

A dark blue vertical bar runs down the left side of the page. A blue arrow points to the right from the bar, containing the text "Revised on January 13, 2021".

Revised on January 13, 2021

ARCHITECTURAL REVIEW COMMITTEE DESIGN GUIDELINES

Several thin, curved lines in shades of blue and grey originate from the bottom left and curve upwards and to the right, resembling stylized grass or reeds.

Estates at Cienega Creek Preserve Community Association

TABLE OF CONTENTS

GENERAL

Mission Statement.....	1
Objectives.....	1
Authority.....	2
New Construction, Replacements and Improvements.....	2
Changes which must have Architectural Review Committee Approval.....	2
Grandfathering.....	3
Conflicts.....	3
General Appearance and Maintenance of Property.....	3
Architectural Committee Overall Review Criteria.....	4
Amendments to the Design Standards.....	5
Applications.....	5
Review Procedures.....	6
Appeals Procedure.....	6
Corrective Action.....	7

DESIGN STANDARDS

Air Conditioners.....	8
Antennas / Satellite Dishes.....	8
Barbecue and Grills.....	9
Basketball Hoops / Hockey Nets / Other Sports Equipment.....	9
Bird Feeders and Bird Houses.....	9
Clotheslines.....	9
Door (front).....	9
Driveway and Walkway Extensions and Coatings.....	9
Elevated Structures, Decks and Patios.....	10
Exterior Decorative Objects.....	10
Exterior Lighting.....	10
Exterior Security Bars.....	10
Fences and Walls.....	11
Fireplace.....	11
Flags, Wind Socks, and Wind Chimes.....	12
Flues and Vents.....	12
Garage and Garage Doors.....	12
Gates.....	12
Grass.....	12
Gutters.....	13
Holiday Decorations.....	13

TABLE OF CONTENTS (CON'T)

Hoses.....	13
Hot Tubs.....	13
House Numbers.....	13
Landscaping and Plants and Trees.....	13
Lot Maintenance Standards.....	15
Mailboxes.....	15
Painting.....	15
Pathways / Walkways.....	15
Pesticides and Herbicides.....	15
Pet Waste.....	15
Planters.....	16
Play or Exercise Equipment.....	16
Pools.....	16
Rain Gutters.....	16
Ramadas, Gazebos, Covered Patios / Porches, or Other Structures.....	16
Recreation and Play Equipment.....	16
Rock / Water Gardens.....	16
Roof Coatings / Tiles.....	16
Roof Mounted Equipment.....	17
Screens, Screen Doors, Security Doors.....	17
Security Bars.....	17
Security Cameras.....	17
Security Doors.....	17
Sheds.....	17
Signage.....	18
Solar Panels / Collectors.....	18
Storage.....	18
Storage of Boats, Trailers, Campers, Mobile Homes or Recreational Vehicles.....	18
Storage Sheds.....	19
Storm Windows.....	19
Swimming Pools and Spas.....	20
Trash / Recycle Containers.....	20
Walkways.....	20
Walls.....	20
Weather Recording Equipment.....	20
Window Coverings.....	21
 <u>REFERENCE MATERIAL</u>	
Attachment A.....	22

GENERAL

MISSION STATEMENT

The Architectural Review Committee's (ARC) responsibility is to:

1. Ensure that the developer's original vision, design and mission of the sub-division are upheld and maintained.
2. Preserve and maintain the desert environment while living in harmony within it.
3. Assist homeowners in planning improvements and alterations to their property.
4. Notify the homeowners of the evolution and addition of the guidelines
5. Establish a community environment, which will protect property values and promote harmony to benefit all homeowners.
6. Support the Board of Directors in the enforcement of the Design Guidelines and requirements.

OBJECTIVES

The objective of this document is to guide and assist the members of the Board of Directors, the Architectural Review Committee, and the homeowners and residents of The Estates at Cienega Creek Preserve Community Association, and Cadden Community Management in maintaining and enhancing the community's carefully designed environment. The Design Guidelines address improvements for which the Estates at Cienega Creek Preserve homeowners most commonly submit applications to the Architectural Review Committee (ARC). They are not intended to be all inclusive or exclusive. The specific objectives of the Design Standards are:

1. To increase homeowner's awareness and understanding of the Covenants from which authority is granted for creating rules and use restrictions.
2. To illustrate design standards which will assist the ARC to develop exterior alterations and improvements which are in harmony with the immediate neighborhood and community as a whole.
3. To assist homeowners in preparing an acceptable application to the ARC.
4. To relate exterior improvements to the Estates at Cienega Creek Preserve open space.
5. The ARC shall regulate the external design, appearance, and location of the properties and of improvements thereon in such a manner as:
 - a. To promote those qualities in the environment that bring value to the properties.
 - b. To foster the attractiveness and functional utility of the community as a place to live, including a harmonious relationship among structures, vegetation, and topography.
6. It is the responsibility of each applicant to obtain a Building Permit where required and comply with County codes and regulations.

AUTHORITY

The authority and responsibility for maintaining the quality and design in the Estates at Cienega Creek Preserve Community Association is found in the Declaration which is part of the deed to every Lot in the Estates at Cienega Creek Preserve Community Association. The intent of covenant enforcement is to assure homeowners that the standards of design quality will be maintained consistently throughout the community. This, in turn, protects property values and enhances the overall community environment.

The ARC performs its task of ensuring aesthetic quality of the community and environs by implementing and monitoring the review process adopted by the Estates at Cienega Creek Preserve Community Association Board of Directors, thus assuring that proposed exterior alterations comply with the objectives set forth in the Covenants. This involves regular and systematic review of all applications for exterior alterations submitted by homeowners.

NEW CONSTRUCTION, REPLACEMENTS AND IMPROVEMENTS

These Design Guidelines apply to improvements contemplated by a homeowner to an existing home or Lot. Replacement of homes or portions thereof must be of the same design as originally constructed architecture as the adjacent homes; must use comparable construction materials as the adjacent homes; must meet the current Design Guidelines of the Estates at Cienega Creek Preserve Community Association.

CHANGES WHICH MUST HAVE ARCHITECTURAL REVIEW COMMITTEE APPROVAL

The Declaration explicitly states that all exterior alterations require the approval of the ARC. Any change, permanent or temporary, to the exterior appearance of one's property must be approved by the ARC. Further, once a plan is approved, it must be followed or a modification must be approved, by the ARC, in accordance with the plans as approved. Homeowners must comply with Pima County codes and regulations.

It is important to understand that the ARC approval is not limited to major alteration such as adding a room or patio to a house, but includes such items as changes in exterior color and materials, etc. Approval is also required when an existing item is removed.

Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Design Guidelines. For example, a homeowner who wished to construct a patio identical to one already approved by the ARC is still required to submit an application, and be approved prior to the start of construction.

GRANDFATHERING

Existing or in process improvements/modifications that were previously approved by the ARC and occurred prior to the implementation, and any revisions, of the Design Guidelines shall be grandfathered (exempt from the Design Guidelines) with the following exceptions:

1. Any landscaping plants or trees that die or require replacement shall be replaced with those that are on the approved list or approved by the ARC.
2. Any item grandfathered before the Design Guidelines shall be brought into compliance should the homeowner change the grandfathered item.

CONFLICTS

Should a condition lead to a conflict or dispute between neighbors; the affected parties must try to resolve the matter among themselves.

1. If this fails, and a **signed written complaint** is submitted to the ARC, the committee will review the landscaping or construction plans involved.
 - a. After an examination of the records, if it is found that the offending materials or structure was NOT approved by the ARC or is not in compliance with the Design Guidelines, the committee may require that the owner of the subject Lot take corrective action.
 - b. If such corrective action is not taken within the prescribed time, the matter will be referred to the Board of Directors for further action and possible penalty.
2. If the ARC finds that the offending material or structure was approved and it is in violation of the CC&R's or Design Guidelines, the committee will take action on the matter.
3. If the ARC finds that the offending material or structure plans were approved and the completed product / construction is not in violation of the CC&R's or Design Guidelines, the committee will take no action

GENERAL APPEARANCE AND MAINTENANCE OF PROPERTY

1. All portions of a Lot, which are visible from roadways, common areas, or from neighboring Lots, shall be maintained in a reasonably clean and neat appearance.
2. Owners shall not store equipment, tools, wood, etc., so that it is visible from neighbors or the street.
3. Each property owner, whether absent or in residence, is responsible for maintaining the appearance and condition of the home, property and related landscaping so that it contributes to the overall appearance and aesthetic values of the neighborhood and the community.

ARCHITECTURAL COMMITTEE OVERALL REVIEW CRITERIA

The Architectural Review Committee evaluates all submissions on the individual merits of the application; including the consideration of the characteristics of the housing type and the individual site. Design decisions made by the ARC in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria which represent in more specific terms the general standards of the protective Covenants:

1. Relation to the Estates at Cienega Creek Preserve Community Association Open Space. Homeowner's Lot activity shall not adversely affect Estates at Cienega Creek Preserve Community Association open space.
2. Validity of Concept. The basic idea must be sound and appropriate to its surroundings.
3. Design Compatibility. The proposed improvements 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.
4. Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage. For example, fences may obstruct view, breezes, air flow or access to neighboring property; decks or larger additions may cause unwanted shadows on adjacent patios or infringe on a neighbor's privacy and view.
5. Scale. The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings.
6. Color may be used to soften or intensify visual impact. Parts of an addition that is similar in design to an existing house, such as roofs and trim, should match in color and composition.
7. Materials. Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.
8. Workmanship. Another standard which is applied to all exterior alterations. The quality of work should be equal to, or better than, that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable. The Estates at Cienega Creek Preserve Community Association assumes no responsibility for the safety or structural validity of new construction by virtue of an approved design.
9. Timing. Projects which remain uncompleted for long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time periods are considered unreasonable, the ARC may disapprove the application. Projects must be completed within ninety (90) days.

AMENDMENTS TO THE DESIGN STANDARDS

These Design Guidelines will be reviewed and may be amended from time to time. They may also be amended to reflect the changed conditions or technology. Amendment proceedings may involve public discussions and review by the Architectural Review Committee and the Board of Directors, and shall be adopted as were the original Design Guidelines by the Board of Directors.

APPLICATIONS

Applications for alteration or improvements must be submitted on The Estates at Cienega Creek Preserve Architectural Request Submittal Form. These forms can be obtained from Cadden Community Management, 1870 W. Prince Road, Suite 47, Tucson, AZ 85705 or by calling (520) 297-0797. The form is also available on the Estates at Cienega Creek Preserve Community Association website (www.teccphoa.com) or you may email the manager at smcadams@cadden.com. The application form requires information which will assist the ARC in reviewing plans for your proposed alteration or improvement. Specific information is detailed below. Action on applications submitted without the required information will be delayed until all information is provided. The required application information includes the following:

1. Description. The form requires a complete description of the alteration or improvement. This includes a complete listing of materials to be used, also overall dimensions, height off the ground, as in the case of decks and porches. Colors of existing house, trim and roof colors; and colors of the proposed alteration or improvement.
2. Site Plan. A site plan is a scaled drawing of your Lot (plat) which shows dimensions of the property, adjacent properties if applicable, and all improvements including those covered by the application. Contour lines may be required where drainage is a consideration. A base for a site plan for single applications can be the plat plan provided to you when you purchased your home. More complex applications may require larger scale [ten (10) to twenty (20) feet to the inch scale] enlargements of the plat plan of Pima County approved development or site plans.
3. Drawings / Photographs. Complete drawings/photographs showing all dimensions, elevations and details of the proposed improvement or alteration are required. Drawings should show the relation of the improvement or alteration in relation to the existing home. Drawings which are illegible take time to review, slow the process, and may be returned to the applicant for clarification. Photographs are encouraged for most applications to assist the ARC in evaluating the request.

4. Signatures. The applicant is required to sign the application form. In addition, the signatures of all adjoining or affected property owners are required on all applications. *The signatures do not constitute approval or disapproval of the proposed project; rather they indicate that the adjoining property owners are aware that an alteration or improvement is contemplated.* If the adjoining or affected property owners wish to make comments, positive or negative, on an application they should contact the Cadden Community manager at smcadams@cadden.com.
5. Commencement/Completion Date. The application must contain the proposed commencement and completion date. All alterations or improvements must be completed within ninety (90) days of approval.

REVIEW PROCEDURES

All applications should be mailed to Cadden Community Management, 1870 W. Prince Road, Suite 47, Tucson, AZ 85705. You may also fax your application to (520) 742-2618 or email to smcadams@cadden.com.

When the application is received, the application will then be reviewed for complete information by the Estates at Cienega Creek Preserve Community Association prior to the ARC review. After ARC review and action, the applicant will be informed via email or U.S. mail. Letters of denial will reference specific reasons for the denial and are always subject to appeal.

APPEALS PROCEDURE

An appeals procedure exists for those affected by an ARC decision who feels that:

1. Proper procedures were not followed during the administration and review process.
2. The ARC was arbitrary, or did not have a rational basis for a decision.
3. Interested parties of record providing comments on all applications will be advised of the decision of the committee.

To initiate the appeal procedure, applicants must submit a written request for an appeal within fifteen (15) days of receiving the Architectural Committee decision. The written request must be delivered to the Estates at Cienega Creek Preserve Homeowners Association in care of Cadden Community Management, 1870 W. Prince Road, Suite 47, Tucson, AZ 85705. Or you may also fax your application to (520) 742-2618 or email smcadams@cadden.com. The Board of Directors will review those cases and shall conduct a hearing and make a decision on the appeal.

CORRECTIVE ACTION

1. Possible violation reported where no application is on file. The homeowner will be notified, and when the violation is corrected, case will be closed.
2. Design application received but either application not approved or there was improper construction. The homeowner will be notified and when the violation is corrected the case will be closed.
3. In the cases where the homeowner does not reply to the corrective procedure, the Association will follow the Enforcement Policy which was adopted on June 13, 2018.

DESIGN STANDARDS

AIR CONDITIONERS

Heating, Ventilating and Air Conditioning Units. No heating, air conditioning or evaporative cooling units or equipment shall be placed, constructed or maintained upon the Property, including, but not limited to, upon the roof or exterior walls of any structure on any part of the Property unless:

1. Where such unit or equipment is installed upon the roof of any structure upon the Property, such unit or equipment is fully screened so as not to be Visible From Neighboring Property by a parapet wall which conforms architecturally with such structure; or
2. In all other cases, such unit or equipment is attractively screened or concealed so as not to be Visible From Neighboring Property, which means of screening or concealment shall [in either case (1) or (2)] be subject to the regulations and approval of the Architectural Review Committee.

ANTENNAS / SATELLITE DISHES

Antennas, Poles, Towers and Dishes. No television, radio, shortwave, microwave, satellite, or other antenna, pole, tower or dish shall be placed, constructed or maintained upon the Property (including, but not limited to, upon the roof or exterior walls of any Dwelling Unit or other structure), unless:

1. Such antenna, pole, tower or dish has been approved by the Architectural Committee.
2. Such antenna, pole, tower or dish complies with the rules and regulations relating thereto established by the Architectural Committee in conformance with applicable law.

The Architectural Committee may establish, as part of the Architectural Review Committee Rules, rules and regulations relating to such antennas, poles, towers and dishes (including, but not limited to, the location, placement, and appearance thereof), which rules and regulations shall be subject to the requirements of applicable law.

BARBEQUES AND GRILLS

1. Barbeques and grills may be placed only in the rear yard and not exceed the height of the wall.
2. Permanent grills or barbecue areas will be considered on a case by case basis and require ARC approval.
3. Construction design, scale and materials of permanent grill areas must complement the existing house and Lot.

BASKETBALL HOOPS / HOCKEY NETS/ OTHER SPORTS EQUIPMENT

1. No permanent basketball backboards may be placed on the home.
2. Basketball poles and/or any other sports equipment shall not be placed on a sidewalk, between sidewalk and street, in streets, or common areas at any time.
3. Basketball hoops are permitted in the front yard or driveway when in use, but must be stored in the back yard when not in use.

BIRD FEEDERS AND BIRDHOUSES

ARC approval is not required as long as the following items are met:

1. Bird feeders, birdhouses, and other similar items may not be more than six (6) feet in height or placed directly on the ground. They may be placed in the rear of the property only and entirely within the lot lines. When the property owner is not in residence or when such items are no longer in use, they shall be removed.
2. Placement in common areas is prohibited.
3. A maximum of two (2) are permitted in each yard to limit the potential of a nuisance to neighboring properties.
4. Hummingbird feeders are not included in this maximum.

CLOTHESLINES

Clotheslines or similar apparatus for the exterior drying of clothes or bedding are NOT permitted.

DOOR (FRONT)

Replacement of the front door must be submitted to the ARC for approval. Door hardware must be uniform. Door and hardware must be maintained in good condition.

DRIVEWAY AND WALKWAY EXTENSIONS AND COATINGS

1. ARC approval is required for the extension or modification of driveways.
2. ARC approval is required for any coating or change of color to the driveway or walkway. Color must match or approximate the color of concrete and must cover the entire driveway or walkway. Pattern design should be unobtrusive.
3. Driveway paint is prohibited.

ELEVATED STRUCTURES, DECKS, AND PATIOS

ARC approval is required for any and all elevated structures, such as decks, and patios if any portion exceeds the height of the wall.

EXTERIOR DECORATIVE OBJECTS

Approval will be required for objects including such items as sculptures, fountains, ponds, free standing poles of any type, bird baths, planters, and vine climbers, etc. (Holiday decorations not included, see HOLIDAY DECORATIONS.)

EXTERIOR LIGHTING

1. No ARC approval is needed for landscape lighting: 12V, 18watt maximum or solar lights within the back yard.
2. All other permanent exterior lighting requires ARC approval.
3. The exterior lighting attached to buildings, walls, and other structures will be complementary in design and color and be as small in size as reasonably practical. Light fixtures must be appropriately shielded and the lighting must always be directed downwards so as not to illuminate adjacent properties, streets, or common areas.
4. Lighting must be in compliance with the City of Tucson/Pima County Outdoor Lighting Code. [Amended on January 23, 2020.]
5. Exterior lighting installation will be maintained in safe and operating condition at all times.
6. All flood lights and security lights must be set on a motion detector and not allowed to burn at all times. This type of lighting requires prior approval before installation. Motion sensing lights shall be used on an intermittent basis (must turn off within 3 minutes).
7. Pole lighting is prohibited.
8. Tree and other mood lighting directed upward should not create an undue glare to neighbors and/or towards the street.
9. Rear and side yard lighting shall be confined to patio and pool areas and shall not cause excessive glare or light spillage onto adjacent lots.
10. Bug lights / zappers may not be located more than six (6) feet in height above grade level unless they are hung directly from the eaves of the roof or from the patio ceiling. If hung from the eaves or patio ceiling, every effort must be made to avoid creating a glare or light source that invades neighboring properties. No more than two (2) bug lights / zappers are permitted and only in the rear of the property.

EXTERIOR SECURITY BARS

Exterior security bars attached to any window are prohibited.

FENCES AND WALLS

A fence can have multiple purposes including security, defining property lines, creating architectural space, as well as enhancing the landscape. Fences enclosing rear yard area must be substantially identical to material and design provided by the builder.

1. ARC approval is required for the expansion of the original backyard perimeter walls.
2. Approval is required for raising the perimeter wall height.
3. Return walls on the side of the house for creating a storage area for trash containers may be constructed of concrete block or concrete block stuccoed and painted to match the house.
4. Masonry added to existing Developer built walls shall match that used by the Developers.
5. Wood, screen, metal screen, chain link fencing, or non-natural materials are not permitted.
6. Party walls are not permitted.
7. Wrought iron (or aluminum) fencing must be black, of a substantially identical open design as existing fencing, and include an appropriate gate along the rear yard boundary when that area is fenced in. Fence material should be black wrought iron or black aluminum wrought iron in design appearance. The maximum height shall be forty-eight (48) inches above finish grade. Fencing should not be sharp or pointed or pose a safety hazard, and installation must adhere to all applicable local building codes.
8. Fencing is only allowed in the rear yards and is not permitted in the front yard or past the rear corners of the residence. Fencing on end lots must leave enough space between natural or man-made barriers that landscape and maintenance personnel and their equipment can move freely. Fencing should not block the front elevation view of the lots behind.
9. Fencing can be screened with landscaping to soften the view from the front elevation. Landscape screening will be submitted and reviewed by the ARC on a case-by-case basis.
10. Any fencing of pool areas shall be subject to all applicable building, safety, and health department codes and requirements. Pool fencing will be submitted and reviewed by the ARC on a case-by-case basis.

FIREPLACE

Fireplaces with chimneys are subject to ARC approval.

FLAGS, WIND SOCKS, AND WIND CHIMES

1. Display of two flags only (as approved by ARS 33-1808 - American, Arizona State, Military, POW/MIA, Arizona Indian Nations, or the Gadsden) are permitted by a bracket and extension mounted on the garage or on the front of the house near the front door. The flag pole(s) shall not exceed six (6) feet in length and the flag shall not exceed four (4) feet by six (6) feet in size.
2. Freestanding flagpoles are permitted, but flagpoles must be no taller than the height of the house.
3. Only one flagpole is permitted in the front yard, and only one bracket and extension mounted on the house is permitted.
4. Sports flags are permitted to fly at all times, as long as they meet the requirements above.
5. Windssocks or wind chimes are limited to one (1) in the front yard and one (1) in the rear yard.

FLUES AND VENTS

Flues and vents protruding through a roofline must be painted to match the roof color; and should be located to the rear of the ridgepole. No flues or vents may be visible on any exterior wall of the house, except for existing vents provided by the builder.

GARAGE AND GARAGE DOORS

Replacement of garage doors must be submitted to the ARC for approval. Garage doors should be left in a fully closed position when not in use. Using a garage as an obvious pet confinement area (leaving garage doors partially open with or without screening) will not be permitted. Replacement of garage doors needs to be substantially identical to original doors.

GATES

1. ARC approval is needed for new and replacement gate installations.
2. Repainting the wood gates with natural wood color and painting the metal frame black as originally installed by the builder does not require ARC approval.
3. Replacement and new gate installations must be substantially the same as those originally installed by the Developer.
4. Homeowners may cover the back yard wrought iron fencing to prevent animals from entering or leaving the yard providing the material is screen wire or similar material and maintained in good repair.
5. Generally, gates should be no higher than the adjoining return wall or pony wall.
6. The aforementioned items shall be well maintained at all times.

GRASS

Natural lawn or artificial grass is only permitted in the rear yard.

GUTTERS

1. ARC approval is required if replacing or adding new gutters.
2. As part of new construction by a homeowner, gutters must match or complement the existing trim color or area of the home to which they are attached.
3. Extensions of downspouts are okay as long as the drainage run-off is not directed at adjoining properties.

HOLIDAY DECORATIONS

Holiday yard displays are only permitted in strict conformity to the guidelines established by the ARC. In general, Christmas yard decorations may be displayed anytime from Thanksgiving through January 15th. Decorations for other holidays may be displayed no sooner than two weeks before the holiday and no later than two weeks after the holiday.

HOSES

Outdoor hoses and temporary watering devices (in containers, boxes, wheels, etc.) cannot be visible from the street when not in use.

HOT TUBS

See SWIMMING POOLS AND SPAS

HOUSE NUMBERS

House numbers should be legible, but should be of a size and color which is appropriate for the applicant's house. In certain cases, decorative house numbers may be acceptable dependent upon the location. House numbers NOT installed by the builder require an application.

LANDSCAPING AND PLANTS AND TREES

1. Each lot owner shall take reasonable care to preserve and maintain all plants that are on the landscaped portion of their lot.
2. Each lot shall be landscaped and maintained.
3. When installing landscaping or irrigation, care should be taken to maintain proper grading to eliminate undue drainage onto neighboring properties.
4. Irrigation systems should not produce excessive watering.
5. All exposed pipes are to be painted the color of the surface they lie over.
6. No permit is required for the addition/replacement of shrubs, cacti, plants, or trees that are consistent with the natural desert environment.
7. Refer to "Attachment A" for the reference materials and information identifying trees and plants compatible with the Arizona climate.
8. No clear cutting or scraping of the natural desert areas are permitted and if any construction on a lot results in damaged natural vegetation, then re-vegetation is required.
9. Front, side and rear yards may be covered with inert and living materials.

10. Mounds or berms in the front yards shall not exceed 24 inches above final grade. The height and scale must be compatible with the rest of the front yard.
11. Inert materials shall include crushed native rock (minimum size 3/8" and maximum 1") and native river rock.
12. No white rock, artificially colored rock, volcanic or black rock, crushed man-made material, or artificial turf will be permitted, except in enclosed back yards.
13. ARC approval is required for new walkways.
14. An effective program of weed control must be maintained in the front yard. Plastic sheeting may not be placed under crushed rock for weed control, however a weed control barrier is allowed. A twice-yearly application of a pre-emergent is highly recommended to prevent germination of seeds. If weed control is not maintained, the Board will have the authority to take further action.
15. Landscaping or construction material, owned, or contracted for by the property owner will not be left in the street for over 24 hours without reflective or other safety barriers in place.
16. Landscaping may cover the entire lot and extend to the curb or street especially on corner lots, but may not extend beyond the lot lines into the common areas.
17. Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic. Also, the views of neighboring units and shade patterns of larger trees should always be considered.
18. Care must be exercised in selecting plant materials which, upon maturity, will be an appropriate size in height and breadth for the intended location. Mature size, in height and diameter, should always be considered especially when planting close to walkways and houses. Consideration will be given to the effect plantings will have on views from neighboring houses and property.
19. An application is not required for foundation planting, or single plantings within mulched area. However, an application is required for trees and hedges that will be taller than two (2) feet in height at their maturity, or other features which in effect become structures, fences or screens, and as part of other applications where required.
20. Applications should include descriptions of the types and sizes of shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.

LOT MAINTENANCE STANDARDS

Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property.

With the exception of periodic scheduled painting of all exterior portions of all houses, residents are responsible for maintaining the exterior of their dwellings and other structures on their lots, such as patios and fences/walls.

The following represents some conditions which the ARC considers a violation:

1. Peeling paint and rotten wood on exterior trim.
2. Gutters in need of painting or replacement.
3. Fences/walls with either broken or missing parts, or which are leaning.
4. Concrete or masonry improvements in need of repair.
5. Gates in need of maintenance or repair.

MAILBOXES

1. Mailbox design shall be of similar style, design, and material installed by the Developer.
2. The owner shall be responsible for the maintenance of their mailbox.

PAINTING

1. ARC approval is required for all exterior painting whether it is painting using the existing paint colors or new paint colors. This includes doors, garage doors, pony walls, and fences/walls.
2. Approved paint colors are listed on the HOA's website (www.teccphoa.com).
3. Any other exterior color combination must be consistent with the original developer's colors and shall require prior written approval from the ARC.

PATHWAYS / WALKWAYS

The installation of pathways on a lot will be considered if it seems appropriate for the intended use and is appropriate to the size and scale of the lot. Stone, slate, flagstone, brick or other natural stone would be appropriate materials.

PESTICIDES AND HERBICIDES

Pesticides and herbicides may be applied according to label instructions for the specified problem. The suggestion would be to utilize organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important near adjacent residences. Avoid the use of pesticides and herbicides if at all possible, but when necessary, use with caution and follow instructions.

PET WASTE

Each pet owner is responsible to clean up after their pet without exception. This includes in the streets, in the common areas or open space, or the walking path.

PLANTERS

All planters visible to the street or neighboring properties require approval of the ARC.

PLAY OR EXERCISE EQUIPMENT

1. All play equipment must be placed in the back yard.
2. ARC approval is required for any play equipment that exceeds the height of twelve (12) feet from ground level to the highest point.
3. Brightly colored canopies, roofs, or other visual distractions (unless part of the original equipment) which are attached to the play or exercise equipment will not be permitted.
4. Other play equipment that is not designed specifically to stay outdoors should be stored out of sight of surrounding neighbors when not in use.

POOLS

See SWIMMING POOLS AND SPAS

RAIN GUTTERS

See GUTTERS

RAMADAS (ATTACHED AND FREESTANDING), GAZEBOS, COVERED PATIOS / PORCHES, OR OTHER STRUCTURES

1. ARC approval is required for the construction or erection of ramadas, gazebos, and/or covered porches.
2. The structure shall be finished or painted to match the color of the house or its trim.
3. Permanent structures, such as gazebos and detached ramadas are restricted to the rear yard only.
4. The ARC may limit the size, height, and location of any outbuilding, shed, gazebo, ramada, porch, or other structure.
5. The roof shall be the same or compatible with the materials used on the roof of the house.
6. Non-permanent structures shall be maintained in good condition.

RECREATION AND PLAY EQUIPMENT

See PLAY OR EXERCISE EQUIPMENT

ROCK / WATER GARDENS

Rock gardens require an application in the event the rocks or collections of rocks exceed twenty four (24) inches in any directions. All rocks are to remain in their natural color. Water gardens require an application.

ROOF COATINGS / TILES

The color and style of tile must be consistent with that originally installed by the developer. ARC approval is required if any roof color or style changes are made

ROOF MOUNTED EQUIPMENT

Roof mounted equipment of any kind requires the prior written approval of the ARC.

SCREENS, SCREEN DOORS, SECURITY DOORS

1. Exterior roll down shutters and/or shades require ARC approval and must be a solid color approximating the color of the house or trim.
2. Roll-down sunscreens may be black.
3. Exterior shades made of plastic reed or bamboo is prohibited. Exterior roll down shades, screens or shutters normally are limited to the side or rear of the house. When lowered, they must be secured.
4. Screen and Security doors and their ornamentations require ARC approval and shall be limited to the same color as the exterior house or trim color, exterior door color, black or dark bronze.
5. Security doors and enclosures may be constructed of wrought iron, steel, or aluminum limited to the colors above.
6. Freestanding sunscreens and/or privacy structures require ARC approval if the height is above the wall.
7. Wooden screen doors are prohibited.

SECURITY BARS

See EXTERIOR SECURITY BARS

SECURITY CAMERAS

1. Security cameras shall be installed solely on individually owned homes exterior.
2. Security cameras must be installed to only record the immediate vicinity of the homeowner's home
3. Security cameras may not be directed toward the windows or doors of adjacent homes or otherwise intrude on their privacy.
4. Smart home door lock and camera systems may be installed to their manufacturer specifications only.

SECURITY DOORS

See SCREENS, SCREEN DOORS, SECURITY DOORS

SHEDS

See STORAGE SHEDS

SIGNAGE

1. Refer to the CC&R's.
2. "Open House" and Garage Sale" signs are permitted on the owner's property (**NOT** in common areas) without ARC approval if in accordance with the following provisions:
 - a. Professionally made "Open House" signs by a residential brokerage company.
 - b. Signs purchased or made by an owner. ARC may reserve the right to request reasonable modification of such signs if placed in common areas.
 - c. Signs must be removed at the end of each event day.
3. Members are permitted to have one (1) sign on their property, which includes information related to home security actually in use on the property.
 - a. Security signs are permitted.
 - b. Signs SHALL NOT require ARC approval if the total surface area on the display side of the sign does not exceed 110 square inches.
 - c. The top of the sign shall not be higher than 18 inches from the surface of the walkway, gravel, dirt, etc.
 - d. The sign shall face the street and shall be located not more than 24 inches from the structure.
4. All political signs on the property must comply with Arizona Revised Statutes (ARS 33-1808).

SOLAR PANELS / COLLECTORS

1. ARC approval is required for the installation of solar collectors and ancillary equipment.
2. Solar collectors, whenever possible, shall be flush mounted on the plane of the roof to the rear of the house. The preferred location is on the roof of the patio at the rear of the house if sufficient space is available.
3. All exterior conduits lines shall be painted to match the color of adjacent roof materials and walls.
4. Ground mounted solar collectors must be within the setback lines and concealed from neighbor's view when possible.
5. All installations shall meet applicable fire, safety, and building codes.
6. ARC approval is not required for solar tube skylights.

STORAGE

No storage that is visible to the surrounding neighbors shall be allowed.

STORAGE OF BOATS, TRAILERS, CAMPERS, MOBILE HOMES OR RECREATIONAL VEHICLES

1. Refer to the CC&R's.
2. Storage of the above is not permitted if it can be seen from the street or neighboring properties. If the vehicle does not fit in your closed garage, it will have to be stored at an off-site facility.

STORAGE SHEDS

ARC approval is required for all storage, tool sheds or structures. No storage or tool sheds or similar structures shall be placed, erected or maintained upon any part of the Property except:

1. where such storage or tool shed or similar structure is constructed as an integral part of a Dwelling Unit (including materials, color and the like); or
2. where such storage or tool shed or similar structure is temporarily placed on the Property by Declarant or a Declarant Affiliate in connection with construction activities of Declarant or such Declarant Affiliate.
3. Non-permanent moveable exterior storage bins, cabinets, and other furnishings not visible by abutting properties.

Notwithstanding #1 above, an Owner or other Person shall be permitted to erect, on their Lot, a storage building which is not attached to the Dwelling Unit on that Lot, so long as the storage building meets all of the following requirements:

1. The storage building shall be stuccoed and painted to match the Dwelling Unit on the same Lot.
2. The roof of the storage building shall be tiled to match the roof of the Dwelling Unit on the same Lot.
3. The storage building shall be no higher than eight (8) feet at its highest point.
4. The storage building shall comply with all laws, ordinances and regulations (including, but not limited to, city set back requirements).
5. The storage building shall not be attached at any point to any fence (including any block wall fence).

Any Owner or other Person who wishes to erect such a storage building on his, her or its Lot must still comply with all other provisions of this Declaration and, in particular, shall submit plans for the proposed storage building to the Architectural Review Committee for review in accordance with Article 9 of the Declaration, and shall not commence erection or construction of such storage building until such plans are approved by the Architectural Review Committee in accordance with Article 9 of the Declaration.

STORM WINDOWS

Exterior storm windows are prohibited at the Estates at Cienega Creek Preserve.

SWIMMING POOLS AND SPAS

1. ARC approval is required for the installation of in ground swimming pools and/or hot tubs/spas. This includes required fencing/walls or any fence/wall modification.
2. Hot tubs and spas must be installed following the manufactures specifications.
3. All electrical and local codes must be followed.
4. Any wall removed during construction shall be replaced immediately after construction is completed. All materials for the new wall will be the same type as the original wall, including stucco and paint (if originally constructed with stucco and paint).
5. Removal of walls abutting a common area shall not be allowed.
6. All pool equipment and pumps outside the perimeter wall will be screened with a masonry wall at a height greater than the equipment. Screening structures shall be made of the same material as perimeter walls or may be of concrete block construction, stuccoed, and painted to match the house.
7. Above ground pools are prohibited.
8. Homeowners assume all responsibility and liability for damages to common areas.
9. Homeowners are to caution contractors not to discharge excess cement, clean their vehicles anywhere in the community, or display any advertising on property other than a small temporary sign.
10. After the project is completed, the landscape must be either restored to its original condition or brought to a maintained or managed condition.

TRASH / RECYCLE CONTAINERS

1. Trash and/or recycle containers should not be placed out for collection before 12 noon of the day prior to trash collection and must be stored in your garage or back yard before 12 noon the day following trash collection. Storage of containers is only permitted in the garage or the back yard.
2. Every effort should be made to ensure that trash is contained so that on windy days trash does not blow onto neighboring properties, onto the street, or common areas. The resident is responsible for collecting any trash that has blown onto neighboring properties, street, or common areas.
3. The Estates at Cienega Creek Preserve Community Association open space and common areas shall not be used for dumping yard waste. Yard waste is required to be recycled according to Pima County specifications.

WALKWAYS

See PATHWAYS/WALKWAYS

WALLS

See FENCES AND WALLS

WEATHER RECORDING EQUIPMENT

ARC approval is required for weather recording equipment and/or weather vanes on the roof or chimney of any residence or on any other structure.

WINDOW COVERINGS:

Within ninety (90) days of occupancy of a Living Unit, the Owner of the Living Unit shall install draperies or suitable window treatments on all windows which face the Roadways or Houses immediately adjacent to its Lot. No reflective coating, materials or covering may be placed on any window of any Living Unit or other Improvement. Further the exterior side of all curtains, interior shutters, screens and window coverings or window treatments which are Visible from Roadways or Houses immediately adjacent to its lot must be neutral in color. No bedsheets, blankets, bedspreads or other items not designed for use as curtains or other window coverings may be used for such purposes except during a period not to exceed ninety (90) days following the conveyance of a Lot.

Attachment A

EXTERIOR FLORA RECOMMENDATIONS

It is highly recommended that any plant and/or tree have low water usage and be drought tolerant. It is the responsibility of the property owner, landscape designer, architect, or contractor to determine which plants are suitable for a specific location and situation.

The Arizona Department of Water Resources, Phoenix Active Management Area, has issued a booklet entitled “Low Water Use Drought Tolerant Plant List” at the www.azwater.gov web-site that provides a list of recommended plants.

Other reference materials available include the following:

Arizona Gardener’s Guide, Mary Irish, Cool Springs Press.

Landscape Plants for the Arizona Desert, AMWUA.

Low Water Use Plants for California and the Southwest, Carol Shuler, Fisher Books.

The World of Cactus and Succulents, Ortho Books.

You can also check with your local library and web-sites for additional reference materials and information.