographs or other materials that will help the ARC visualize what the addition or modification will ultimately look like.

The Owner has the burden of demonstrating the acceptability of any proposals. Any application for approval must contain additional materials, such as exhibits, petitions, photographs, expert statements and the like, necessary for the ARC to make an informed decision. Prior to approval, the Owner may request an appearance before the ARC, together with any persons which the Owner desires, to provide additional information to the ARC, relevant to the approval of the application. This appearance shall be scheduled with the Association at the time the application is submitted, and there shall be a ten (10) minute limit.

Approval by the ARC does not waive the Owner’s responsibility to obtain the required governmental permits. Obtaining a governmental permit does not waive the need for ARC approval. If permits are required, a copy of the permits, accepted by the governmental agency, shall be required before a letter of completion will be issued.

If the ARC determines it cannot make an informed decision regarding an application without the aid of an outside architectural, engineering or landscape consultant, it may condition its approval of the application upon payment by the Owner of the reasonable fees charged by such a consultant.

**All approvals shall expire six (6) months after the date of approval if the item has not been completed.**

## **IV. Results of Review**

The Owner shall be informed of the ARC's decision within 30 days of the ARC's initial review of a complete application. The ARC may discuss a submittal with the submitting Owner at a regularly scheduled meeting of the ARC, in order to request and/or receive additional information or clarification regarding a submittal. If construction is not completed in a timely manner, the ARC's approval will be deemed withdrawn and such incomplete construction will be deemed to be in violation and approval for such incomplete construction must be resubmitted to the ARC for review.

## **V. Additions & Modifications**

*\*\* Indicates ARC submittal and review is not required if all specifications are followed.*

Exterior alterations, additions, improvements or modifications require the prior approval of the ARC, except as noted.

All new home and subdivision construction requires the prior approval of the ARC. The Specific Plan outlines additional requirements for the construction of subdivisions and new homes. A copy of the Specific Plan can be obtained from the Town of Marana.

### **\*\*Antennas / Satellite Dish**

Any antenna or satellite equipment shall, to the extent consistent with applicable federal or state laws and regulations, be placed in the following order or priority: (1) a location in the rear yard of a Lot, (2) a location in the side yard of a Lot, (3) a location connected to a residence or other structure on a Lot, or (4) in the front yard of a Lot. Notification of such devices placed on a Lot shall be submitted to the ARC in writing within fourteen (14) days of installation. All cables and conduit must be installed and maintained in a professional manner. This guideline is not intended to delay the installation or use of an antenna or satellite dish.

### **Architectural Theme**

The architectural theme for Continental Ranch should reflect the integration of structures within the desert environment. Themes of the Southwestern style are encouraged, such as "Territorial", "Spanish Colonial" "Mission", "Santa Fe", and "Santa Barbara Mission".

### **Awnings**

Awnings over all windows shall be of a color or colors which must complement the exterior door, house or trim color, or a color that blends with the house color. All metal frame work must be coated so that no metal is exposed. Awnings of composite or metal construction shall be allowed if meeting the above criteria. In the interests of energy conservation, awnings are permitted on all exterior windows. Owner is responsible for maintenance and repair of awnings. The Association retains the right to determine when awnings must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.

### **Basketball Equipment**

#### **Permanent Basketball Equipment**

- A. Poles must be set in the ground permanently and must be installed on the inner side of the driveway if located in the front yard. Poles shall be located at least eight (8) feet from property lines.
- B. Only pole mounted backboards are acceptable. Backboards shall not be attached to the house, garage or roof.

## **\*\*Portable Basketball Equipment**

All portable basketball equipment shall be located on private property. Equipment cannot block the sidewalk and shall not be located on the street.

## **General Standards**

- A. All equipment shall be maintained in good condition. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped or peeling paints, etc. constitute grounds for fines or removal.
- B. Only nylon or similar cord nets are acceptable. Metal or chain nets are not acceptable.
- C. **ALL** basketball equipment and games must be contained on the Lot and not in the public right-of-way areas.
- D. The Owner of the Lot is fully responsible for containing all ball equipment and game play on his Lot. Any damage including but not limited to neighboring property or landscaping, from basketballs or players, shall be repaired and replaced at the expense of the Lot Owner where the basketball equipment is located.
- E. No writing/slogans may be on the equipment other than placed by the manufacturer.

## **Balconies & Upper Decks**

Permitted only on two-story homes. Roof-top decks shall not be permitted for single story homes. Applicant must obtain signature for approval from all neighbor owners of adjacent properties and must obtain applicable building permit(s) from the Town of Marana.

## **Building Projections & Equipment**

All architectural building projections, including but not limited to vents, gutters, down spouts, utility boxes, porches, railings and stairways must match the color of the main residence or should be of an approved color.

## **Cellular Communications Towers**

All cellular communications towers or other electronic towers shall blend with the architectural theme within CRCA and be aesthetically pleasing. No stealth type towers made to look like palm trees, pine trees, or other artificial plants shall be constructed within CRCA. Tower height shall not exceed 20% more than the height of the nearest adjacent building. All towers shall be free standing and not attached to or placed upon the roof of an existing building/structure. All towers must be approved by the ARC prior to construction.

## **Chimneys**

Chimneys shall be constructed of the same material (or complementary) and texture as the home. Exposed flues are prohibited.

## **Clotheslines**

Clotheslines for drying or airing of clothes require written approval of the ARC unless they are not visible from Neighboring Property pursuant to Section 5.4.9 of the Declaration.

## **Construction Regulations**

1. **CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICE, ETC.:** Any Owner or Builder who desires to bring a construction trailer, field office, or the like to the Covered Property within the Continental Ranch Community shall first apply for and obtain written approval from the ARC. The ARC will work closely with the Owner or Builder to determine the best possible location. Such temporary structures should be located only in a location approved by the ARC and should be removed upon completion of construction.

2. **DEBRIS & TRASH:** Owners and builders should clean up trash and debris on the construction site at the end of each day to promote good housekeeping. Trash and debris containers should be removed from each construction site as soon as they are full and disposed of according to local regulations. Lightweight material, packaging, and other items should be covered or weighted down to prevent the wind from blowing such material off the construction site. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the Lot or Parcel except in areas, if any, expressly designated by the ARC. During the construction period, each construction site should be kept neat and should be properly policed to prevent it from becoming an eyesore or affecting other Lots or Parcels and any open space.

## **Decorative Items**

1. **Lawn & Exterior Home Decorations:** Decorative items on the home or in the front or side yards are permissible under the following guidelines. The following applies only to front and front/side yards, including front courtyards, and does **not** apply to backyards. Anything not specifically covered below will be determined by the ARC for acceptability.
- \*\*A. Flowerpots will be allowed in front and street side yards provided the following conditions are met:**
- No pots may hang from front & side yard eaves.
  - A maximum of 6 pots in the aggregate is allowed in front and street side yards. Flowerpots must contain live plants with the exception of tall narrow-necked pots that may remain empty. Pots shall not exceed 36" in diameter.
  - Wall mounted pots are not permitted.
  - Hose pots are acceptable provided they conform to the requirements of this section.
  - Pots must be maintained to a good condition; deteriorating or sun-bleached pots are not permitted.
  - Plastic nursery pots not permitted.
  - Artificial silk or dried plants or flowers are not permitted.
- \*\*B. Exterior wall hanging works of art will be permitted providing the following conditions are met:**
- Wall hanging artwork must have a desert or southwestern theme.
  - A maximum of three (3) items, whether hung as a single group or hung separately, shall cover no more than a combined surface of 48" x 48" or be 48" in diameter.
  - Approved materials for works of art are metals, glass, or ceramic materials.
  - Must be maintained to a good condition; deteriorating or sun-bleached items are not permitted.
- C. Windsocks, wind chimes and other types of wind-activated devices must be approved by the ARC.**
- Windmills are permitted, maximum 1 per front yard; must be made of metal or wood and require ARC approval. If metal, must have a rustic finish and not be reflective metal. If wood, condition of wood must be maintained.
- D. Miscellaneous yard décor/ornamental items will be permitted providing the following conditions are met:**
- Yard décor/ornamental outdoor items in the front yard which are not addressed by the other sections of the guidelines require approval by the ARC.
  - Approval/denial of items is at the discretion of the ARC.
  - A maximum of six (6) individual décor items are allowed, not counting furniture, flowerpots, and/or hanging wall art.
  - Décor items may not exceed 36 inches in height, however, yards may have one single décor item that exceeds 36 inches in height.
  - Items must be maintained to a good condition; deteriorating or sun-bleached items are not permitted.
  - Metal décor items must be coated, painted, or rust patina finished; no bare metal permitted.
  - Decorative benches which are solely for decoration purposes, not intended for seating, may be considered for approval by ARC.



- h. Items (including rocks) are not permitted to be placed on exterior ledges of the home or along the top of courtyard walls.
- i. Statues may not exceed 24 inches in height..
- j. Artifacts are not permitted. “Artifacts” are considered as living things that have died and been used for decoration purposes; including, dead plant material such as driftwood, cholla cactus, skeletons, as well as cow skulls, tortoise shells, seashells, etc.
- k. Items are not permitted to be hung on tree trunks or from tree branches.
- l. Items hung from trees require approval at the discretion of the ARC.
- m. Bird feeders are not permitted.
- n. Concrete cinder blocks are not permitted.
- o. Repurposed/painted wooden construction material pallets are not permitted.

**\*\*E. Patio furniture is permitted, providing the following:**

- b. Must be made of concrete, solid metal steel/iron, or solid wood. (Plastic/resin furniture not permitted. Folding chairs not permitted.)
- c. Must be specifically designed & manufactured for outdoor use.
- d. Must be maintained as to keep the furniture in good condition. Rust patina as a deliberate coating for a “rustic” aesthetic is allowed; however, furniture that was originally painted and begins to rust due to lack of maintenance is not permitted.
- e. Must be placed on a hard ground surface (concrete, flagstone, brick pavers, etc.) designated front patios or sitting areas. Hardscape area must be an extension of the existing hardscape/dwelling as a designated patio area; stand-alone hardscape pads are not permitted. Patio furniture resting on loose ground cover is not permitted.
- f. A maximum of four sitting chairs, one bench, and one table is allowed. Lounge chairs are not permitted. Tables must have chairs to accompany; a stand-alone table without chairs is not permitted.
- g. Bench and chair size limited to a maximum height of 40 inches, bench maximum width of 60 inches.
- h. Table size is limited to maximum height of 36 inches, maximum width/diameter of 30 inches.
- i. Tabletops shall be kept cleared off; pots or other items are not allowed to be stored on top of the table.
- j. Table umbrellas are not permitted.
- k. Children’s playsets and toy furniture not permitted.
- l. Homemade and/or repurposed items are not permitted (such as laying wood beams across cinder blocks to create a bench, repurposing a wooden utility reel as a table, or repurposing a wheelbarrow as a planter)
- m. Shelving units and other miscellaneous furniture is not permitted.
- n. Firepits not permitted; chimeneas are allowed so long as they are for decoration purposes only and not used for fire; one (1) decorative chimenea allowed per yard.
- o. Wheelbarrows are not considered décor and are not permitted.

**\*\*F.** Fountains shall be limited to four (4) feet above the natural grade of the Lot. Any fountain shall be of natural material, color, and design, which are compatible with the overall architectural theme of Continental Ranch, as determined by the ARC. Fountains shall be permitted in the front yards, and side street yards of all Lots. Only one fountain allowed per front yard.

G. Hanging swings (from trees) are not allowed in the front yard.

H. Miscellaneous building materials (spare roof tiles, bricks, pallets, etc.) are not permitted to be stored in the front or front/side of the property.

Any items not covered specifically by these guidelines shall be submitted to the ARC for approval.

**2. \*\*Holiday & Seasonal Decorations:**

Holiday Decorations shall be defined as any symbol identified with a specific nationally recognized holiday which is visible from a Neighboring Property. This shall include but is not limited to:

- A. exterior lighting

- B. ornamental objects
- C. vegetative or ornamental vegetation [i.e. trees, wreaths]
- D. decorative window placards or photos.

Holiday decorations may be erected one (1) month prior to the date of the holiday and shall be removed within one (1) month after that date. No decoration of any kind shall be placed on another's Lot or any Common Areas without expressed written permission.

### **Driveway (Expansions, Coatings, and Maintenance)**

1. Driveways may expand a maximum of twelve (12') in width from the edge of the existing driveway; however, in no case shall the total width of the driveway including the expansion exceed thirty-six feet (36') in width as measured from the widest location. Expansions shall not encroach on neighboring properties, utility easements (i.e. curb strip area) or public right-of-ways without a right-of-way permit from the Town of Marana and a copy of the permit supplied to the ARC. Driveways (and any additional front yard hardscape) shall be constructed to not exceed 50% of entire front yard. Driveway expansions shall consist of concrete, brick, or like materials – subject to ARC approval. Expansions shall be a continuous, solid addition to the existing driveway and should match length of existing driveway; no standalone pads or tire paths are allowed as parking areas. Driveways permitted only in front yards; for vehicle parking purposes, driveways shall not extend into backyards. Concrete/hardscape in backyards will not be considered a driveway.
2. Side entry garages may be held to other standards.
3. Driveway coatings must be of materials designed for that purpose and the base color must be a light color similar to the base color of the house. Any accent designs must be a complementary color. No dark or contrasting colors and no logos will be allowed. The community sidewalk and the driveway between the sidewalk and street are not to be coated.
4. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use. (Per Marana Land Use Code Title 25- Storm Water Management)

### **Exterior Building Materials**

Exterior building materials for the main structure of the home should be consistent with the overall community or parcel character. Additions attached to the main structure (home) must use similar materials, color and construction details that were provided for in the original design of the home.

Recommended building materials are stucco, concrete, stone and concrete block. Upon ARC approval, patio attachments may be made of any *Alumawood™ -style product*. Any color of product that matches the color theme of the home is acceptable. However, solid roofs for these patio attachments or extensions must meet the requirements contained in the "Roofs" paragraph. All exposed building materials must be finished. No corrugated material shall be used in the exterior construction of any improvements.

### **Fences/Walls/Gates/Front Yard Structures**

1. **FENCES:** Fences are defined as: A structure serving (other than a wall, as defined below) as an enclosure, barrier, or a boundary usually made of wooden or metal post, joined by boards or rails. Chain link will only be considered for purposes such as dog runs. Such structures shall not exceed the height of the masonry perimeter wall.
- 1a. **VIEW FENCE:** View fence is permissible within the rear yard along walls facing washes and Santa Cruz River. Subject to ARC Approval.
2. **WALLS:** Walls are defined as: An upright structure built of masonry, plaster, or other building materials, except for wood, which encloses, divides or protects a property. All walls in the residential communities shall be constructed of materials compatible with the architectural design of the residences, including

concrete, masonry or concrete blocks. Walls must be a visual extension of the architecture of the residence. The color of the walls must conform to the same color standards as the main residence and the indigenous materials of the surrounding areas. Walls should not exceed 6 feet in height depending on grading constraints. Wall systems along major streets must respect the designated setback requirement and have a stepped or non-linear appearance. Party wall extensions shall be of the same material, design, color and quality as the existing wall and shall blend with the existing wall so as to have the appearance of a united structure.

3. **GATES:** Wrought iron may be used in the construction of gates, as used throughout the community. Gates may be screened for added privacy by affixing wood to the gate and either sealing the wood in its natural state or painting the wood to complement the house colors. Single gates will be permitted in perimeter, non-party walls. Double gates may be installed to allow wider access to rear yards. The gate should be of the same quality or better than the originally installed single gate, and should comply with all gate requirements as outlined above. Gate height requirements will depend on the overall impact on the neighboring properties and the community. Continuity must exist between the adjoining wall and the finished height of the gate.
4. **FRONT YARD STRUCTURES:** Structures, such as “courtyards” walls/fences and driveways built in front of any home, must not be constructed in such a way as to enclose more than 50% of the total square footage of the front yard. The height of such structures cannot exceed four (4) feet. All such structures must be approved by the ARC prior to construction.

### **Flags & Flag Poles**

Flag poles must be installed per industry standards, be of a professional quality, and meet Town of Marana codes and requirements. A standard three feet by five feet (3' x 5') American flag is preferred. Both pole and flag must be maintained in good condition at all times. Torn, ripped, faded, etc. flags shall constitute grounds for fines. Except for those flags that are specifically permitted by the applicable law, Owners shall receive ARC approval prior to installation. Proper flag etiquette shall be observed. Seasonal flags are permitted and must be maintained in good condition.

### **Gazebos/Ramada/Pergola**

Items covered by this section shall not exceed ten (10) feet in height. No structure should be placed flush on any common wall. ARC approval is required prior to installation and must meet Town of Marana building codes.

### **Guest Residence**

A lot may contain no more than one (1) guest residence, as specified in the CC&Rs. To qualify as a guest residence, the structure must contain all of the following: electrical, plumbing, sewer, and central heating/air conditioning (evaporative cooler and/or window mount style A/C units are not allowed). Additional requirements: must be constructed with a stucco exterior and tile roof in a color and style similar to primary residence; must be constructed on a concrete slab; may be located in backyard only; footprint of structure may not exceed 25% of the total area of the backyard; must maintain a 10-foot setback from property lines. Applicant must obtain signature approval from all neighbor owners of adjacent properties, and must obtain applicable building permit(s) from the Town of Marana.

### **\*\*Gutters & Downspouts**

Gutters and downspouts shall match the color of the body or trim of the exterior of the home. The gutters and downspouts shall terminate in a manner that prevents erosion and does not intrude onto neighboring properties.

## **HVAC**

Except as initially installed by the builder or Developer (or as replaced in the same location, with similar dimensions), 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 ARC. All units shall be located within the perimeter of the rear or side yard. Flat roof houses may have the unit roof mounted and screened or concealed so as not to be visible from Neighboring Property. Screening or concealment is required and shall be solid and integrated architecturally with the design of the home and shall not have the appearance of a separate piece(s) of machinery. Equipment shall be constructed and positioned in such a manner so that it is level and plumb with the horizontal and vertical building components and shall be structurally stable in accordance with sound engineering principles.

## **Landscaping**

- A. **BUILDER/DEVELOPERS:** Must use landscape zones in landscaping the residential areas. A front yard landscape package must be installed within thirty (30) days of close of escrow of the home. The minimum landscape package for each unit shall consist of a minimum of at least one (1) twenty-four (24) inch box tree, (1) one shrub per two hundred (200) square feet and rock or other materials which will aid in dust abatement. Any variations in this package must be approved by the ARC. The Association encourages water conservation through the use of low water usage and drought tolerant plants common to the Tucson area.
- B. **FRONT YARD LANDSCAPING:** Front yards shall be maintained in weed free, dust free condition. Landscaping shall be neatly trimmed and maintained. The Owner will be responsible for maintaining the front yard requirements as stated above. Modifications to the basic (pre-approved) landscape package must be approved by the ARC. The Association encourages water conservation. A list of prohibited invasive plants is attached on Exhibit "A".
- C. **HEDGE/HEDGE ROWS:** Hedge or hedge rows are natural vegetation arranged or assembled in such a formation as to create a barrier or delineation for use within the confines of the Lot. The vegetation shall not overhang or encroach on the sidewalk. If a hedge extends from the rear yard wall, it must be at the same level as the wall up to the parallel line of the front of the garage. If the hedge is to go past this point, the hedge will need to be reduced to no more than four (4) feet in height. The hedge formation shall be trimmed and maintained in an orderly fashion and be kept free of debris.
- D. **GRADING AND MOUNDING:** Grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern be maintained when preparing the landscape design, especially if mounding is proposed. Mounding along the perimeter of the entire Lot is prohibited. Mounds should conform to the surrounding areas and every effort should be made to make mounding appear natural.
- E. **REAR YARD LANDSCAPING:** There are no restrictions for any rear or side yard landscaping enclosed by a perimeter wall, pursuant to Section 4.1.2 of the Declaration.
- F. **FRONT YARD HARDSCAPE:** Any hardscape items proposed for installation must be approved by the ARC, unless it is included in the pre-approved landscape package from the builder. Materials included in hardscape are concrete, brick, tile, wood, etc. Examples of hardscape items are planters, walkways, retaining walls, and ponds.
- G. **\*\*GROUND COVER:** The ground surfaces of all yards shall be covered with gravel or plant materials or a combination of both. Bare dirt/topsoil, "pea gravel", or "1/4-inch minus decomposed granite" are

not permitted ground cover unless originally installed by the homebuilder. Gravel must be “1/2-inch screened” gravel or larger. Rock material must be of an “earth tone” color similar to the rock material used throughout the community; no white or artificially colored rock is permitted as ground cover or hardscape. Planting under-liner or fabric shall not be visible. Plastic under-liner is prohibited. The ARC encourages ground cover that promotes water conservation and a dust free/weed free environment. Landscape materials shall not be used to spell out or form names, abbreviations, logos, nicknames, initials, names of states or cities, athletic teams, slogans, emblems, geometric patterns or any other word, image, symbol or communication.

**H. FRONT YARD PROHIBITED PLANT MATERIAL:**

Citrus, Stone Fruit, Fig, Pomegranate, Apple trees, and the items referenced in Exhibit “A” attached.

- I. CURB STRIP LANDSCAPE REGULATION:** The area located between the curb and the sidewalk, known as the curb strip, may have plants or ground cover, pea gravel, decorative granite, or brick set in sand and may be added without a permit. All other plantings and/or landscaping of the curb strip requires a plan to be submitted to the Town of Marana Engineer and the ARC for approval. In addition, a license agreement and permit must be approved for these landscaping materials including irrigation.

***Please take note:*** This area is affected by easement rights in favor of the Town of Marana and all utility companies. These entities from time to time may need to remove any improvements placed in the curb strip area and they are not required to replace or repair any items displaced.

**Lattice**

Lattice added for the purposes of enclosing a patio or other structure requires approval from the ARC. Any other lattice for the purpose of growing plants/vegetation does not require ARC approval. Lattice must not be visible from the street.

**Lighting**

All outside lighting shall meet the current Town of Marana codes and will require a town building permit prior to seeking the required ARC approval.

**Machinery & Equipment**

No machinery or equipment of any type shall be placed, operated, stored or maintained upon any Parcel outside of a building per Section 5.3.8 of the Declaration. No commercial and/or business/trade related machinery is to be operated and/or stored on the Lot except for overnight parking of commercial vehicles pursuant to Section 5.2.7.6 in the Declaration. Temporary sanitation facilities (i.e. port-a-potty) are not permitted unless specifically required per the Town of Marana building ordinances, and require written approval from the ARC prior to being placed on the Lot.

**Mail Boxes**

All changes to mailboxes must be approved prior to installation.

**Paint Colors**

The current preferred colors are reflected in the ***approved color palette*** established by the ARC and are available at the Association office. All colors from the approved palette shall receive written approval within two business days after submittal. Colors outside the approved color palette must be submitted for ARC approval. It is recommended that homeowners consult with the color palette prior to committing to a particular color scheme for their homes.

## **Patio Covers**

All structures must be in compliance with the building codes for the Town of Marana. Patio structures must comply with exterior building material requirements on page 9 and roof structures must comply with Roof requirements on page 13.

## **Pools and Spas**

All pools and spas (including above-ground) must be in compliance with all building codes for the Town of Marana. The outside wall surrounding the pool area must comply with all safety codes. Pool equipment needs to be located away from common walls in a manner that reduces possible damage if the equipment malfunctions. All water damage caused to the walls will be the responsibility of the Owner to repair.

Perimeter walls on Lots bordering Common Areas may not be torn down to allow access to rear yards without the expressed permission of the Town of Marana and the ARC. Preferred access would be gained by removing a portion of the front wall on the side of a home. Repairs to the wall shall be at the Owner's expense and 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 the View from Neighboring Property.

Backwashing into Common Areas is allowed providing all provisions of the Town of Marana are followed. The following is a copy of the Town of Marana's document which is subject to change.

### **Town of Marana Public Works Department**

**Subject: Recommended Protocol for the discharge of pool & spa water**

**Distribution:** Pool & Spa Owners and Service Companies

#### **Backwash Water:**

Section 314 of the Pima County Code requires that backwash water be contained on site. Backwashing your pool filter is a frequent event that releases filtered materials or impure water from a pool or spa. This water frequently contains high levels of chlorine and other potential contaminants. These contaminants may not be released off-site and may be used on-site to water salt-tolerant plants. Please remember to move the discharge hose frequently to avoid mosquito infestation due to standing water.

#### **Pool/Spa Draining:**

Occasionally, a pool or spa may need to be partially or fully drained in order to make repairs or correct water chemistry. Section 31 of the Pima County Code also directs owners to drain pools and spas onto their property. Due to the infrequent discharges of this type (generally pools are drained every 5-7 years and spas typically every 2 years), the lower chemical concentration (if no chemicals are added for at least 3 days prior), and the inability (lack of sufficient land area) to contain such a large discharge on-site then the Town of Marana permits the owner to drain pools into drainage ways or onto streets under the following conditions:

1. Water being discharged shall be chlorine free as demonstrated on a typical pool testing kit.
2. Water will have a pH range of 7-8.
3. There must be **no** known biological hazards in the water such as hepatitis or other Communicable diseases.
4. No erosion to any property may occur due to the drainage. Hoses into drainage ways must be placed at the bottom of the channel and the discharge be slowed by hay bales or other means.
5. Any stain or residue resulting from water flowing in the streets or gutter shall be removed by rinsing with potable water or other approved means.
6. Any standing water shall be brushed away and draining will not be permitted when the possibility of freezing may occur.

7. The pool contractor or owner shall contact the Town of Marana Public Works Department prior to draining the pool and provide a test kit to verify the water standard.
8. At no time shall discharged water run onto a neighbor's property or across a sidewalk.

This policy will allow pool owners to drain their pool when necessary. The Town of Marana encourages the conservation of water and if the opportunity exists to use the water for irrigation of neighboring property or of Town parks please contact the Town for assistance.

### **Roofs**

Roofs of homes, sheds and other structures on a Lot should be constructed of clay tile, slate, concrete shingles, all of which must be approved by the ARC. Roofs for patio covers, sheds, gazebos, ramadas and pergolas can also be constructed of asphalt shingles or rolled elastic coatings which all must be of a non-reflective color. No corrugated material is permitted. Pitched-roof patio covers must be constructed with tile roofing that matches the existing roof on the house.

### **Security Doors and Windows / Storm and Screen Doors**

Security, storm, and/or screen doors and windows must be of a color to match or blend with the exterior of the home; and may be approved on a case by case basis determined by color, material, quality and overall impact on the home.

### **Service Yards**

Walls must be installed to screen service yards, to enclose the garbage and trash containers, and other outdoor maintenance and service equipment.

### **Shade Sail Structures**

Any Shade Sail Structure in Continental Ranch must conform to the Town of Marana Guidelines. If the Shade Sail Structure is anchored to the house in any way, or is over 200 square feet, a Town of Marana Permit is required. Free-standing structures must be sunk down at least 12" (twelve inches) into natural grade with a concrete footer. Any Shade Sail Structures over 10' in height must be engineered by a professional. No Shade Sail Structure may be attached to a common wall. Any steel post used to support a free-standing shade sail structure should be painted a color to match or complement the exterior of the home and shall not be unfinished (unpainted) material.

### **Signs**

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

- \*\*1. One temporary "For Sale" or "For Rent" sign with a maximum face area of five (5) square feet, which must be removed within two (2) weeks after the offer of sale or lease has been accepted and all contingencies have been removed.
- \*\*2. Temporary "Open House" signs for properties offered for sale may be placed at appropriate locations in the area to properly direct interested parties to the subject property, but only during those hours in which such property is open for inspection.
- \*\*3. Such signs as may be required by legal proceedings.
- \*\*4. Two residential identification signs, each with a maximum face area of seventy-two (72) square inches or less.
- \*\*5. Political signs are allowed 45 days prior to and 7 days after the political election.

All other signs must be approved by the ARC.

## **\*\*Solar Energy Devices**

All solar energy devices shall be subject to Federal, State and Local laws, and do not need be approved by the ARC. All electrical conduit must be painted to match the home and roof top.

## **Storage Sheds**

Only one (1) shed is allowed on each lot. Sheds shall be permitted in the backyard only. If no backyard perimeter wall exists, shed placement for approval shall be at the discretion of the ARC. Sheds must not exceed eight (8) feet six (6) inches in finished height after set up. Roof material must be non-reflective. Outside paint color must be approved by the ARC. Sheds over four hundred (400) square feet must be placed on a slab foundation. A mitigation plan to reduce the overall visibility of the shed from neighboring areas will need to be included with all submittals for approval. Based on the mitigation plan, the distance from the walls may have to be increased to accommodate the plants. Placement of the shed may not adversely affect the drainage of the property, and/or walls due to runoff. The ARC reserves the right to require larger setbacks based on the configuration of a lot and the impact on neighboring property. No Conex, Pods, or like type storage units are allowed.

## **\*\*Sun Screens**

Bronze, gray, charcoal or muted sunscreen material may be installed. Bright aluminum frames are prohibited.

## **Swing Sets & Play Structures**

Canvas covers on play structures are permitted. Swing sets, play structures and other structures shall not exceed twelve (12) feet in height at the highest point and must comply with Town of Marana building codes. Play structures will be permitted within the confines of the rear yard only and need to be maintained.

## **\*\*Trellis**

Free-standing and decorative trellises may not be anchored or attached to any common wall.

## **Walkway Lighting**

Solar-powered and plug-in low-voltage walkway lighting does not require approval from the ARC. Any hard-wired walkway lighting requires ARC approval and a Permit from the Town of Marana.

## **Water Harvesting**

Water harvesting equipment is allowed in Continental Ranch. It may only be placed in the rear yard of a Lot, and must not exceed eight (8) feet in finished height after set up. Also, equipment must not be made of corrugated or galvanized metal, must be painted to match the house, and requires ARC approval.

## **Wildflowers**

- A. Wildflowers shall not exceed ten percent (10%) of the plantable space of the Owner's front yard landscape
- B. Wildflower seed mixes are not allowed; wildflower plants should have pre-established growth prior to installation into the landscape
- C. Wildflowers shall be removed after they have ceased blooming so as to avoid the appearance of dead plants/weeds/etc.
- D. Owner(s) shall submit an ARC application to the Association for approval prior to planting wildflowers
- E. ARC application shall include:
  - A sketch of the owner's front yard indicating the areas where the wildflowers will be planted
  - Area measurements showing the percentage of front yard landscape to be allocated to wildflowers
  - Plant names of Wildflower type(s) to be used



If an owner fails to meet the aforementioned guidelines, weed violation letters will be issued by management to the Owner(s).

**The following is a list of approved wildflowers:**

**Perennials**

Blackfoot Daisy  
White Zinnia  
Frog-fruit  
Arizona Foldwing  
Fairy Duster  
Penstemons  
Hummingbird-bush  
Goodding's Vervain  
Silver-leaf Nightshade  
Pipevine  
Desert Milkweed  
Silverleaf Bahia  
Desert Marigold  
Brittlebush  
Turpentine Brush  
Paper Flower  
Five-needle Pricklyleaf  
Yellow Desert Evening Primrose  
Desert Honeysuckle  
Desert Globe Mallow  
Zauschneria

**Annuals**

White Tackstem  
Spreading Fleabane  
Silverbells  
Arizona Lupine  
Purplemat  
Scorpion-weed  
Trailing Four O'clocks  
Devil's Claw  
Owl's Clover  
Desert Bluebells  
Fiddleneck  
Desert Senna  
Mexican Gold Poppy  
Summer Poppy

**Window Coverings**

Per Section 5.4.16 of the Declaration: "No external window covering or reflective covering may be placed, or permitted to remain, on any window of any building, structure or other improvement without the prior written approval of the Review Committee."

The foregoing Design Guidelines were approved by the Board of Directors of Continental Ranch Community Association, an Arizona non-profit corporation, on the 20<sup>th</sup> day of August, 2019.

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Secretary,  
Continental Ranch Community Association

**Exhibit “A”**  
**( PROHIBITED PLANT LIST)**

<b><u>COMMON NAME</u></b>	<b><u>BOTANICAL NAME</u></b>
1. Russian Knapweed	Acrotilon repens
2. Jointed goatgrass	Aegilops cylindrical
3. Camelthorn	Alhagi maurorum
4. Giant Reed	Arundo donax
5. Onionweed	Asphodelus fistulosus
6. Wild oat	Avena fatua
7. Desert Broom	Baccharis Sarothroides
8. Sahara mustard	Brassica tournefortti
9. Ripgut brome	Bromus inermis
10. Smooth brome	Bromus diandrus
11. Red brome	Bromus rubens
12. Cheatgrass	Bromus tectorum
13. Lenspod whitetop	Cardaria chalapenis
14. Whitetop	Cardaria draba
15. Hairy whitetop	Cardaria pubescens
16. Musk Thistle	Carduus nutans
17. Spotted knapweed	Centaurea biebersteinii
18. Diffuse Knapweed	Centaurea diffusa
19. Malta starthistle	Centaurea melitensis
20. Yellow starthistle	Centaurea solstitialis
21. Rush skeletonweed	Chondrilla juncea
22. Canada Thistle	Cirsium arvense
23. Bull Thistle	Cirsium vulgare
24. Poison hemlock	Conium maculatum
25. Field bindweed	Convolvus arvensis

<b>26. Pampas grass</b>	<i>Cortaderia selloana</i>
<b>27. Bermudagrass</b>	<i>Cynodon dactylon</i>
<b>28. Houndstongue</b>	<i>Cynoglossum officinale</i>
<b>29. Barnyardgrass</b>	<i>Echhornia crus-galli</i>
<b>30. Water hyacinth</b>	<i>Eichhornia crassipes</i>
<b>31. Russian Olive</b>	<i>Elaeagnus angustifolia</i>
<b>32. Quackgrass</b>	<i>Elymus repens</i>
<b>33. Weeping lovegrass</b>	<i>Eragrostis curvula</i>
<b>34. Lehmann lovegrass</b>	<i>Eragrostis lehmanniana</i>
<b>35. Redstem filaree</b>	<i>Erodium cicutarium</i>
<b>36. Leafy Spurge</b>	<i>Euphorbia esula</i>
<b>37. Sweet resinbush</b>	<i>Euryops multifidus</i>
<b>38. Mouse barley</b>	<i>Hordeum murinum</i>
<b>39. Hydrilla</b>	<i>Hydrilla verticillata</i>
<b>40. Perennial pepperweed</b>	<i>Lepidum latifolium</i>
<b>41. Oxeye daisy</b>	<i>Leucanthemum vulgare</i>
<b>42. Dalmatian toadflax</b>	<i>Linaria dalmatica</i>
<b>43. Yellow toadflax</b>	<i>Linaria vulgaris</i>
<b>44. Perennial ryegrass</b>	<i>Lolium perenne</i>
<b>45. White sweetclover</b>	<i>Melilotus alba</i>
<b>46. Yellow sweetclover</b>	<i>Melilotus officinalis</i>
<b>47. Common iceplant</b>	<i>Mesembryanthemum crystallinum</i>
<b>48. Slenderleaf iceplant</b>	<i>Mesembryanthemum nodiflorum</i>
<b>49. Parrot's Feather</b>	<i>Myriophyllum aquaticum</i>
<b>50. Eurasian watermilfoil</b>	<i>Myriophyllum spicatum</i>
<b>51. Scotch thistle</b>	<i>Onopordum acanthium</i>
<b>52. Blue panicum</b>	<i>Panicum antidotale</i>
<b>53. Buffelgrass</b>	<i>Pennisetum ciliare</i>
<b>54. Fountain grass</b>	<i>Pennisetum sectaceum</i>

<b>55. African sumac</b>	Rhus lancea
<b>56. Himalayan blackberry</b>	Rubus armeniacus
<b>57. Himalayan blackberry</b>	Rubus discolor
<b>58. Ravennagrass</b>	Saccharum ravennae
<b>59. Slender Russian thistle</b>	Salsola collina
<b>60. Barbwire Russian thistle</b>	Salsola paulsenii
<b>61. Prickly Russian thistle</b>	Salsola tragus
<b>62. Giant salvinia</b>	Salvina molesta
<b>63. Arabian schismus</b>	Schismus arabicus
<b>64. Common Mediterranean grass</b>	Schismus barbatus
<b>65. Spiny sowthistle</b>	Sonchus asper
<b>66. Annual sowthistle</b>	Sonchus oleraceus
<b>67. Johnsongrass</b>	Sorghum halepense
<b>68. Athel tamarisk</b>	Tamarix aphylla
<b>69. Fivestamen tamarisk</b>	Tamarix chinensis
<b>70. Smallflower tamarisk</b>	Tamarix parviflora
<b>71. Saltcedar</b>	Tamarix ramosissima
<b>72. Puncturevine</b>	Tribulus terrestris
<b>73. Siberian elm</b>	Ulmus pumila
<b>74. Common mullein</b>	Verbascum Thapsus
<b>75. Bigleaf periwinkle</b>	Vinca major

**CITRUS, STONE FRUIT, POMEGRANATE, AND APPLE TREES ARE  
PROHIBITED IN FRONT YARDS**