

# DESIGN GUIDELINES

FOR



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# **1. INTENT OF DESIGN GUIDELINES**

## **1.1 BACKGROUND**

Armory Park del Sol (APdS, hereafter referred to as the Property) is a unique infill community that retains the historic charm of the existing adjacent neighborhood. Design inspiration for APdS came from the adjacent “old neighborhood” created in the 1880's after the railroad reached Tucson. This streetscape became the starting point for both the architectural and plant palettes. Energy and water conservation were also founding principles.

The homes built in the Property are all-electric and employ technologies to utilize solar energy for supplying electricity, hot water and space heating to each home. In addition, thermal mass walls, highly insulated windows, and other energy-saving devices are utilized. Energy conservation in this solar neighborhood means careful selection and placement of trees and shrubs to shade the southern and western exposures of the homes and to minimize interference with the solar energy collectors.

## **1.2 PURPOSE**

The APdS Design Guidelines have been promulgated by the Board of Directors of the APdS Homeowners' Association (hereafter referred to as the Board) pursuant to authority granted to the Board by Section 4.5 of the APdS Declaration of Protective Covenants, Conditions and Restrictions (hereafter referred to as the CC&Rs). These Design Guidelines are created to detail architectural, landscape and other requirements for all modifications, additions, and removals within the Property; to protect and otherwise maintain the integrity of the Property; to increase the economic value, desirability, and attractiveness of the Property; and to promote the well-being and privacy of all of the property owners (hereafter referred to as the Owners). Each Owner shall be bound by the Design Guidelines to the same extent that such Owner is bound by the CC&Rs. The Design Guidelines may be amended upon majority vote of the Board.

## **1.3 DEFINITIONS**

**Application Package:** The package may include a variety of documents and materials, depending on the improvement project. It could include such items as a completed Application For Improvement Review form (hereafter referred to as the Application Form), review fee (if required), site drawings, architectural/landscape plans, site topography plan, color/material samples, and any other relevant items.

**Common Area:** All of the major drainage detention/retention areas are included in the Common Areas. For the individual Lots, the front yards are considered Common Area for landscape maintenance. Excluded from the Common Area is the house and garage, the yards within the Lot walls, and the back portion of each Lot from the garage and walls to the street.

**Improvement:** Any modification or addition to the Unit or Lot that is visible from the street, the sidewalk, or a Common Area. Improvements could include, but are not limited to, room additions, porch extensions and enclosures, ramadas, plantings, gates, awnings, trellises, play equipment, murals, and exterior paint treatments.

**Lot:** An individual residential platted and recorded property area of the subdivision. For purposes of this document, it includes the landscaped areas between the back wall and the streets. Part of the Lot may be included in the Common Area maintenance area, e.g., front yard.

Owner: The person(s) who holds title to the Lot.

Unit: A completed residential dwelling unit and garage constructed on a Lot.

## **2. ARCHITECTURAL AND LANDSCAPE IMPROVEMENT APPROVAL PROCESS**

Pursuant to Section 4.6 of the CC&Rs, the Articles of Incorporation, and the Bylaws of the subdivision and its Homeowners Association (HOA), two committees have been established by the Board to ensure compliance with these Design Guidelines. An Architectural Committee (hereafter referred to as the AC) is responsible for reviewing all improvement and modification issues related to structures, walls, and attachments to them. A Landscape Committee (hereafter referred to as the LC) is responsible for reviewing all improvement and modification issues related to landscaping materials and design. Consultants such as architects, arborists, botanists or landscape architects may also be retained by the Board to review documentation and advise the AC and/or LC in matters relating to the Design Guidelines. The consultants shall not be working on projects under consideration or construction in the Property.

The reviewing consultants shall make recommendations to the AC and/or LC. In order to adhere to the thirty day approval period required by the CC&Rs, the AC and/or LC is delegated approval or disapproval authority by the Board. The Board reserves final authority regarding approval or disapproval.

To aid individual homeowners in maintaining their homes in good condition and individualizing their residences within reason, automatic pre-approved and disapproved improvements and materials are listed in Section 9 of this document. Any building, modification of any building, addition, alteration, repair, excavation, grading, landscaping or other improvement proposed by any Owner which is not listed among the automatic pre-approved improvements and would change the exterior appearance of a Lot or a Unit shall first be submitted for review by the AC and/or LC. The AC and/or LC shall grant Approval, Conditional Disapproval, or Disapproval subject to the final authority of the Board. Plans and specifications, as outlined in the Design Guidelines, showing the nature, kind, shape, height, color, materials and location, and other relevant information about the improvement shall be reviewed for harmony with the architectural design of surrounding structures and the general character of APdS and the adjacent residential neighborhoods. The AC and/or LC shall have the right to disapprove any plans or specifications if in their opinion the design, color scheme, height, quality of construction or other factor is not in harmony with the Property. Any proposals concerning any items on the list of Automatic Improvement Disapprovals shall be automatically rejected and returned to the Owner.

The AC and LC serve in a delegated capacity to the Board. The AC and LC will review all submissions and grant Approval, Conditional Disapproval, or Disapproval subject to the authority of the Board. The Board has final authority on all matters of this nature.

## **3. IMPROVEMENT APPLICATION PROCESS OVERVIEW**

### **3.1 WHAT DO I DO FIRST?**

Familiarize yourself with the APdS CC&Rs and these Design Guidelines. This can save you time, effort, and money.

Check to see if your improvement project falls completely within the parameters of the Automatic Improvement Pre-Approvals in Section 9 of this document. If so, you may proceed to

implement the improvement without requesting a review and Board approval. However, prior to implementation, the Board must be notified in writing through the management company of the improvement project and both the start and completion dates. This will make the Board aware of the improvement project. It will also allow the Board to confirm that the improvement is on the Pre-Approved list and that the completed project is in compliance with what the Owner proposed to do. If not, you will need to begin the approval process.

Check to see if your improvement project or materials fall within the parameters of the Automatic Improvement Disapprovals in Section 9 of this document. If so, you may not undertake the project or begin the approval process.

If you wish, schedule a consultative review meeting with the appropriate committee through the management company. At this review meeting, you may ask questions about the process, appropriate materials, and other issues relevant to your improvement project. This will make it easier and more cost effective as you begin to get estimates from contractors. To schedule the consultative review meeting, you will need to submit an Application Form through the management company. However, the site plans may be initial concepts rather than fully rendered drawings. Please note that the clearer and more exact that the information given to the committee is, the better they can help you during a consultation.

Typically, contractor estimates have durations of 30, 45 or 60 days. Be sure that the duration of the contractor estimate is adequate to allow: a) making the decision about who will do the work, b) assembling the materials to submit for approval, c) sufficient time for the improvement project to be considered by the appropriate committee and Board, and d) sufficient time to complete any requested revisions.

As you get estimates, be certain that contractors realize that the work may not be started until the Board has approved the project. The following may also be requested by the Board before construction may begin: a) a pre-construction inspection, b) submission of evidence of a City of Tucson Building Permit (if required), and c) payment of fees and/or construction deposit.

### **3.2 HOW DO I START THE FORMAL REVIEW PROCESS?**

You will need to collect and submit all of the review items appropriate for your project (hereafter referred to as the Application Package) from the following list. Also, refer to Submittal Requirements in Section 4 for additional information.

- a) The completed Application Form. (If you already completed a consultative review, you still need to complete and return the final Application Form)
- b) Review fee, if required.
- c) Fully rendered site drawings which are drawn to a minimum scale of 1 in. = 20 ft. and have a title and date. The drawing should have a north arrow and identify the lot lines/setbacks, the existing structures, equipment and plants, the location and screening of any new structures, equipment or utilities, and the existing and proposed drainage.
- d) Plans identical to those that will be submitted to the City of Tucson for a Building Permit.
- e) Plans detailing existing and proposed site topography at one foot contour intervals, exterior elevations, and floor/paving plans, as appropriate.
- f) Color or material samples, as appropriate.
- g) Any other items suggested at the time of the consultative review.

Send your Application Package to the management company. Send one copy if an item is submitted electronically and two copies of any materials which are submitted as paper copies. Send one sample of materials or colors, e.g., gravel, paint, and roofing. You may submit part of your approval materials electronically and mail the rest. Do not submit anything directly to the Board or its committees or their Chairs.

Incomplete applications will not be considered and will be returned for resubmission. If you plan to submit your Application Package in multiple parts, please notify the management

company in advance. The 30 day review rule described in the CC&Rs will not apply because the 30 day clock does not begin until all required Application Package materials are received by the management company.

### **3.3 WHAT HAPPENS ONCE MY APPLICATION PACKAGE IS RECEIVED BY THE MANAGEMENT COMPANY?**

The following sequence of events will typically occur once the management company receives your completed Application Package.

- a) You will also receive written confirmation of receipt and the 30 day clock will commence from the date on the written confirmation.
- b) The management company will send your Application Package to the appropriate committee which will meet to review the request. The committee will contact you with questions.
- c) The committee will take one of three actions:
  - 1) Approval of the request.
  - 2) Conditional disapproval pending revision of the request, receipt of additional materials, and/or receipt of fees.
  - 3) Disapproval of the request.
- d) You will be notified of the outcome of the Committee's decision by the management company by phone or email within 30 days of the date on the written confirmation of receipt of the Application Package. You will also receive a written confirmation of the decision. The date of the written confirmation will be the same as that on which the phone call or email to you was completed.

### **3.4 WHAT DO I DO IF MY APPLICATION PACKAGE IS DISAPPROVED?**

You may file an appeal with the Board within five (5) business days of the written notification of the decision. If the appeal is denied or if you decide not to appeal, you may not undertake the requested project. If the appeal is granted, the Board will assign the project conditional disapproval. You will be asked to submit a revised Application Package to the management company. You will receive written confirmation and the 30 day clock on the approval process will begin again when all requested documents, materials, and fees are received.

### **3.5 WHAT DO I DO IF MY APPLICATION PACKAGE IS CONDITIONALLY DISAPPROVED?**

Make whatever changes were requested by the committee or the Board and resubmit requested materials to the management company. You will receive written confirmation and the 30 day clock on the approval process will begin again when all requested documents, materials, and fees are received.

### **3.6 WHAT DO I DO WHEN MY APPLICATION PACKAGE IS APPROVED?**

Complete your work exactly as approved. Submit any changes from the approval for consideration before the changes are implemented. The Board may request a fee for any changes after the project is approved. If your project will be completed more than 45 days past the date on the approval, you will need to file an extension. When the work is completed, contact the management company to schedule a post construction inspection.

## **4. IMPROVEMENT REVIEW**

### **4.1 IMPROVEMENT TYPES**

Improvements to Lots and Units may include additions, modifications/alterations, and removals. Examples of these Improvements include, but are not limited to, the following.

- New porches where none currently exist and modifications to existing ones
- Building additions and modifications
- New walls where none currently exist and modifications to existing ones
- Ramadas
- Awnings
- Landscape plantings and removals
- Trellises
- Playground equipment
- Exterior paint or stain color changes of houses, garages, the trim features of either, the surfaces of porches, driveways, driveway aprons, and other exterior features
- Murals
- Modifications to the Lot grading plan that may affect drainage
- Rain gutters and downspouts

### **4.2 IMPROVEMENT SUBMITTALS**

Owners must notify the Board, the AC and/or the LC through the management company, in writing, of any and all proposed improvements to any Unit or Lot not less than thirty (30) days in advance of contemplated commencement of construction. An Application For Improvement Review form (hereafter referred to as the Application Form) is available in the Appendix to this document, on the APdS web site, or from the management company. An Application Form must be fully completed and submitted to the management company with all other relevant documents and materials for the AC and/or LC to initiate the review process. Only complete Application Packages will be considered. The time period for the 30 day review rule does not start until a complete Application Package has been received by the management company.

The application shall fully describe the proposed work to be done. The AC and/or LC may request additional information from the Owner to fully understand the project. In most cases, drawings and other materials are required to show, in detail, the work proposed. All application materials shall be submitted in duplicate, unless the Application Package is submitted electronically. One copy will be retained by the Board and the other copy with comments returned to the applicant at the completion of the review process. General submittal requirements are outlined below and in Section 3.

Completed applications must be submitted to the management company by email, fax or mail. Specific submittal information may be found on the Application Form and in Section 3. The Owner must make sure that the submittal, including attachments, plans and drawings are clear and legible no matter how they are submitted. Unclear, illegible or otherwise unreadable submittals will not be considered, thereby delaying the initiation of the review.

Upon receipt of the completed Application Package, the management company will send written notification of receipt within three (3) business days stating the date that it was received. The date received contained in the letter is the start of the 30 day review period. If written notification of receipt is not received by the Owner, it should not be assumed that the application was, in fact, received. In that event, the Owner should contact the management company.



As stated in the CC&Rs, the Articles of Incorporation, and the Bylaws, the AC and LC shall recommend and the Board shall endorse its approval or disapproval of the submitted application within thirty (30) days of receipt of the application. In order to ensure that the thirty day window is met, approval is delegated to the committees on behalf of the Board. Ultimate authority is always reserved to the Board. There shall be two categories of disapproval: Disapproval and Conditional Disapproval. Failure by the Board or its appropriately delegated committees to take formal action on the submitted application within the thirty (30) day period shall be deemed approval of the submitted application. In the event the AC and/or LC requires additional information or more extensive review that would take longer than thirty (30) days, the AC and/or LC shall conditionally disapprove the application. In this case, the Owner will be allowed to submit an amended or revised application, if requested by the AC and/or LC.

The decision of the Committee regarding any improvement application will be submitted to the Owner in writing. The Owner should never assume approval. Initiation of any improvement work requiring approval prior to receipt of written Board approval is prohibited. The Committee, on behalf of the Board has the right to approve all or part of an improvement application or may approve a revision of the original application.

Approval of any application by the Committee in no way implies conformance with any government regulations, such as City permits and inspections. It is the sole responsibility of the Owner to comply with all applicable government regulations, ordinances and procedures

After any negative action regarding an application, the Owner has a right to appeal the decision to the Board. Such an appeal must be received by the management company no later than five (5) business days after the decision is received by the Owner.

A copy of all improvement applications and associated materials, whether approved or disapproved, will be kept by the Board in a unique Lot file maintained by the management company in perpetuity.

### **Submittal Requirements**

The following are general guidelines detailing what information is typically required to complete improvement reviews. These requirements may be revised based on the proposed improvements/modifications. In addition, it may be advantageous for the Owner to arrange a Consultative Review with the AC and/or LC. However, the Consultative Review is optional and not required.

#### **Site Plan**

- a) Fully rendered site drawings should be drawn to a minimum scale of 1 in. = 20 ft. and have a north arrow, title and date. The drawing should identify the lot lines, the setbacks, the existing structures (including those on adjacent properties), equipment and plants, the location and screening of any new structures, equipment or utilities.
- b) Site topography plans, existing and proposed, are to be drawn at one-foot contour intervals.
- c) Landscape plans should include existing and proposed structures and walls as well as the existing and proposed plantings. New plants shall be identified by name, size and location.

#### **Architectural Plans**

- a) Plans and Specifications as would be submitted to the City of Tucson for a Building Permit.
  - Floor Plan at minimum 1 in. = 4 ft. scale.

- Exterior Elevations at minimum 1 in. = 4 ft. scale, with all heights clearly indicated.

#### **Material Samples**

- a) Roofing surface materials
- b) Exterior paint, stain, or other color material samples
- c) Decomposed granite, gravel, and crushed rock samples
- d) Concrete staining/paint samples

#### **Conceptual Drawings**

- a) Security/screen doors
- b) Gates

The AC and/or LC shall have the right to disapprove any plans or specifications that are incomplete or are not in accordance with the Design Guidelines.

If the proposed improvement project requires a permit from the City of Tucson, the Owner shall submit evidence that the permit has been granted prior to calling for a pre-construction inspection.

### **4.3 OPTIONAL CONSULTATIVE REVIEW**

An owner may submit a preliminary plan, which is less detailed or comprehensive than required for the Application Package, to the AC and/or LC for consultative review. The purpose of the consultative review is to provide feedback to the Owner on the approvability of the proposed project. The AC and/or LC may provide suggestions to the Owner that may increase the likelihood of approval, should the project be formally submitted. Consultative review does not imply endorsement of the project nor should it be assumed that the AC and/or LC will approve the project after such review. Consultative review is not subject to the thirty (30) review deadline; however, the AC and/or LC will complete the consultative review as quickly as possible.

### **4.4 PROFESSIONAL REVIEW, COSTS, AND REIMBURSEMENT**

If the AC and/or LC believe that an outside professional is required, the Owner will be responsible for the costs of such an outside review. The Owner will be informed of the estimated cost of such outside review before the review is scheduled. The Owner shall provide written approval prior to the initiation of such an outside review.

Any review fees will be made payable to the Armory Park del Sol Homeowners Association, is non-refundable in the event that the project is abandoned by the Owner or disapproved by the Board.

### **4.5 CONSTRUCTION DEPOSIT**

A construction deposit may be required by the Board, depending on the extent of the proposed improvement. The amount will be refunded in full upon completion of the improvement to the satisfaction of the Board.

### **4.6 PRE-CONSTRUCTION INSPECTION**

A pre-construction inspection may be required by the AC and/or LC for any improvement project involving addition or modification of any structural component to ensure compliance with the approved proposal. The Owner must stake building corners or otherwise clearly mark where such structural components will be placed, and the inspection must be scheduled with the AC and/or LC and completed prior to initiation of construction.

#### **4.7 FINAL POST-CONSTRUCTION SITE INSPECTION**

The Owner and representatives of the AC and/or LC will inspect the complete improvement project work in order to verify compliance with the Board approved improvement plans. If the inspection is satisfactory, the Owner will receive a written notification from the Board. If the inspection is unsatisfactory, modifications must be made to the improvements to bring them into compliance with the documents approved by the Board.

## **5. SITE PLANNING**

### **5.1 ZONING**

City of Tucson zoning governs all development, except as further restricted by the Armory Park del Sol CC&Rs, and the requirements contained herein.

### **5.2 SITE DEVELOPMENT**

Site development shall be in harmony with the architectural and landscaping design of the surrounding residential structures and the Lots within the Property and the adjacent historic Armory Park neighborhood. Issues of concern include, but are not limited to:

- Topography of the Lot
- Landscape design and defined plant setbacks as stated in the Landscape and Planting Guidelines
- Placement of the structures on the Lot
- Structure construction materials, textures, and color schemes
- Structure height and design of the roof, if relevant
- Wall and gate construction materials, textures, and color schemes

All structures and landscaping shall consider privacy of neighboring Lots and Units.

The walls between the Property and the warehouses are on warehouse property. These walls were installed by the owners of those businesses and it is their responsibility to maintain them.

### **5.3 SETBACKS AND SIGHT DISTANCES**

Minimum setbacks for structure additions shall be per City of Tucson land zoning, except as further restricted by the APdS CC&Rs, other governing documents and the requirements contained herein.

Compliance with City of Tucson line-of-sight and sight visibility on roadways and at intersections is required for any proposed improvements.

#### **5.4 GRADING / EXCAVATION**

No excavation shall be made upon any Lot except in connection with construction of an improvement. Grading shall conform to the existing topography to the extent possible. Upon completion of the improvement, the disturbed ground shall be compacted, graded and leveled in such a manner that the drainage over the disturbed ground is the same as it was prior to such excavation. Every effort shall be made to prevent on- and off-site soil erosion both during and after construction.

#### **5.5 DRAINAGEWAYS**

Natural and/or existing drainageways shall be preserved wherever possible. Developed drainageways shall be stabilized following construction. If drainageways are to be lined, rock shall be in harmony with the existing community. Any other lining material must be approved by the AC and/or LC.

All drainage shall exit from any lot in a manner identical to the original runoff. Any proposed improvement that will affect the drainage on or from the Lot shall be approved by the Board prior to implementation.

#### **5.6 UTILITIES AND SERVICES**

Wherever possible, utility services shall be installed underground. All equipment, tanks, service yards, wood and storage piles, and trash containers shall be kept screened from view of adjacent Lots and streets by adequate walls or fencing. All trash shall be regularly removed from all Lots and shall not be allowed to accumulate thereon.

#### **5.7 LANDSCAPE DESIGN GUIDELINES**

See APdS Landscape and Planting Guidelines for information, guidance and rules regarding landscaping and improvements.

## **6. LOT / UNIT IMPROVEMENTS**

### **6.1 BUILDING MATERIALS**

Stucco over masonry is the predominant construction type throughout the Property. The following materials may be allowed with written approval of the AC and the Board.

- a) Brick and mortar-washed brick
- b) Modified slump block
- c) Natural rock

Trim materials, including painted wood, non-reflective metals, natural rock, and ceramic tile, shall be allowed after specific review by the AC and approval by the Board.

Use of exposed wood timbers shall be allowed only with written approval of the AC and Board. Otherwise, all wood shall be painted and well-maintained.

All metal roof scuppers, gutters, downspouts and sheet metal shall be painted, with the exception of copper or other decorative metal that may be allowed with specific approval of the AC and Board.

## **6.2 EXTERIOR PAINT COLORS**

Exterior appearance of existing residences and improvements shall be in harmony with the surrounding structures and landscaping. Exact repetition of colors and color schemes of individual Units is to be avoided. Paint colors are subject to the discretion of the AC and the Board relative to their aesthetic appeal and fitness for the community. Exterior paint colors, including the trim and accent colors, must be reviewed by the AC and approved by the Board prior to implementation. Actual color samples must be submitted. The submittal shall include a paint chip (paper or electronic) with the manufacturer's name and number. A paint sample 5 ft. x 5 ft. on a section of the house and a paint sample at least 5 ft. long on fascia or trim may be required for review by the AC.

Exterior paint shall be maintained in an attractive condition by each Owner.

## **6.3 ROOF MATERIALS**

Clay and concrete tile, asphalt shingle, built-up and non-reflective metal roofs are the predominant roof types within the Property. Proposed metal roofing material must be non-reflective. No wood shingle roofing will be allowed. Other roofing materials may be allowed with the approval of the AC and the Board.

## **6.4 WINDOWS**

Exterior frames of windows shall be vinyl clad. Other energy-efficient material may be allowed with specific approval from the AC and the Board.

## **6.5 DOORS / GATES**

Any replacement of an existing exterior door visible from the street and not substantially altered from its original appearance shall be approved by the AC and the Board. Any modification of the surface treatment of an existing exterior door visible from the street shall be reviewed by the AC and the Board.

All exterior screen and security doors visible from the street shall be reviewed by the AC and the Board.

Any replacement or modification of an existing gate shall be reviewed by the AC and the Board.

## **6.6 BUILDING HEIGHTS**

Building heights shall be the maximum allowed by City of Tucson zoning.

## **6.7 WALLS / FENCES / HEDGES**

Each wall built as a part of the original construction of a building, patio wall or other structure and placed on the dividing line between Lots shall constitute a “Party Wall” and shall be maintained per the CC&Rs.

Proposed new walls/fences and modifications to existing walls/fences, e.g., raise a 5 ft. wall to 6 ft., shall be subject to review and approval by the AC and the Board. New walls and fences shall be constructed using materials and colors that are in harmony with the community. Proposed hedge plant materials also are subject to review and approval by the LC and the Board. No wall, fence or hedge shall exceed six feet (6’) above the surface of the ground, unless reviewed and approved by the AC or the LC and the Board.

## **6.8 DRIVEWAYS AND PARKING**

Driveway aprons shall be maintained in good condition. Painting of driveway aprons must be reviewed by the AC. [Note: Driveway curbs may not be painted per City of Tucson regulations.]

## **6.9 EQUIPMENT**

All heating and cooling equipment must be ground-mounted and/or concealed from view from adjacent Lots and from the street by an approved structure. Solar equipment and all HVAC equipment should be integrated into the design of the building and screened from view, where possible. New equipment including poles, antennae, satellite dish installations, and similar equipment shall be screened from view. Any new equipment shall be reviewed by the AC unless it is similar in size to the equipment that it is replacing and it is being installed in the same location that the developer installed the original equipment.

## **6.10 GARAGE DOORS**

Garage doors must be maintained in attractive condition. Improvements to garage doors such as re-painting or new panel installation must be reviewed and approved by the AC . Samples of new paint colors and/or new door materials shall be submitted for review.

## **6.11 ACCESSORY BUILDINGS**

Storage sheds, ramadas, and other accessory structures are subject to review and approval by the AC . Temporary structures on any Lot during construction shall be removed within five (5) business days after construction is complete.

## **6.12 CLOTHESLINES**

Clotheslines are acceptable so long as they are screened from view by walls, fencing or vegetation. No laundry, rugs, towels, or bathing suits may be hung on balconies or walls at any time.

## **6.13 PLAY EQUIPMENT**

Play equipment, including portable basketball hoops, shall be allowed if size and location are approved by the AC . Such equipment must be positioned so as to minimize impact on neighbors and traffic flow.

## **6.14 DECORATION, ORNAMENTATION AND WIND CHIMES**

Decorations may be added as listed in the Automatic Pre-Approvals without approval from the AC. Any other decoration or ornaments that may be visible/audible to adjacent Lots or to the street are subject to review and approval prior to its installation. The AC shall have the right to disapprove any decoration, ornamentation or wind chime that it determines is not in good taste, presents a nuisance, or is not in keeping with the character of the Property. Such items include, but are not limited to, sculpture, murals, trellises, outdoor fans, wall hangings, mobiles, and other similar items.

#### **6.15 EXTERIOR LIGHTING**

All outdoor lighting fixtures shall conform to the City of Tucson/Pima County Outdoor Lighting Code. In general, outdoor lighting fixtures shall be located and maintained so as not to impact surrounding properties or the night sky. Low wattage, solar-powered lights are strongly recommended for pathway and landscape lighting.

### **7. SIGNAGE**

To maintain the highest aesthetic standards of the community, each Lot owner/builder or Realtor shall abide by the City of Tucson Sign Ordinance and the APdS governing documents.

No signs shall be placed within the boundaries of APdS which do not meet the requirements of this section. Signs not otherwise defined herein must be reviewed by the AC.

#### **7.1 SIGNS**

- a) For Sale Signs: One sign shall be permitted on any Lot or Unit to advertise the Lot or Unit for sale. Such signs shall conform to industry standard dimensions (not exceeding 18 X 24 inches with or without the industry standard rider not exceeding 6 X 24 inches). Only commercially produced signs are permitted.
- b) Security Service Signs: One Security Service sign may be installed in the front yard and a second Security Service sign may be installed in the back or side yard. Those signs that do not satisfy the requirements of Sect. 9.1.27 must be reviewed by the Board.
- c) Open House Sign: One sign will be permitted per home site per day. Such signs shall be in conformance with industry standard dimensions (not exceeding 18 X 24 inches and may not be placed on the home site prior to 8:00 a.m. and must be removed from the home site no later than 6:00 p.m. of the same day. A-frame metal signs may be used to promote an "open house".
- d) Political Sign: Political signs will be permitted on home sites. The aggregate total dimensions of all political signs on a homeowner's property shall not exceed 9 square feet. Political signs related to elections or ballot measures shall be installed no earlier than 71 days before an election and removed no later than 3 days after an election or as otherwise defined by Arizona Statute or City of Tucson regulations or ordinances.
- e) Other Signs: No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on the Property.

#### **7.2 SIGN REMOVAL POLICY**

The Board shall have the right to require removal of any and all signs that fail to comply with these requirements unless otherwise defined by Arizona Statute or City of Tucson regulations, codes or ordinances. If any signs have to be removed and are lost or damaged in the process, the Board shall not be held responsible.

## 8. CONSTRUCTION STANDARDS

Construction Standards are intended to ensure quality development and protection of existing Common Area, Lots and Units. It is the responsibility of the Owner and contractor to adhere to the following requirements:

- 8.1 Construction may not commence without a review and approval by the AC and/or LC . If required by the AC or LC, a Pre-Construction Inspection will be held prior to commencement of construction.
- 8.2 An estimated timeframe for construction of improvements shall be submitted on the review application. The AC or LC shall establish a reasonable timeframe for completion when the plans are approved. If it is discovered that the construction cannot be completed within the approved timeframe, a timeframe extension must be requested and approved by the Board. Sufficient information explaining why the extension is needed must be included in the request, which is submitted to the management company.
- 8.3 A trash dumpster and a temporary toilet may be required on-site during the course of construction. If required, the locations of the dumpster or toilet shall be noted on the site plan. Such items must be removed upon completion of the project and/or during periods of inactivity exceeding 30 days.
- 8.4 The Owner shall be responsible for erosion control and cleanup of the job site on a daily basis. Removal of any trash generated from the job site will be the responsibility of the Owner.
- 8.5 Approved plans for the improvements must be on-site during the course of construction.
- 8.6 No construction work shall begin before 6:00 a.m. Monday through Saturday, and before 8:00 a.m. on Sundays and Federal holidays, with the exception of concrete work as required. Loud radios, music, talking, and other similar noise nuisances are prohibited at all times. No noise should create a nuisance to neighbors, except that which is necessary for construction.
- 8.7 All construction parking shall be on paved roadways. Construction vehicles must not be parked on sidewalks or landscaping and must in no way obstruct traffic flow unless temporarily necessary for construction, e.g., pouring of concrete.
- 8.8 Fencing shall be required at utility trenches and any other hazardous locations.
- 8.9 Storage of construction material must be within the Lot boundaries.
- 8.10 Request for Final Inspection must be made subsequent to completion of the improvement(s). Correction of deficiencies found during the Final Inspection must be completed and re-inspected within 30 days of the final inspection.
- 8.11 During the course of improvement construction and/or landscape installation, no part of the Common Area shall be damaged or destroyed. Any damage to the Common Area due to the activities of the Owner or his/her contractor is liable for paying the cost of the repairs

The Board shall be responsible for the enforcement of the Construction Standards. Failure to comply with them will result in disciplinary action by the Board.



## 9. AUTOMATIC IMPROVEMENT PRE-APPROVALS AND DISAPPROVALS

**9.1 AUTOMATIC IMPROVEMENT PRE-APPROVALS (Improvements and materials that do not require AC, LC, or Board review and approval. However, prior to implementation, the appropriate committee must be notified in writing through the management company of the improvement project and both the start and completion dates. This will make the Board aware of the improvement project. It will also allow the committee to confirm that the improvement is on the Pre-Approved list and that the completed project is in compliance with what the Owner proposed to do.)**

9.1.1 Finishing Lot “Backs” (see Section 5.7 for additional information)

9.1.1a Use of 1.5 in. size or smaller gravel or decomposed granite in natural tan, brown, red, or gray.

9.1.1b Use of natural tan, brown, red, or gray flagstone, bricks pavers, or natural grey concrete to form a pathway from gate to street. Colored concrete must be approved by the LC and the Board.

9.1.1c Planting of trees, shrubs or cactus which will not exceed 10 feet in height when mature or exceed the width of the dimension(s) from wall to street.

9.1.1d Drip irrigation connected to the Owner’s water line and not located on or crossing any Common Area. Only the emitters and the clean-out stub shall be visible.

9.1.2 Use of rain chains to direct water from roof scuppers to water storage barrels.

9.1.3 One wind chime, no longer than 24” in total length (excluding the string/cable connection to the structure) and 16” in width, per lot (see wind chimes in guidelines for further information). Wind chimes must be located no closer than 10 feet from any neighbor’s property line.

9.1.4 One house decoration (no plastic) in front and one in back provided neither is larger than 30 inches round or square.

9.1.5 Door decorations, e.g., wreaths and door knockers, which are not larger than 30 inches round or square.

9.1.6 Pole to hang a bird feeder, ornament, or lantern which is no taller than 6 ft. (2 allowed – one in front, one in back) Bird feeding areas must be maintained in a sanitary manner (cleaned minimum once per week).

9.1.7 Potted plants in front areas, porches, or backs that are no higher than 30” above ground, do not get in the way of Board contracted Common Area maintenance, and are well maintained (dormant winter plants are considered maintained).

9.1.8 Porch furniture on front porches with furniture, if kept in good repair. (It is recommended that such items be secured neatly with chains.)

9.1.9 No more than two flags displayed at once as defined by Arizona statute.

9.1.10 Repainting/maintenance of trim paint, garage door, or exterior body with the same color. The paint job shall be neat and continuous rather than spot painted. (This does not mean that the entire trim or area must be repainted, but that there must be logical starting and ending points, such as corners or edges of boards.) It is recognized that the paint used by the builder may no longer be available. Use of a different manufacturer's paint is acceptable when reasonable efforts have been taken to match as closely as possible the original color. If the paint is not from the

original manufacturer, the homeowner is expected to provide either the name or formula for the replacement match when submitting their application.

9.1.11 Holiday decorations put up no more than 45 days before the holiday and removed within 30 days afterward.

9.1.12 Singular event lights (low voltage type accent/mini lighting) strung in/on and around patios eaves, porches, trees, plants, shrubs, cactuses, etc., installed no sooner than 7 days prior and removed no later than 7 days after an event.

9.1.13 Security motion detectors installed with illumination directed at Owner's property with shut-off approximately 5 minutes after triggering, with a maximum of 60 watts (conventional rating or equivalent).

9.1.14 Satellite dish 24 in. in diameter or smaller and associated equipment or TV antennae no taller than 4 ft installed on a flat roof or concealed in an existing yard or side yard (cables must be painted to match the surface on which they are installed).

9.1.15 Replacement or addition of solar equipment (collectors, water heaters). The size and appearance should be similar to the existing panels with street level visibility minimized as much as possible.

9.1.17 Re-roofing or roofing repairs made with identical materials to existing roof.

9.1.18 Repair of plumbing vents, gutters, scuppers, or downspouts made identically to original construction or previous approvals.

9.1.19 Trellises inside personal yards not more than 3 ft wide and one foot higher than block walls.

9.1.20 Nursery shade cloth not publicly visible.

9.1.21 Solid color roll down porch shades should match either the existing house or the block wall color as closely as possible. Whenever possible such shades should be installed so they are not publicly visible when rolled up or retracted into its housing, i.e., installed on the inside of porches or overhangs.

9.1.22 Re-screening of windows with material that matches original screens on the property.

9.1.23 Replacement of heating and cooling equipment with equipment similar in size and installed in the original location.

9.1.24 For Sale sign (one in front or one in rear of the lot).

9.1.25 Open house sign (one in front or one in rear).

9.1.26 Replacement or additional "house numbers" located on front, back or street side of house not larger than 2 sq. ft. or placed higher than 6 ft from ground level. Tile, metal, or ceramic plaques may be used.

9.1.27 Security service signs no greater than 18 in. x 18 in. in size or 324 sq. in. in area, the top of which shall be no higher than 30 inches above the ground, and the distance from a wall or porch no more than 24 inches.

9.1.28 Storage bins, playhouses, exercise equipment, putting greens, clothes lines, dog houses, barbecues, railings, and or spas located on the ground inside the homeowners personal yard and which are not taller than the existing block walls and do not alter existing drainage. Items

installed on front porches or upper story balconies that are visible from the street level must be approved.

9.1.29 Low voltage/wattage traditional or solar pathway lighting no more than 18 inches higher than ground level and are shielded to lessen impact on neighbors and the night sky.

## **9.2 AUTOMATIC IMPROVEMENT DISAPPROVALS (Prohibited Improvements and Materials)**

9.2.1 Raw corrugated galvanized steel or rebar used as a building or fencing material. However, an exception would be galvanized steel sheets incorporated into a gate or security door design).

9.2.2 More than one wind chime per Lot.

9.2.3 Large bells that ring.

9.2.4 More than two bird seed feeders, hummingbird liquid feeders, lanterns, or hanging ornaments (No more than one of each in front and no more than one of each in back or side).

9.2.5 Green, white, or blue or other unnatural softscape or hardscape.

9.2.6 Grass used in Lot “backs” or publicly visible.

9.2.7 Vinyl siding.

9.2.8 Installation of any fixed materials or pots for plantings on top of a common wall.

9.2.8 Wood shingle roofing.

9.2.9 Chain link fencing or gates.

9.2.10 Installation of any material for the purpose of caging or restricting pets on front porches or any other visible area .

9.2.11 Plants on the list of prohibited plants and trees.

9.2.12 Replacement of or substantial addition to the front yard area with gravel, shells, recycled glass or any other material. Other common areas may in no way be altered by homeowners.

The undersigned officer of the Armory Park del Sol Homeowners' Association hereby certifies that these Design Guidelines were adopted by a majority vote of the Board of Directors of Armory Park del Sol Homeowners' Association pursuant to the authority granted the Board of Directors by virtue of Section 4.5 of that certain Declaration of Protective Covenants, Conditions and Restrictions for Armory Park del Sol dated October 4, 2000, and recorded in Docket 11397, at Page 474 thereof, official records of Pima County, Arizona, as amended from time to time.

Signed By: \_\_\_\_\_  
Michael Katz, President

Witnessed By: \_\_\_\_\_  
Tom Skinner, Secretary

On this 19th day of November, 2012

## Armory Park Del Sol Homeowners Association

Y Cross Management Group  
8375 N Oracle Rd Suite 150  
Tucson, AZ 85704  
520-219-4520, FAX 520-219-4711

### ARCHITECTURAL REVIEW COMMITTEE SUBMITTAL FORM

Date: \_\_\_\_\_

1. Owner's Name: \_\_\_\_\_ Lot #: \_\_\_\_\_

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

2. Contractor Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ License #: \_\_\_\_\_

3. Description of work to be done: \_\_\_\_\_

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

Date work is to begin: \_\_\_\_\_ Estimated completion date: \_\_\_\_\_

4. Type of materials to be used: \_\_\_\_\_

\_\_\_\_\_

5. Color(s) to be used: \_\_\_\_\_

6. Other information: \_\_\_\_\_

\_\_\_\_\_

**An accurate drawing must be attached using your lot dimensions showing the location of the proposed structure.** For room additions, or anything that must tie into the roof line, an elevation of the proposed structure must also be attached. All work must be completed in a timely manner.

Architectural Review Committee requests will be reviewed as soon as possible. Requests will be approved, denied or returned for additional information after review. If you have any questions, please feel free to call our office at 520-219-4520 or email [manager@armoryparkdelsol.org](mailto:manager@armoryparkdelsol.org).

**FOR ARC COMMITTEE USE:**

Meeting Date: \_\_\_\_\_ Response Sent to Homeowner: \_\_\_\_\_

Action taken: \_\_\_\_\_

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