

# **AMBERWOOD COMMUNITY ASSOCIATION**

## **ARCHITECTURAL COMMITTEE RULES AND REGULATIONS**

Based on excerpts from the CC&Rs and By-laws of the Association

Adopted 6/29/2015

Revised 11/4/2019

The following Rules and Regulations are intended to benefit the common good and as a result to maintain property values and encourage neighborly cooperation. Your Board of Directors and the Architectural Committee wish to thank you for your cooperation with the application and approval process. Please call the Association's Property Manager if you have any questions.

1. No improvement, addition, alteration, repair, excavation or other work which in any way alters the exterior appearance of any improvement or any portion of any Lot and no building, fence, wall, drive approach or other structure shall be commenced, erected, maintained improved, altered, made or done until the plans and specifications for the same have been submitted to and APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. Such improvements include, without limitation, buildings, fences, walls, hedges, plantings, planted trees and shrubs and any and all structures and landscaping of any type and kind. Such plans must be submitted in writing with appropriate forms and fees to the Property Manager's Office for review by the Architectural Committee. When any construction on any Lot has been started, it shall be completed within one year from start date, subject to the exceptions noted in Section 2.16 of the CC&Rs and City of Flagstaff regulations.
  - a. For "new construction of the main residential structure on a lot" or "rebuilds of the main residential structure on a lot" A.R.S. § 33-1817 requires the Association or Architectural Committee to hold a final design approval meeting for the purpose of issuing approval of the plans for the project.
  - b. In addition, two on-site inspections will take place during the construction process by the Architectural Committee or a designated representative.
2. No trees located upon any Lot may be removed without the PRIOR WRITTEN APPROVAL OF THE ARCHITECTURAL COMMITTEE and the City of Flagstaff. Before a tree removal application is submitted to the Association's Architectural Committee for review, prior written approval from the City of Flagstaff must be obtained in accordance with the City's Resource Preservation Plan outlined in CC&R Section 2.5. Upon receiving written approval from the City of Flagstaff, an application must be submitted to the Association's Architectural Committee for prior written approval.
3. No fence shall be constructed on any Lot unless its style and design is APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. Fencing is subject to City of Flagstaff regulations and shall not exceed 6 feet in height. Approved fencing shall consist of and be installed as follows:
  - a. Wood fences must have the finished side facing out, with metal posts covered.
  - b. Masonry fences must be decorative block or stucco and painted in coordination with the house.
  - c. Wrought iron and plastic modular fences may be approved on a case-by-case basis.
  - d. No metal wire or chain link fences will be permitted.
  - e. Decorative non-functional fences, not to exceed three feet in height, may be built near the property lines on all lots upon approval. All such fences must be in architectural coordination with the landscaping of the house.
  - f. No chicken wire or hog wire may be attached to fencing. Other wire may be approved on a case by case basis.
  - g. All fences must be properly maintained and cared for. This includes proper weather proofing and/or painting or staining of all materials.
  - h. The Board of Directors, the Architectural Committee and the Property Managers do not warrant the location of property boundaries or mediate property boundary disputes. The WRITTEN APPROVAL of a fence plan by the Architectural Committee or the Board of Directors does not imply verification of the locations of the boundaries of the Lot. Such WRITTEN APPROVAL furthermore, does not relieve the Lot Owner of the responsibility to verify property boundaries. The Board of Directors and the Architectural Committee recommend that a survey be conducted by the Lot Owner to verify accurate boundaries before any fence is constructed.

4. All front yard landscaping and all landscaping upon those portions of any Lot which are visible from any other Lot or Common Area shall be installed by the Owner of the Lot in accordance with the landscaping plan which has been submitted to and duly APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE.
  - a. The landscaping plan may be submitted with the new construction plans for review, or within 30 days after the issuance of the Certificate of Occupancy for the residence.
  - b. All landscaping must be completed pursuant to the approved plan within 90 days following the final inspection of Residence and issuance of a Certificate of Occupancy, weather and seasonal conditions permitting.
  - c. New construction and substantial landscaping renovations requirements:
    - i. Plant Materials: A minimum of one 15 gallon or greater tree and three 5 gallon shrubs. (One gallon shrubs may be substituted for the 5 gallon shrubs at a ratio of 3:1). Plant materials shall be from the current City of Flagstaff Approved Plant Materials list.
    - ii. Optional Materials: Drought tolerant or artificial turf (e. g. 'Foreverlawn')
    - iii. Perennial or annual flowers from the City of Flagstaff Approved Plant List
  - d. Lots that do not have approved landscape plans on file with the Association's Property Manager may be required to complete additional work to meet the minimum requirements for aesthetics that bring value to the entire community.
  - e. Per Section 2.6 of the CC&R's, all installed landscaping improvements shall be properly maintained by the Lot Owner. If such maintenance is not performed by the Lot Owner the Association may, but shall not be obligated to, perform such maintenance at the sole cost of the Lot Owner. In addition, the Association may impose fines as a result of any such violation by the Lot Owner.
5. Proposed storage sheds must be submitted for WRITTEN APPROVAL. Sheds are considered buildings and shall not exceed 10' (ten feet) in height, the maximum square footage for a shed is 120 square feet. Approved sheds must be located within the building setbacks of the Lot and must match the building material colors (roofing and siding) of the residence. No prefabricated metal or plastic sheds will be allowed.
6. Vehicle parking is limited to the garage and "APPROVED" driveway areas only. Parking on landscaping deteriorates the landscaping materials which results in the landscaping falling below an acceptable standard of maintenance
7. Houses under construction must follow the City of Flagstaff Regulations for portable toilets and construction refuse containers. Lots must be kept reasonably clean, sidewalks kept passable and excessive noise restricted during the construction process. Lot Owners must comply with property boundaries and setbacks.
8. Miscellaneous Architectural Guidelines:
  - a. No all stucco homes are permitted.
  - b. No log cabin homes are permitted.
  - c. No domes are permitted.
  - d. No T-111 or any other 4'x8' p1 siding materials are permitted.
  - e. No straight-line roof designs are permitted.
  - f. No "Box" designs-home designs are permitted, residence must have a 'custom' home appearance
  - g. Metal roofs may be permitted subject to Architectural Committee approval
  - h. No F.H.A. 235# shingles are permitted. All shingles must be a 25 year/dimensional shingle or better.
9. Lot Owners should review the attached Violation Fine Process and Schedule for information about the process regarding violations, hearings, appeals, etc.

In the event of a conflict between a provision hereof and a provision of the CC&Rs, the provision of the CC&Rs shall prevail. Nothing contained herein shall be deemed to limit the applicability of the provisions of the CC&Rs. The Board may from time to time in its sole discretion amend, repeal, or augment these Rules and Regulations as it deems appropriate, subject, of course, to the terms of the CC&Rs and applicable law. It is the responsibility of each Owner to obtain and adhere to the stipulations of the most recent copy of these Rules and Regulations. The Architectural Committee and the Board retain the right to grant variances from these Rules and Regulations as determined appropriate in their sole discretion.