

CSE II Policy Resolution 2022-01
ARCHITECTURAL COMMITTEE PROCEDURES, GUIDELINES, AND RULES

WHEREAS the Declaration of Canoa Seca Estates II requires and authorizes the Board of Directors to create an Architectural Review Committee (ARC); and

WHEREAS, the Board of Directors has appointed the membership of an ARC pursuant to the documents; and

WHEREAS, Article 10.2 of the By Laws charges the ARC with the duty to enforce Article 12 of the Covenants, Conditions and Restrictions CSE II (CC&Rs) (Use Restrictions) and any rules created in support of that article; and

WHEREAS, the Board of Directors has accepted Architectural Guidelines proposed by the ARC; and NOWHEREFORE, BE IT KNOWN THAT the Board of Directors adopt the following Architectural Guidelines.

BACKGROUND:

- 1) These guidelines are provided as a supplement to the Covenants, Conditions and Restrictions (CC&Rs) which are readily available on the CSE II website.
- 2) The intent of these guidelines is to facilitate the Homeowner in obtaining approval for any alterations and/or additions which he or she may contemplate for his or her property and the exterior maintenance of such property
- 3) Observance will ensure a consistent and harmonious neighborhood character, one that is architecturally and aesthetically pleasing and confers a benefit on the homeowners by maintaining the value of their property.
- 4) The Architectural Review Committee, ARC, is responsible for collaborating with the homeowners to ensure they are following the CC&Rs and these guidelines.

PROCEDURES

1. COMPLIANCE AND APPROVALS: Section 11.2 of the CC&Rs requires each Owner to obtain written approval from the Architectural Committee before adding, altering, modifying, or changing any Improvements on the lot.
 - a. Section 11.9 of the CC&Rs establishes the guidelines for the ARC to ensure conformance to these guidelines. This is accomplished by the ARC in two ways.
 - i. The ARC conducts semiannual walkabouts typically in Nov and May to ensure compliance. Courtesy notices are sent to notify homeowners of any noncompliance and requests correction
 - ii. The ARC receives and evaluates complaints. If the ARC deems the complaint to be valid a courtesy notice is sent to notify the homeowner of the noncompliance and request correction.
2. INSPECTION FOR HOME SALE: The ARS 33-1806 requires an HOA to certify that a home to be sold is compliant with the CC&Rs and notify the buyers within 10 days of receipt of the Title notice.
 - a. The ARC conducts compliance checks when notified by the title company. Noncompliant issues must be resolved prior to closing. To facilitate a smooth sale the ARC will, at the seller's request, conduct a pre-sale inspection. The ARC will send the results of the preliminary inspection to the seller. When notification of sale is received from the title company the ARC will then conduct a final inspection to ensure that any noncompliant issues identified in the preliminary inspection have been corrected.
 - b. The ARC conducts inspections using the Compliance Checklist and Compliance worksheet which can be found on the CSE II website.

GUIDELINES AND RULES

1. ARCHITECTURAL COMMITTEE /LOT IMPROVEMENT: Article 11 of the CC&Rs, establishes the requirements for additions and modifications as well as the procedure for approval of any additions, alterations, modifications, or changing any Improvements on the lot.
 - a. The Project Request form is available on the CSE II website.
 - b. The definition of an Improvement on a Lot is provided in Section 1.7 of the CC&Rs, and is as follows: "any buildings, garages, homes, outbuildings, patios, swimming pools, walls, driveways, excavation, landscaping, fixtures, sunshades, fences, awnings, any other structure or any decorative items placed on a Lot, which is visible from Neighboring Property."
 - c. Any part of a proposed project that involves construction outside current fences or building walls may require a determination from a surveyor that the proposed construction is within the lot boundary. The ARC will determine if such a determination is required during the project approval process.

2. EXTERIOR PAINT COLORS and MURALS (See Section 12.2 of the CC&Rs): The Exterior Paint Schedule can be found on the CSE II website under ARC forms

- a. It is the responsibility of the homeowners to ensure that Improvements on the Lot are regularly repainted as the exterior paint fades, chips, or is otherwise worn over time, homeowners must consult the Exterior Paint Schedule faded or chipped exterior paint be repainted in accordance with the paint schedule.
- b. Exterior murals hand painted or tiled must have a Sonoran Desert theme. Murals are limited to the rear patios. A drawing with appropriate colors or a picture/photo must be approved by the ARC through the process defined in Section 11.3 of the CC&Rs

3. ANTENNAS and EXTERIOR ADDITIONS (See Section 12.3 of the CC&Rs):

- a. A weather station must be installed in the least obtrusive place on the lot where there is still acceptable functionality.
- b. Home Security cameras (with or without audio recording capabilities) located at entry/exit points to a residence on a lot (i.e., front doors, patio doors, garage doors, windows) do not require prior submission to and approval from the Architectural Review Committee. All security cameras must be positioned so as to fully or limit recording or surveillance to only those activities occurring on the Lot on which the security camera is installed and must not interfere with or intrude upon the reasonable expectation of privacy of residents on neighboring Lots. Security cameras must not be directed toward the doorways or windows of a neighboring residence. Lot Owners should review Title 13, Chapter 30 of the Arizona Revised Statutes pertaining to audio and video recordings. Owners are encouraged to communicate with their neighbors before installing such devices, and to post appropriate signage on the Lot. The installation of a reasonable number of signs on a lot indicating that security cameras (with or without audio recording capabilities) are in use is permissible

4. SOLAR ENERGY DEVICES (see Section 12.4 of the CC&Rs): All such devices are subject to ARC review and approval through the process defined in Section 11.3 of the CC&Rs.

- a. Solar Panels, whether for generation of electricity, water heating, or other purpose, when intended for installation on the roof or attached patio cover, must be installed at the lowest angle possible which does not impair the functioning of the panel or adversely affect the cost or efficiency of the panel per the manufacture's specifications. The installation design shall include measures taken to hide the solar installations from the view from common areas or neighboring properties. Consideration should be given to views from uphill residents. Project request shall include design features to hide the installation and be approved by the ARC. All conduit and wires must be hidden or painted in accordance with the paint schedule.
- b. Ground mounted solar panels of any kind are not permitted, unless located completely behind the walls of the rear or side yard and mounted so as not to be taller the height of the lowest adjacent wall.

5. FLAGS AND FLAGPOLES (See Section 12.5 of the CC&Rs):

- a. It is recommended that the height of a ground-based flagpole not extend above the height of the house
- b. Flag lighting must be shielded down consistent with dark night sky guidance or the old tradition of lowering flags at sunset shall be employed
- c. All Flags must be flown on a pole (i.e., not draped, hung from eaves, etc.)

6. FENCES WALLS AND HEDGES: Section 12.6 of the CC&Rs establishes the guidelines.

7. EQUIPMENT: Section 12.7 of the CC&Rs establishes the guidelines for mechanical and electrical equipment.

8. LIGHTS (See Section 12.8 of the CC&Rs): The purpose of these guidelines is to preserve the relationship of the residents of CSE II to their unique desert environment through protection of access to the dark night sky. Homeowners must conform to the Pima Outdoor Lighting Code which can be found at

http://webcms.pima.gov/UserFiles/Servers/Server_6/File/Government/Development%20Services/Building/OLC.pdf.

A guide for compliance can also be found at

<https://www.darkskysociety.org/handouts/idacodehandbook.pdf>

9. TREES SHRUBS AND OTHER VEGETATION (See Section 12.14 of the CC&Rs): Invasive species should be avoided and eliminated. When planting, native species should be used. A guide for planting can be found on the Arizona Native Plant website <https://aznps.com/floras/>

- a. The height of trees must not exceed the height of the parapet if they inhibit the scenic view of the Santa Rita Mountains, East of Green Valley, Arizona, from homes, patios, and other entertainment areas on any other Lot. The valley to the East is not considered part of the scenic view.
- b. Height variances can be requested via the Vegetation Height Variance Request form which can be found on the CSE II website.
- c. See Section 12.14.2 of the CC&Rs for exemptions to Height Restrictions.

10. VEHICLE PARKING AND STORAGE: See Section 12.15 of the CC&Rs

- a. Parking variances can be requested via the Parking Variance Request form which can be found on the CSE II website.

11. The following use restrictions are defined in in the CC&Rs and are provided here as reference:

- a. SIGNS: See Section 12.18 of the CC&Rs
- b. CLOTHESLINES: See Section 12.19 of the CC&Rs
- c. PARTY WALLS: See Article 13 of the CC&Rs

12. DRIVEWAYS AND WALKS:

- a. Modifications to the builder installed driveway, whether in material or in size and or dimensions, must be approved by the ARC.
- b. Primary walks to the front door shall be concrete or other solid surface specialty paving systems (i.e., brick, concrete pavers, flagstone, etc.) and must be approved by the ARC
- c. Exterior garden walks may utilize other materials, however, must be specifically approved by the ARC

13. WALL HANGINGS/HOLIDAY DECORATIONS: Wall hangings and other outdoor decorations must be tasteful and, in a Southwest, or Holiday motif and not be excessive.
 - a. Exterior Holiday decorations may be placed no earlier than 30 days prior to the Holiday and must be removed within 14 days after the Holiday.
14. BENCHES AND SEATING OUTSIDE THE WALLS: Benches and seating in the front of homes shall be tastefully placed and of a material that does not change the harmony of the overall scheme of the property or the neighborhood.
15. BUILDING AND ROOF MATERIALS: All exterior additions must be made in conformance with the original architectural design, style, and color of the structure being built.
 - a. Home styles and materials are typically combinations of slump block and stucco. Blocks are either red or whitewashed. There are two types of roofs, flat composite with white- or sand-colored coatings, and red tile. Tile can be either clay or cement.
 - b. If existing windows or doors are being moved or the openings blocked up, permission must be sought from the ARC. When just the windows or doors are going to be replaced and the openings are to remain as is, the owner may do so without contacting the ARC.
16. FIREPLACE CHIMNEYS AND FLUES: All external chimneys and/or flues not installed by the original builder must have ARC approval.
 - a. External chimneys and/or flues must be enclosed in brick or materials compatible in design, location, and color matching the exterior of the home and cannot be in the front of the house.
17. INSECT CONTROL DEVICES: No insect control device shall be installed or operated in such a way as to cause discomfort to the neighbors and may only be operated during those times when the immediate area protected by the device is occupied by the Owner and guests. Insect control devices shall be turned off by 10:00 PM on weeknights and 11:00 PM on weekends.
18. HEATING AND AIR CONDITIONING: Ground level compressors for central air conditioning units and heat pumps visible from a neighbor or the common area should be screened by architectural treatment or appropriate landscaping. The height of rooftop units shall be as close as possible to that of the unit that is being replaced.

Dated: this 19th day of October 2022

CANOA SEC ESTATES II HOMEOWNERS INC.
an Arizona non-profit corporation

By: 
It's President

Attest


Secretary