



ARCHITECTURAL DESIGN GUIDELINES

COMMUNITY OF COYOTE CREEK

Sept 26, 2023

SUMMARY OF MATERIAL CHANGES

to Coyote Creek ADG dated April 21, 2021

Changes approved on Sept 26 2023

Section 2.11.2. Temporary Driveway During Construction

Requires builder to place one and one-half inch (1 ½) rock for temporary driveway.

Changed responsibility from Builder to Homeowner for cleaning the street, and requires Homeowner to reimburse Coyote Creek HOA if the DRC is required to contract for cleaning

Section 4.2.1 Association Fees MUST BE PAID BY LOT OWNER

Increased Association Fee from \$3,200 to \$3,700

Increased Construction Deposit from \$1,500 to:

\$10,000 for a new residence or

\$5,000 for a major modification or improvement of an existing residence

Added a nonrefundable "HOA Infrastructure Fee of:

\$1500 for new residence

\$1,000 for a major modification or improvement of an existing residence

Section 4.2.2 Reviewing Architect Fees (Payable in Advance and Non-Refundable)

Added text to stipulate that reviewing architect fees are included with the Association Fee in section 4.2.1

Section 5. New Home Construction Process

Added caveat "unless waived in writing by the Design Review Committee" to paragraph 3 and 4.

Section 5.3 Post-Construction Inspection

Paragraph 4: deleted sentence "The Design Review Committee, in its discretion, may release all or any part of the deposit to the member before receiving a compliance report."

Paragraph 6

Text changed to specify that "The Lot Owner will be responsible for the cost of the repair/cleanup and/or re-vegetation and such costs will not be deducted from the Construction Deposit. If the Lot Owner refuses to pay for the cost of the required repair/cleanup and/or re-vegetation, the Lot Owner may forfeit the entire amount of his or her Construction Deposit."

Section 5.4.3. Fees

Changed \$500 damage deposit to \$5,000 Construction Deposit.

Added \$1,000 non-refundable HOA Infrastructure Fee

Section 6. Construction Rules and Standards

Deleted requirement for DRC approval of staked, roped/fenced construction area and replaces it with “in compliance with applicable laws and regulations.”

Changed permitted construction days to allow construction on Sunday if performed with no noise.

Changed 3-day warning to 15-day warning for worksite clean-up.

Section 7.4 Appendix D: Construction Agreement

Replaced with new Construction Agreement

Summary of Material Changes

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July 11, 2019 Guidelines:

2.11.1. Driveway Design Requirements

- Driveways must be more than six (6) feet from the water meter box as requested by the local water company or a traffic box may be used.
- Driveways which cross washes must have appropriate concrete toe-downs, culverts or bridges and may not alter the flow of the wash.
- Space must be provided for the parking of a minimum of two guest vehicles and must be in the same material as the driveway.
- All driveway cuts must be repaired at and around the right of way entry; internal slope cuts may be required.
- Drainage from driveways shall not impact adjacent lots or common areas.

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Changes made in the last 12 months as written on April 21, 2021:

2.11.1. Driveway Design Requirements

- Driveways must be more than six (6) feet from the water meter box as requested by the local water company or a traffic box may be used.
- Driveways which cross washes must have appropriate concrete toe-downs, culverts or bridges and may not alter the flow of the wash.
- Space must be provided for the parking of a minimum of two guest vehicles and must be in the same material as the driveway.
- All driveway cuts must be repaired at and around the right of way entry; internal slope cuts may be required.
- Drainage from driveways shall not impact adjacent lots or common areas.
- Driveway apron must be 45 feet in length from street and of approved Pavers or tan colored concrete.

Summary of Material Changes

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June 15, 2020 Guidelines:

**No verbiage in guidelines for rules related to
for sale signs.**

Changes made in the last 12 months as written on February 17, 2021:

Add Section 2.30 - Signs

- Notwithstanding any provision in the community documents, an association shall not prohibit or charge a fee for the use of, placement of or the indoor or outdoor display of a for sale, for rent or for lease sign and a sign rider by an association member on that member's property in any combination, including a sign that indicates the member is offering the property for sale by owner.
- ✓ The size of a sign offering a property for sale, for rent or for lease shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. This subsection applies only to a commercially produced sign, and an association may prohibit the use of signs that are not commercially produced.
- ✓ With respect to real estate for sale, for rent or for lease in the planned community, an association shall not prohibit in any way other than as is specifically authorized by this section or otherwise regulate any of the following:
 1. Temporary open house signs or a member's for sale sign. The association shall not require the use of particular signs indicating an open house or real property for sale and may not further regulate the use of temporary open house or for sale signs that are industry standard size and that are owned or used by the seller or the seller's agent.
 2. Open house hours. The association may not limit the hours for an open house for real estate that is for sale in the planned community,

except that the association may prohibit an open house being held before 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the common areas of the planned community.

3. An owner's or an owner's agent's for rent or for lease sign unless an association's documents prohibit or restrict leasing of a member's property. An association shall not further regulate a for rent or for lease sign or require the use of a particular for rent or for lease sign other than the for rent or for lease sign shall not be any larger than the industry standard size sign of eighteen by twenty-four inches on or in the member's property. If rental or leasing of a member's property is not prohibited or restricted, the association may prohibit an open house for rental or leasing being held before 8:00 a.m. or after 6:00 p.m.

Summary of Material Changes

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July 11, 2019 Guidelines:

Section 2.11.3. Acceptable Paving Materials.

- Natural concrete
- Colored concrete
- Exposed aggregate concrete
- Brick or Brick pavers

Changes made in the last 12 months as written on June 15, 2020:

Section 2.11.3. Acceptable Paving Materials.

- Colored concrete
- Exposed aggregate concrete
- Approved pavers

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1. Introduction

The Coyote Creek (CC) DRC has been established in accordance with Article IV of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Coyote Creek (CC&R's), and charged with ensuring each home site, structure and landscape is integrated into the natural Sonoran Desert environment of the community. The Design Review Committee Charter includes Vision and Mission statements, as follows:

Vision

That Coyote Creek will be recognized and promoted as one of Tucson's "Best Places to Live"

Mission

To define and maintain design standards that preserve a desirable quality of life and protect the investment of all the Residents of Coyote Creek and to promote their understanding of the Architectural Design Guidelines.

The complete Charter includes the Values, Strategy and Objectives of the Committee and is provided in its entirety as Appendix A of this document.

1.1. Design Review Committee (DRC)

The composition and organization of the Design Review Committee is defined in Section 4.6 of the CC&R's. Members are non-compensated, volunteer appointees. Their responsibilities include:

The development, amendment, supplementation, repeal, administration and implementation of the Design Guidelines

The review and approval/disapproval of all new construction, improvements, modifications, alterations, repairs, or any other work, including certain maintenance actions, which in any way alter the exterior appearance of a Lot (as such term is defined in Section 1.24 of the CC&R's) and/or its structures

1.2. Architectural Design Guidelines (ADG)

Preservation of the natural ambiance of the Coyote Creek community requires standards which foster a harmonious blend of the desert habitat with "civilization." The Architectural Design Guidelines set forth standards (Section 2) for architectural design, color schemes, exterior finishes and materials, landscaping and any and all improvements or modifications which in any way alter the exterior appearance of any community Lot and/or its structures.

While every effort is made to accommodate the individuality of each homeowner, any new construction or changes to existing property must adhere to the overall community design objectives set forth in the Architectural Design Guidelines. The Architectural Design Guidelines also establish procedures for design review of any new construction or modification to existing property and/or structure. Refer to Section 3 for details regarding Approval Procedures.

Lot owners, architects, contractors, builders and other affected parties are advised to secure the latest version of the Architectural Design Guidelines as they are subject to periodic review and amendment. The most current Architectural Design Guidelines can be obtained at the Association's website: <http://www.coyotecreekhomeowners.org> or by contacting the Association's current Management Company. The term "Association" is defined in Section 1.4 of the CC&R's.

1.3. Architectural Submittal Requirement (Assessment)

Notwithstanding anything to the contrary herein or in the Design Guidelines, prior to any Owner submitting a submittal to the Design Review Committee in accordance with the Design Guidelines and this Section, such Owner shall first be current and not in default or delinquent in payment on any dues, Assessments, penalties, fines, and other monetary obligations imposed on such Owner hereby, and in no event shall the Design Review Committee be obligated or required to accept, review or approve any submittal in the event such submitting Owner is in default of or delinquent on its payment obligations hereunder.

2. Architectural Design Standards

All exterior design elements used to construct new homes or to modify, improve or maintain certain exterior elements of the existing homes and structures in Coyote Creek must be approved by the DRC prior to implementation.

Possible changes to a residence or a lot include, but are not limited, to the following:

New Single Family Residence: Building of a new residence on a vacant Lot site **or** a Lot on which an existing residence will be demolished.

Structural Additions/Alterations to an Existing Residence: Changes to the appearance of an existing residence.

Demolition: Removal of any building or portion of any building.

Minor Improvements (Walls, Pools, Landscaping, etc.): New site walls, pools, spas, landscaping/plantings **or** modifications to the existing hardscape (i.e. walls, pools, plantings, etc.) of an existing residence. Minor improvements would also include new paint, new driveway, new sidewalk material etc.

Landscape: Landscaping 1) required as a result of construction of a new home or a major addition, 2) disturbance of native vegetation, 3) the installation of new plantings, boulders or landscape lighting, or 4) major changes or expansion of existing landscaping.

2.1. Applicable Rules and Regulations

Except where the Pima County Hillside Development Zone Ordinance or other applicable governmental rules and regulations impose more restrictive requirements, the standards defined in the following sections shall apply.

2.1.1. Zoning

Pima County zoning governs all development unless further restricted by the CC&R's and the requirements contained therein.

2.1.2. Setbacks

Minimum setbacks for homes shall be as required by the recorded subdivision plat, the approved Building Envelope and by the determinations of the DRC.

2.1.3. Building Envelope

Single family residence, garage, building, pool, wall coping, overhang, other structure or improvement (excluding drainage ways, driveways, private roads and septic systems) shall be placed inside the building envelope unless an approved variance of the building envelope is obtained.

Building envelopes have been established for the location of structures, landscape, patio walls and fences, and access improvements on each Lot within Coyote Creek. The locations of building envelopes have been selected to protect certain view corridors and to provide for privacy for existing homes. Any request to modify a building envelope must be submitted to and approved by the DRC.

With the exception of driveways, septic installations, leach fields and approved walking paths, all site disturbances must be located within the building envelope as established or approved by the DRC. Driveways, septic installations and walking paths may be located outside the building envelope as needed, but their location must be clearly identified on the site plans and approved by the DRC prior to installation.

The building envelope for Lots designated as "Equestrian Home sites" include an additional allowance for site disturbance of 8,000 square feet for the construction of enclosures, corrals, workout areas, and other approved structures. These structures must be approved by the Design Review Committee prior to construction.

2.2. Dwelling Minimum Square Footage

The minimum required heated and cooled living area within any primary dwelling constructed in Coyote Creek is 2,300 square feet. A minimum two-car garage shall be constructed on every lot before the residence is occupied.

2.3. Building Maximum Height

Maximum allowed building height in Coyote Creek is measured from the Average Natural Grade Elevation (ANGE) under the structure. This calculation is used as the base point in determining the maximum allowed height of each structure and is established as follows:

1. Refer to the topographical plat of the Lot (prior to any excavation or fill) with the building structure (all area under roof, including garage and covered patios) superimposed at the intended construction site.
2. Take the sum of the highest and lowest elevation covered by the building structure and divide by two. The highest portion of the roof line does not include chimneys.
3. The result is the ANGE or baseline elevation from which maximum building height is calculated.

Allowable height maximums are as follows:

- 17 feet above ANGE- applied to 2/3 or more of the structure
- 20 feet above ANGE- limited to 1/3 or less of the structure

In some cases, the ANGE may provide an elevation that is not satisfactory to the design of a home. On a case by case basis, the DRC may approve a different elevation from which the heights are measured. This should be completed prior to the preliminary submittal so one does not spend too much time on the design without knowing if it will be approved.

The maximum exposed, unbroken wall length shall be 23 feet.

For peaked roofs, the peak height applies to the entire area under the peak. Refer to Section 7.2 Appendix B for measurement details and a diagrammed example.

Two-story homes are not permitted. Should the natural slope of the designated build area site allow for a walk-out design (a living level below a portion of the main level) or a basement design, the Design Review Committee will consider such a plan. Approval is dependent upon the impact of the design to neighboring Lots and the natural environment and is not guaranteed. Building height for such a design, if approved, is still measured from ANGE, and maximum allowable heights remain as follows:

- 17 Feet above ANGE – applied to 2/3 or more of the structure
- 20 Feet above ANGE – applied to 1/3 or more of the structure

Building height for detached structures (garages, casitas or other approved accessory buildings) will be calculated independently using the same guidelines and allowable height maximums.

Finished Floor Elevations (FFE) do not have to match the ANGE, but in all cases, the heights have to be within the restrictions set forth which are based solely on the ANGE. The FFE should be as low as possible consistent with drainage and other Federal, State and County construction requirements. FFE is **not** used in determining maximum allowable building heights.

For Additions/Alterations to an Existing Home, the new construction may not exceed the height of the highest portion of the roof line or parapet of the existing structure. The highest portion of the roof line does not include fireplace chimneys.

2.4. Site Development and Grading

Site development and grading shall be accomplished with a minimum of disturbance to topographical features and environmental elements. Where topographical constraints exist, landscape or architectural design solutions shall be utilized rather than grading solutions. Mass grading of an area to provide a building pad is prohibited.

All natural areas that are disturbed due to construction activity, including the installation or repair of septic systems, will require hydroseeding and re-vegetation with temporary irrigation in accordance with Sections 2.12 and 5.3 of the ADG and Section 4.5 (Re-Vegetation and Hydroseeding) of the Landscape Design Guidelines.

2.5. Finish and Trim/Accent Materials

For purposes of the ADG, exterior walls of any structure as well as the perimeter walls are defined as Finish elements. Exterior surfaces shall be compatible with community standards and blend into the natural landscape. All other exterior components (roofing, eaves, windows, frames, doors, garage doors, gates, scuppers, downspouts, etc.) are categorized as Trim/Accent elements.

- Stucco
- Slump block
- Split face concrete block
- Brick and mortar washed brick
- Fired adobe block
- Natural and cultured rock

Exposed wood timbers

- Must be a minimum thickness of 8", kiln dried, bolted or strapped securely in place and treated with a preservative, stained or painted.
- Metal
 - May be used for accent or trim (Examples: roof scuppers, gutters, downspouts, garage doors, sheet metal panels). It may also be approved as a roofing material in certain cases. Refer to Section 2.8.2 for metal roofing restrictions.
 - All exposed metal must be painted, coated or finished to minimize or eliminate reflectivity.

Samples of these materials and plans detailing their placement, use, color and reflectivity must be submitted to the DRC and approved prior to installation.

2.6. Colors

The objective of these color requirements is to ensure that homes and structures in Coyote Creek blend with the natural surroundings and landscape. Requirements are as follows:

- The maximum/lightness LRV (light reflective value) allowable for any exterior color is 40.
- Finish Colors: The LRV allowed range is 15 – 40. Acceptable colors are earth tone colors.
- Trim/Accent Colors: There is no restriction on minimum LRV. Colors other than earth tones may be used, but must complement the Finish color
- White or near white is not permitted for use on structure walls, roofing, hardscape and/or trim elements.
- Aluminum window and door frames are prohibited.
- Highly reflective exterior surfaces are prohibited.

The color of all exterior elements must be approved by the DRC prior to installation or application. Approval requests must include the following:

- Manufacturer, color name, number and LRV
- Paint samples displayed on a 2' by 2' board or accessible section of the structure exposed to the sun to be painted, sample(s) in the requested color and style of the following materials:
 - Pre-colored stucco
 - Block
 - Brick
 - Pavers
 - Rock
 - Wood
 - Metal
 - Colored or aggregate concrete
 - Concrete, clay or Mexican roof tiles
 - Roof coating

In the case of new construction or whenever approval of multiple exterior elements is being requested, a color palette board displaying samples of all the exterior materials and colors to be used is required. The DRC reserves the right to conduct an on-site visit to preview the requested colors and materials prior to rendering a decision. A change in the color of one or more of the approved exterior elements will require that a request for such change be submitted to the DRC for approval prior to implementation.

Additions or modifications to an existing home may be painted in the same color as the original structures as long as the ADG have not been changed, or approval may be sought to repaint all structures another color, following the same procedure as is required for new construction. In any case, any item to be painted or repainted must be approved according to current guidelines.

2.7. Decoration and Ornamentation

Any decoration or ornamentation that may be visible or audible to adjacent Lots or to the street shall be submitted to the DRC for approval prior to its installation. The DRC shall have the right to disapprove any decoration or ornamentation that it determines is not in good taste, presents a nuisance, or is not in keeping with the character of Coyote Creek. Such items include, but are not limited to, statues and/or sculptures of any sort, decorative wall art or tiles, fountains, grottos, ponds or other water features, laser light features, wall illuminations, murals, trellises, wall hangings, mobiles, etc.

2.8. Roofing

The roof is an integral part of the home or structure and must blend with the architecture of the residence in both design and composition. Roof color must match or complement the primary color of the home. White or light color roofs are not allowed. Design, material and color of the roof must be submitted to the DRC for approval prior to installation.

2.8.1. Design Requirements

Flat and pitched roofs as well as a combination of the two are permitted

Roof heights must be varied with a minimum offset of at least 16 inches; long unbroken lines are not permitted

The pitch of a sloped roof may not exceed 6 vertical inches per every 12 horizontal inches

Parapets must be continuous around the flat roof perimeter (including porches) and must be a minimum of 12" above the roof surface

If covered in a painted surface, chimneys must match the exterior color of the home.

All other items penetrating the roof such as vents, flashing, etc. must be painted to match the home when located on a flat roof or painted to match the roof material when located on a pitched roof.

2.8.2. Acceptable Materials

Concrete tile

Natural clay or Mexican tile

Desert Tan or darker flat roof coating

Metal

- May be allowed depending upon the topography of the Lot and the position of the structure in relation to neighboring properties
- Material must be minimally reflective and may not be used on more than 65% of the total roof area
- Color and LRV standard (Section 2.6.) apply but are not the only factor determining acceptability. In addition, the material must be minimally reflective with a flat finish and a low gloss level (between 10-15%). Note: Metal roofing manufacturers provide Sun Reflectivity Index (SRI) ratings and do not use LRV as an industry standard of measurement. These two factors do not equate.

White and/or highly reflective roofing materials are prohibited. Refer to Section 2.6 for detailed color guidelines.

2.9. Fireplace Chimneys

Fireplace chimney heights and forms must complement the Structure's overall design. Chimney heights (including any cap, cover, or canopy) shall not extend more than 2 feet above the applicable building code maximum height criteria. Chimneys shall continue the same materials and colors as presented on the Structure.

2.10. Perimeter Walls and Gates

Perimeter, patio and courtyard walls as well as utility yard enclosures must be constructed of the same or complementary materials and colors as the structure. Long wall lines must be softened, recessed and/or landscaped for vertical and horizontal relief. In some cases, height variation may also be required to provide this relief.

The following guidelines apply:

- Height is measured from the exterior finish grade adjacent to the wall.
- Rear and side walls may not exceed 6' in height, without approval variance.
- Walls at the front of the home or structure may not exceed 4' in height.

Walls which project in a way to reveal their thickness must terminate in a minimum sixteen-inch-wide pilaster.

- Metal inserts for view areas within masonry walls are acceptable.
- Gates, if used, must be constructed of metal or of wood slats within a metal frame.
- Use of all metal fencing is acceptable on a case-by-case basis. A detail must be provided for review and approval.

All perimeter, patio and courtyard walls, utility yard enclosures, view fencing and gates must be approved by the DRC prior to construction. A variance may be allowed under certain instances that pertain to natural lot elevations.

2.11. Driveways

All driveways must be paved with acceptable paving materials. Driveway design, materials and colors must be approved by the DRC prior to installation. New home design approval requests must include the driveway location and design and be approved and completed prior to the requested return of the construction deposit. (see Sections 4.2 & 5.3)

2.11.1. Driveway Design Requirements

- Driveways must be more than six (6) feet from the water meter box as requested by the local water company or a traffic box may be used.
- Driveways which cross washes must have appropriate concrete toe-downs, culverts or bridges and may not alter the flow of the wash.
- Space must be provided for the parking of a minimum of two guest vehicles and must be in the same material as the driveway.
- All driveway cuts must be repaired at and around the right of way entry; internal slope cuts may be required.
- Drainage from driveways shall not impact adjacent lots or common areas.
- Driveway masonry apron must be 45 feet in length from street.

2.11.2. Temporary Driveway During Construction

Builder must lay one and one-half (1-1/2)" rock on a bladed driveway for length no less than thirty (30) feet to minimize dirt from getting on the streets. This must be done as soon as grading for the driveway has been completed.

If increased level of cleaning of the street is necessary other than routine Coyote Creek cleaning, the Homeowner must either clean the street or the Design Review Committee will contract to clean the street and the Homeowner must reimburse the Coyote Creek HOA for the costs incurred.

2.11.3. Acceptable Paving Materials

- Colored concrete
- Exposed aggregate concrete
- Approved pavers

Colored concrete, exposed aggregate concrete, brick, and/or pavers must be in earth tones which complement the exterior color palette of the home. See Section 2.6 for detailed color standards and requirements.

Special circumstances such as the need for an exceptionally long driveway will be considered by the DRC and may result in the approval of proposed materials other than those described above.

2.11.4. Maintenance

Homeowners are responsible for any driveway repair, maintenance or modification that may be required over time. (See Article VI of the CC&R's for information regarding maintenance requirements). Any modification or change of the driveway design or materials must be approved by the DRC prior to the start of construction.

2.12. Landscaping and Restoration

Restoration and landscaping are required on all developed Lots within Coyote Creek.

Drainage from driveways or improvements shall not impact adjacent lots or common areas. Lot owners shall be responsible for any clean up or reconstruction of common area due to drainage runoff, both during construction and once the home is completed.

There are three categories of landscaping

Enclosed - all areas surrounded by and/or hidden from view by walls or fencing (such as backyards, side yards, or courtyards)

Primary - all open or non-enclosed areas adjacent to homes and/or structures within the construction area (i.e. the front, sides and rear of the structure and the outside of perimeter walls) as well as the edges of driveways

Restored - all areas both inside and outside of the designated building envelope that have been disturbed by construction (i.e. areas noted in the Primary category as well as leach fields, access roads, temporary earth movement, Common areas, etc.).

Property owners are encouraged to submit their plans for all categories for approval as early as possible during the construction process and to complete installation prior to move-in whenever possible. Restored areas must be re-vegetated and returned to their original natural state not later than the conclusion of construction and prior to the requested return of the Construction Deposit. (See Sections 4.2 & 5.3) Additional and/or formally approved landscaping of the Enclosed areas may be completed at any time.

All planting in the Restored areas must adhere to the current Coyote Creek Approved Plant List and should include native mix hydroseed as necessary for infill and soil stabilization. Irrigation should be provided as needed to promote growth. It is recommended that the use of Prickly Pear be kept to a minimum.

Plans depicting all three categories of landscaping must state that all plants designed are on the approved list. If the plants are not on the approved list they must be clearly identified on the plans as not being on the list. If they are not clearly marked as such and the landscape plans are approved, Owner may be required to demolish those plants if installed after it is discovered that they were not on the approved lists.

2.12.1. Plan Submittal Requirements

Plans indicating the type, size and placement of plants, lighting and any/all hardscape elements (such as walls, fountains, fire pits, etc.), as applicable for the areas being addressed must be submitted to the DRC with an approval request form (Section 7.3 Appendix C).

Plans do not need to be professionally drawn. A hand-drawing providing all the necessary information is acceptable. However, written approval must be received from the Design Review Committee for all restoration and landscaping plans before any work is initiated.

2.12.2. Landscape Design Requirements

The landscape design for each property shall be integral to and coordinated with the overall architectural design and site plan of the home as well as the natural desert environment. The following design principles must be considered:

Retention of the panoramic views and the view corridors of adjacent properties

Extensive use of indigenous Sonoran Desert plants (Refer to the current Coyote Creek Approved Plant List)

Minimization of walkways and hard surfaces

Integration of landscape design devices such as pergolas, terraces, etc. into the overall architecture of the home and the natural desert surroundings

2.12.3. Planting Materials

Only plant materials from the current Coyote Creek Approved Plant List are permitted to be planted in the Primary and Restored areas. Fruit trees are only allowed in Enclosed areas. Homeowners are encouraged to use only the plants on this list within all Enclosed areas as well; however, use of plants not on the list may be requested for this area and will be allowed if approved by the DRC. If the plants are not on the approved list they must be clearly identified on the plans as not being on the list. Owners may request a new plant to be added to the list.

NOTE: Lot Owners may request additions to the Coyote Creek Approved Plant List by completing a request form (Section 7.3 Appendix C) including detailed information, including photos. If approved, the plant(s) will be added to the approved List and may be used.

Copies of the current Coyote Creek Approved Plant List are provided in three alphabetized formats on the HOA website (<http://www.coyotecreek.homeowners.org>) sorted as follows:

- Common Name
- Botanical Name
- Plant Type

2.12.4. Plant Size and Density

In order to achieve the required landscaping effect, minimum plant container sizes are as follows:

- Trees-15 gallon
- Shrubs-5 gallon
- Ground Cover-1 gallon or native desert seed mix

Plant density must match that of the naturally existing foliage on the Lot.

2.12.5. Restrictions

The following landscaping restrictions apply:

- No palm trees of any kind or skyline trees (defined as any tree exceeding 35' in height at maturity) are permitted in any area within Coyote Creek
- Any tree on the approved list that grows to a height exceeding 35' must be kept trimmed to a level at or below that height
- Any palms, skyline trees and/or unapproved plants are subject to removal at the Lot Owner's expense upon notification by the Coyote Creek Board of Directors.
- No lawns (live grass or synthetic) are permitted in the Primary or Restored areas.

2.12.6. Irrigation

Irrigation required for continuous and ongoing maintenance of plants and other landscape materials in the Primary and/or Restored areas must be installed underground.

Above-ground irrigation to ensure the establishment of natural desert vegetation is allowed on a temporary basis only, for a period not to exceed 12 months. Should irrigation be required for a longer period, it is considered permanent and must be installed underground.

2.12.7. Rock

The use of decomposed granite and river run rock shall be limited to thirty percent (30%) of the total disturbed area. Landscape rock is not allowed to be poured on the street. The color of the decomposed granite shall match as closely as possible the existing site soil cover. No white rock is permitted.

River rock, three (3) inches or larger, and boulders can be used provided that they are native to the Santa Cruz River Basin.

2.12.8. Rip-Rap

Rip-rap must be hand-placed rock from the Lot or rock native to the Santa Cruz River Basin. No white rock is permitted. To preserve the natural desert landscape, terracing of rip-rap may be required for slopes in excess of four feet. Heights more than five (5) feet without terracing will be reviewed on a case-by-case basis. The height of cut and fill slopes must be reviewed and approved by the DRC prior to construction.

2.12.9. Retaining Walls

Retaining walls may be used to support patio walls, perimeter walls, building walls and as landscape elements. They must be constructed from the same or compatible materials and colors as the home and/or perimeter walls. A terraced wall design may be required when topographical conditions require a variance for wall heights in excess of allowable limits. When used, retaining walls cannot result in an increase in the allowable building or wall heights. A variance can be requested if the total exposed wall surface exceeds the maximum allowable wall height of six (6) feet measured from finish grade on the exterior of the wall. The location, design, material and color of the retaining walls must be approved by the DRC prior to construction.

2.12.10. Landscape Maintenance

Approved landscaping must be maintained as required to provide a neat and attractive appearance. Normal landscaping and replanting of approved plants, etc. does not require DRC approval as long as appropriate plants are utilized. Major landscaping must be approved. Each Lot owner is solely responsible for the maintenance of his/her Lot. See Section 6.4 of the CC&R's for further details.

2.12.11. Walking Paths and Trails

For purposes of this section, a walking path shall mean any walkway, other than a walkway that remains in its natural state, that is used by a Lot Owner to connect any two points within a Lot, or any point within such Lot to a common area or to a point on an abutting Lot.

All walking paths must be approved by the Design Review Committee **prior to installation.**

Approval requests must include trail location, design and material samples. All walking paths must comply with the following specifications:

- No walking path can be more than 3 feet wide.
- The material to be used to create any walking path must:
 - Be permeable (porous) in order to enable rain run-off.
 - Coordinate with and be complementary to other approved exterior elements on the Lot and comply with other sections of the Architectural Design Guidelines that relate to exterior colors and/or tones.
 - Complement the natural landscaping around it and must minimize the visual impact by curving the path and surrounding it with natural foliage and cacti.
- No artificial lighting or rock borders are allowed for any walking path.

Minor pedestrian and equestrian trails may be allowed to be cleared within each Lot subject to the review and approval of the DRC. Trails may be no more than five (5) feet in width and surfaces may be improved with a permeable covering. Approval requests must include trail location, design and material samples.

2.13. Exterior Lighting

In an effort to minimize light pollution and protect our dark desert skies, the Coyote Creek has adopted standards that both support and exceed the requirements of the International Dark Sky Association as well as the current Pima County Outdoor Lighting Code. All exterior lights excluding driveway lighting may not remain on all night.

Security/flood fixtures are permitted but must have time-motion sensors set for duration of not more than 10 minutes. **These fixtures may not be used for general and/or continuous lighting.**

Two primary elements are used to define these lighting standards:

- Fixtures
- Light sources

2.13.1. Fixtures

All exterior light fixtures, including security/flood, hardscape and landscape lighting must be approved by the Design Review Committee prior to installation. There are no exceptions to this requirement. An actual sample or a picture and a detailed description of the fixture must be provided to the Design Review Committee in order for the approval request to be processed. Guidelines are as follows:

- The fixture must direct the light downward with the top, front and sides shielded to prevent light pollution. NOTE: Not all Dark Sky compliant fixtures will meet this standard and may be disapproved as a result.

"Directed downward" is defined as a maximum arc of 60 degrees on either side straight down the center of the fixture.

The light source (bulb, CFL, LED, etc.) may not be visible below or outside of the shield:

Glass fronts and sides are not permitted unless muted and using yellow bulbs.

Glass globes are not permitted.

- Standard exterior fixtures must be placed at a height and in a location that will minimize the impact of the light on surrounding properties:

Lights mounted on the wall, posts or columns of the home will be at a height of not more than 9' above FFE (finished floor elevation).

Gate and driveway post or column lights will be mounted at a height of not more than 6' measured from the bottom of the column or post to the top of fixture. The light source must be shielded and pointed downward.

All exterior ceiling light fixtures shall be recessed or at least partially shielded by eaves or overhangs. In all cases, the light source must be shielded and pointed downward.

- All exterior lighting including security/flood fixtures are permitted but must have time-motion sensors set for duration of not more than 10 minutes after 10 pm. These fixtures may not be used for general and/or continuous lighting. There is no height restriction, but they may be mounted only on the walls of the home or the walls of an approved accessory building and must be directed downward.
- All hardscape and landscape lighting must be directed downward.
- With the exception of seasonal holiday lighting, no rope lighting, or other such decorative lighting, may be used to outline trees, shrubs, saguaros and other cacti, or to highlight architectural elements, parapets or any other part of structures or decorative elements that are visible from any other lots, common areas or the streets.
- Flagpole lighting is permitted only on holidays specified in Section 2.22.

2.13.2. Light Sources

As of January 1, 2012, common light bulbs are required to be about 25% more energy efficient to meet the new standards of the Energy Independence and Security Act of 2007 (EISA 2007). These energy-saving light bulbs are rated by brightness or "lumens" versus power usage or "watts" as has been done in the past. Lumen is a unit used to measure the actual amount of light produced by a light source or bulb. Under the new standards, the back of each package of light bulbs will have a "Lighting Facts" label that provides the bulb's brightness measured in lumens.

The guidelines for acceptable light source brightness at Coyote Creek are as follows:

Light Source	Maximum Lumens
Incandescent CFL Halogen LED Xenon	450 <i>(450 lumens approximately equivalent to a 40 Watt incandescent bulb)</i>
Security Floods	750
Landscape	100

2.13.3. Lighting Plan Submission

Lighting Plans must indicate the location of each current (if any) and proposed outdoor lighting fixture and must include the following information:

- Type and number of fixtures, indicating manufacturer and model name or number(s)
- Light source (bulb) type and lumen output
- Mounting height
- For security fixtures, the type of timing device to be used
- Total lumens for each fixture
- Lighting manufacturer-supplied specifications ("cut sheets") that include photographs of the fixture(s) as well as the certified characteristics of the fixture(s)
- Backyard spotlights may be specified for dining or cooking and must be on dimmer switches and cannot be on all night.

No substitutions, additions or changes may be made to the approved Lighting Plan without the prior approval of the Design Review Committee.

2.13.4. Temporary Lighting

Outdoor decorative lighting for social events and holidays is permitted on a temporary or occasional basis. The use of such lighting is restricted to illuminating recreational areas around the home and does not require prior approval. However, should the lighting be deemed inappropriate by the Design Review Committee for any reason, immediate removal may be required.

Exterior social event lighting may be installed no more than 1 week prior to the event and must be removed within 1 week following the event. Lights should be extinguished not later than midnight on the day of the event.

Exterior holiday lighting may be installed no more than thirty (30) days prior to the holiday and must be removed within thirty (30) days after the holiday. With the exception of the day prior to and the day of the holiday, lights must be extinguished by midnight each night.

2.14. Mechanical and Solar Equipment

Air conditioners, evaporative coolers, pool equipment and other mechanical equipment (excluding solar) may only be installed on the ground or within any approved structure. Roof, window and wall- mounted equipment are not permitted.

All mechanical and associated ductwork, pipes, etc. must be screened from view by walls and/or gates and may not be visible from adjoining Lots, streets, or common areas. See Section 11.13 of the CC&R's.

Solar equipment for electrical generation, water heating or pool heating is permitted. Painting of solar equipment to match structure is permitted, but caution is advised with respect to manufacturer's warranty.

Visible pipes, inverters, and other solar electrical panels and conduit must be hidden from view, or painted to match the structure on which they are installed. The location and design of solar equipment must be approved by the Design Review Committee prior to installation. See Section 11.1 of the CC&R's for more information.

2.15. Utilities

Plumbing lines, heating and cooling equipment, including duct work, must be located on the ground or concealed within the building. No exposed gas or any other lines shall occur on top of any finished roof surface. No mechanical equipment of any kind may be located on any roof area.

No elevated tanks of any kind shall be permitted. Tanks for storage of rainwater or greywater must be buried or walled in to conceal them from view from neighboring lots.

Additional items such as utility meters, clotheslines, trash / rubbish containers, wood storage, etc., shall have adequate enclosures to ensure their concealment from other properties, streets and common areas.

Gas and electric meters must be concealed from view or painted to match the house.

Gas, electric, power, telephone, water, cable television and other utility or service lines must be kept underground up to the walls of the residence or accessory building. See Section 11.6 of the CC&R's.

2.16. Roof Top Applications (Satellite Dishes, Antennae, Solar Panels)

Radio towers or TV antenna for receiving or transmission are not allowed. Roof top applications or projections such as satellite dishes, solar panels, etc. must be permitted by law. However, the DRC can control the placement of such items, provided said placement does not interfere with the optimal functioning of the equipment. Therefore, each item must be situated in a way that it is best concealed from neighboring views and streets but still affords proper reception. All efforts must be made to assure that the top of solar equipment is not higher than adjacent screening (parapet, wall, etc.)

Each submitted request must be accompanied by:

- A site plan showing the proposed location of the new item at the lot/residence relative to (1) the locations of adjacent residences that may be affected by its placement and (2) the street.
- A roof plan showing the proposed location of the new item.
- Sections showing the exact height of all equipment.
- The proposed screening treatment to be used (parapet, screen wall, planting, etc.) shall be indicated in the submittal. The Design Review Committee may request a photograph of the location where the item is proposed to be positioned on the lot for clarification.

Approval of the equipment will be based on the drawings noted above. If the roof top applications are installed differently than what was submitted, and/or the items are actually taller than indicated on the drawings, they will be considered to be in violation of these design guidelines and may have to be removed and replaced with what was shown on the drawings unless it can be shown authoritatively that they will not otherwise function effectively.

2.17. Garages

Every home must have as a minimum a two-car garage, either attached or detached from the primary structure. Recreational vehicles, commercial vehicles, motor homes, campers, trailers, boats, and similar vehicles must be housed in garaged parking if kept at the residence. See Section 11.11 of the CC&R's for details regarding vehicle parking restrictions. The location and design of garages detached from the residence must be approved by the Design Review Committee prior to construction. Recreational vehicles, trailers and boats on trailers may be allowed in the parking area for packing, cleaning and repairing for 48 hours maximum. Horse trailers may be parked on the side of the barn on Equestrian lots only.

The color and finish of the garage door(s) must be approved by the Design Review Committee prior to application. White and highly reflective colors and/or materials are prohibited. See Section 2.6 for color requirements.

2.18. View Decks/Patios

View decks and patios must be constructed of materials that complement the design of the home. Use of stucco and stone are encouraged. Refer to Section 2.5 for further information regarding acceptable materials. Metal may be used but must be in a color complementary to the overall exterior of the home and approved by the Design Review Committee.

2.19. Pools/Spas

The location and design of swimming pools and spas must be specifically approved by the Design Review Committee prior to installation. This applies whether installation accompanies home construction or occurs thereafter. Site plans for home construction that include pools or spas will receive approval for the home only. A separate request (Section 7.3 Appendix C), with plans including location and design details, must be submitted for the pool and/or spa. Above ground swimming pools over 250 gallons are not allowed.

All associated mechanical equipment must be enclosed with walls and/or gates, concealed from view from adjoining properties, streets and common areas. Locate these screened areas near the main structure so as to appear a part of the house rather than an isolated location. All screen walls must be a minimum of twelve (12) inches above the tallest piece of equipment. See Section 11.13 of the CC&R's.

2.20. Outdoor Fireplaces and Fire Pits

The location and design of outdoor fireplaces, fire pits, and similar structures must be approved by the Design Review Committee prior to installation.

2.21. Mailboxes

Only the standard Coyote Creek mailbox is permitted. It must be procured and installed by a provider approved by the Design Review Committee and at the sole expense of the property owner. The mailbox must be maintained in its original condition, color and design by the Lot owner. Re-painting of the mailbox must be done using Rust- Oleum Painter's Touch, Satin Espresso, UPC 249081 or may be done by the original provider.

2.22. Flags and Flagpoles

All flagpoles must have their design and location approved in writing by the Design Review Committee prior to installation. Each home may have one flagpole installed. It may be either a bracket mounted or in-ground flagpole.

A bracket mount may be installed on a home or garage, not exceeding six (6) feet in length. For bracket mounted flags, a maximum flag size of 2.37 ft. high x 4.50 ft. wide is permitted.

An in-ground flagpole may be installed, not exceeding twenty (20) feet in height including any finials, with minimum setback of twenty (20) feet from all Lot lines and maximum setback of fifteen (15) feet from the home. The height measurement of twenty (20) feet is measured from the elevation

of the floor level of the house at zero feet. For in-ground poles, a maximum flag size of 3.50 ft. high x 6.65 ft. wide is permitted.

Flagpoles may be made of satin finished metal, or flat-white wood or fiberglass. Only nylon pulleys, nylon snap-hooks (or plastic snap-hook covers over brass snap-hooks), and polyester or polypropylene halyard may be used. Retractable flagpoles are permitted.

The American Flag, the Arizona State Flag, an official or replica of a Flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard, the POW MIA Flag, the Gadsden flag or an Arizona Indian Nation Flag may be displayed. Flags MUST be displayed in accordance with the Federal Flag Code (P.L. 94-344; 90 Stat. 810; 4 United States Code Sections 4 through 10) and

in the order stated. Displaying flags in any other manner is prohibited.

Each flag displayed must be made of cloth; other materials, such as plastic, colored lights, or painted objects, etc. are prohibited.

The Federal Flag Code permits display of the flag for 24 hours a day to produce a patriotic effect if properly illuminated during the hours of darkness. This permits night display of the Flag on special patriotic occasions. Otherwise, the flying of the flag is only permitted from sunrise to sunset. Flying the flag at night with illumination is permitted only on days specifically listed in the following:

- New Year's Day, January 1
 - Inauguration Day, January 20
 - Martin Luther King Jr.'s Birthday, third Monday in January
 - Lincoln's Birthday, February 12
 - Washington's Birthday, third Monday in February Easter Sunday (variable)
 - Mother's Day, second Sunday in May
 - Armed Forces Day, third Saturday in May
 - Memorial Day (half-staff until noon*), the last Monday in May
 - Flag Day, June 14
 - Father's Day, third Sunday in June
 - Independence Day, July 4
 - Labor Day, first Monday in September
 - Constitution Day, September 17
 - Columbus Day, second Monday in October
 - Navy Day, October 27
 - Veterans Day, November 11
 - Thanksgiving Day, fourth Thursday in November
 - Christmas Day, December 25

 - Other days as may be proclaimed by the President of the United States
 - The birthdays of States (date of admission)
- These dates also coincide with "NO CONSTRUCTION" TIMES

2.23. Accessory Structures

Guest houses, gazebos, pool houses and certain other types of accessory structures may be allowed with approval of the Design Review Committee prior to construction.

Structure design approval may require a review by the Design Review Committee architect. This architectural review, if required, may incur a fee to be paid by the Lot Owner.

Temporary structures are prohibited by Section 11.2 of the CC&R's.

2.24. Utility/Storage Sheds

Utility and storage sheds are prohibited.

Deck boxes used for outdoor storage are permitted but must be kept within a walled area, below the height of the wall and may not be visible from adjoining Lots, streets, or common areas.

2.25. Horse Facilities

Horses are allowed on designated Lots only. Hitching posts, rails or short picket lines are permitted on any Lot; but horses will not be allowed on non-horse Lots overnight. Horse trailers are allowed on the horse designated lots and must be parked along the wall of a barn. No more than 4 horses are allowed to be boarded on any "horse lot." Owners of Lots with horse privileges may park horse trailers on such Lots, provided that said horse trailers shall be parked in an enclosed area on the Lot or parked on the side of and within six feet of a barn located on the Lot.

See Section 11.4 of the CC&R's for further details.

2.26. Basketball Hoops/Play Sets/Recreational Equipment

Permanent basketball hoops and similar equipment are not permitted.

Portable basketball hoops and other temporary recreational equipment or structures may be allowed but must be approved by the Design Review Committee prior to installation and may not be visible from adjoining Lots, streets, or common areas. Upon approval temporary recreational equipment must be stored out of sight when not in use.

2.27. Trash Receptacle Storage

Trash receptacles must be stored out of sight. They may be kept in the garage, a utility yard or screened by an approved enclosure, but they must be concealed from view of adjoining Lots, streets, or common areas. See Section 11.5 of the CC&R's for further details.

Trash receptacles may be placed on the street for pick up the evening before and must be removed by the evening of the pickup day. Warnings of any violations of this rule will be sent by telephone or in writing through the United States Postal Service. Continuous violations shall be followed with fines from the Coyote Creek Board of Directors.

2.28. Window Coverings

Interior window coverings, if used, must be of a finished-appearance (i.e. blinds, draperies, shutters) as seen from other Lots, streets or common areas and cannot be seen as white or a very light and/or reflective color. Interior window coverings of an improvised-appearance (i.e. sheets, blankets, plywood, cardboard, aluminum foil) are prohibited.

Exterior window coverings must be approved by the DRC prior to installation. They must be in a color which complements the exterior of the building and must adhere to the same LRV guidelines as the exterior paint requirements. See Section 2.6 for details.

Highly reflective finishes are not permitted on interior or exterior window coverings or window surfaces.

2.29. Holiday Decorations

Exterior holiday decorations may be installed no more than thirty (30) days prior to the holiday and must be removed within thirty (30) days after the holiday. See Section 2.13.4, Temporary Lighting, for guidelines regarding holiday lights and lighted decorations.

Holiday decorations that disturb other Lot Owners or Residents with excessive light or sound will be required to be removed at the owner's expense. Decorations must be appropriate as determined by the Design Review Committee and may be disapproved for any reason.

2.30. Signs

- Notwithstanding any provision in the community documents, an association shall not prohibit or charge a fee for the use of, placement of or the indoor or outdoor display of a for sale, for rent or for lease sign and a sign rider by an association member on that member's property in any combination, including a sign that indicates the member is offering the property for sale by owner.
-
- ✓ The size of a sign offering a property for sale, for rent or for lease shall be in conformance with the industry standard size sign, which shall not exceed eighteen by twenty-four inches, and the industry standard size sign rider, which shall not exceed six by twenty-four inches. This subsection applies only to a commercially produced sign, and an association may prohibit the use of signs that are not commercially produced.
 - ✓ With respect to real estate for sale, for rent or for lease in the planned community, an association shall not prohibit in any way other than as is specifically authorized by this section or otherwise regulate any of the following:
4. Temporary open house signs or a member's for sale sign. The association shall not require the use of particular signs indicating an open house or real property for sale and may not further regulate the use of temporary open house or for sale signs that are industry standard size and that are owned or used by the seller or the seller's agent.
 5. Open house hours. The association may not limit the hours for an open house for real estate that is for sale in the planned community, except that the association may

prohibit an open house being held before 8:00 a.m. or after 6:00 p.m. and may prohibit open house signs on the common areas of the planned community.

6. An owner's or an owner's agent's for rent or for lease sign unless an association's documents prohibit or restrict leasing of a member's property. An association shall not further regulate a for rent or for lease sign or require the use of a particular for rent or for lease sign other than the for rent or for lease sign shall not be any larger than the industry standard size sign of eighteen by twenty-four inches on or in the member's property. If rental or leasing of a member's property is not prohibited or restricted, the association may prohibit an open house for rental or leasing being held before 8:00 a.m. or after 6:00 p.m.

3. Approval Procedures

To ensure the equitable and fair application of the Architectural Design Guidelines to all Residents and Lot Owners, a formal approval procedure is utilized.

3.1. Approval Requirements

Written approval is required at each stage of the planning and construction process for new homes/structures (Sections 4 and 5). Written approval is also required prior to implementation of any and all improvements, modifications, alterations, repairs, or other work, including certain maintenance activities (see Section 5.4), which in any way change the exterior appearance of an existing home/structure or Lot from its natural or improved state.

It is strongly recommended that the DRC be notified of proposed changes and that the approval process is begun while said changes are in the conceptual phase. This will save time and costs that may be incurred if the proposed changes do not comply with these ADGs, and the CC&R's.

Failure to secure the required written approvals may result in a Lot Owner being cited for non-compliance with the CC & R's and/or the ADGs', the requirement to correct the infraction and the potential imposition of fines. See Section 4.2 of the CC&R's for additional information.

3.2. Approval Process

The Lot Owner is responsible for submitting a written request to and receiving written approval from the DRC **prior** to the initiation of any work. Each request should be accompanied by the required submittals as defined in the ADGs. Either the Lot Owner or the Design Review Committee may request a meeting to review the details of the request at any time during the process.

The Design Review Committee will initiate the requisite inspections/evaluations, vote on the request and render a decision based on majority rule. The Reviewing Architect for architectural control in Coyote Creek is Soloway Designs Inc. The Reviewing Architect conducts reviews of all requests for approval of plans for Improvements, including but not limited to new homes, guest houses, additions, exterior modifications, driveways, and all other structures and hardscape.

A written decision will be sent to the home/Lot Owner. No changes in or deviations from the plans, specifications or requests as approved by the Design Review Committee may be made without prior written approval of the requested changes by the Design Review Committee.

Section 4.5 of the CC&R's provides additional information regarding the discretion of the Design Review Committee.

Should a request be disapproved, the Lot Owner will be provided with the reason(s) in writing and may re-submit the request with additional information or modifications. The request will be reconsidered, and the voting and notification process will be repeated in an attempt to reach a solution. Should the DRC issue a final disapproval, the home/Lot Owner may submit the request to the Association's Board of Directors for review and ultimate disposition.

A copy of the submittal form can be found as Appendix C of this document or on the Association's website: <http://www.coyotecreekhomeowners.org> .

3.3. Time for Approval

The following approval timelines have been set forth in the CC&R's:

- In the event the DRC is unable within forty-five (45) calendar days to approve or disapprove any design or application submitted as required, the Design Review Committee's approval will be deemed to have been denied.
- Should independent professional advice be required in order that the Design Review Committee may render a decision; the requesting Lot Owner will be so notified and the time period for approval or disapproval of said plans or application will be extended for thirty (30) calendar days after such advice is received.
- In the event of disapproval, the requesting Lot Owner may re-submit the plans or application. Should the DRC fail to render a decision within (60) calendar days following the complete resubmittal of an application, the DRC's approval will be deemed to have been given.

See Section 4.00 of the CC&R's for complete details

3.4. Variances

In special circumstances, unique conditions or other instances deemed by the DRC to warrant relief, a variance from the provisions of the ADGs may be granted.

The following items are required for submittal to the DRC for review of a variance

- letter describing the variance; listing the reasons why a variance from the guidelines is requested and what specific provisions of the ADGs are being varied.
- Plans depicting the changes. See Section 3 for Plan Submittal Requirements.
- Photos or drawings of existing conditions
- Completed Request for Variance Form.

Any waiver or variance granted by the Association shall be given in exchange for a Release, Indemnity and Hold Harmless Agreement executed by the Lot Owner benefiting from the waiver or variance and running to its successors or assigns.

4. New Home Design Review Process

Approval of the plans for a new home or accessory building by the Design Review Committee requires successful completion of the following stages:

1. Pre-Design Orientation
2. Preliminary Design Review and Approval
3. Final Design Document Review and Approval
4. Permitted Document Review

These stages are progressive and are intended to ensure compliance with the ADG's. Written approval of the Final Plans must be secured from the DRC prior to the initiation of any construction activity.

In order to be considered, each submittal must contain all Plan copies and required information as outlined in the ADG. Plans not in compliance will not be accepted for processing and will be returned to the applicant.

The Reviewing Architect conducts reviews of all requests for approval of plans for Improvements, including but not limited to new homes, guest houses, additions, exterior modifications, driveways, all other structures and hardscape and any variances to these ADG.

Evaluation from the Reviewing Architect, and reviews and approvals from the DRC are conducted for compliance with the CC&R's and the ADG only.

Separate approval and/or building permits may be required from Pima County and other agencies before any construction takes place. It is the responsibility of the Lot Owner to secure required governmental approvals for any work undertaken. Should changes be required by these agencies that modify the exterior design of the structure, the resulting revisions must be submitted to the Design Review Committee for approval prior to implementing the changes.

4.1. Pre-Design Orientation

Prior to submitting any plans or designs, the Lot Owner must schedule an orientation meeting with the Association's current management company. The purpose of this meeting is to review the Design Review Committee approval processes, the construction rules, required deposits and applicable timeframes and to ensure that the Lot Owner has a copy of the current CC& R's and ADG's. It is recommended that the Lot Owner as well as their chosen architect, contractor and/or builder attend this meeting.

Should the Lot Owner be unavailable or prefer to designate one of these individuals to serve as their representative and act in their stead for this meeting or for any other aspect of the New

Home Design or Construction Process, this designation must be provided in writing to the Association's current management company.

Although not required, should the Lot Owner, architect, contractor and/or builder have questions regarding the ADG's or wish to review their intended design prior to the Pre-Design Orientation, a "courtesy" meeting with the Design Review Committee can also be scheduled at this stage.

4.2. Fees and Deposits

4.2.1. Association Fees **MUST BE PAID BY LOT OWNER**

Fee Name	Amount	Payable To	Descr
Association Fee	\$3,200	Coyote Creek HOA	Administrative ,Architectural and community clean-up costs incurred as a result of
Construction Deposit	\$10,000 for a new residence or \$5,000 for a major modification or improvement of an existing residence	Coyote Creek HOA	Refundable if/when the terms and conditions set forth in Section 5.3 (Post-Construction Inspection) have been met.
HOA Infrastructure Fee	\$1,500 for a new residence and \$1,000 for a major modification or improvement of an existing residence	Coyote Creek HOA	Non-refundable fee to cover the cost of excessive wear and tear caused by construction vehicles on the Association's privately-owned streets and damage to other HOA infrastructure.

Refer to Section 7.4 Appendix D: Construction Agreement

4.2.2. Reviewing Architect Fees (Payable in Advance and Non-Refundable)

The following table presents a list of individual fees. Generally, only one fee will apply. For example, if the Owner is submitting a change to a patio that is greater than 500 square feet, then the fee is \$650. These fees are included within the Association Fee Described above and the total amount of the Association Fee will be adjusted accordingly.

Fee Name	Amount	Payable To	Description
Reviewing Architect Fee	\$2,200	Coyote Creek HOA	New Single Family Dwelling included in 4.2.1
Reviewing Architect Fee	\$2,200	Coyote Creek HOA	Addition or remodel greater than 3,000 sq ft total under roof.
Reviewing Architect Fee	\$1,900	Coyote Creek HOA	Addition or remodel greater than 2,000 sq ft but less than 3,000 sq ft total under roof.
Reviewing Architect Fee	\$1,300	Coyote Creek HOA	Addition or remodel less than 2,000 sq ft total under roof.

4.3. Preliminary Design Review

Two bound sets and one electronic copy of preliminary Plans must be submitted to the Association's current management company with the fees and deposits as defined in Sections 4.2.1 and 4.2.2

Upon receipt of fees and deposits and prior to the commencement of Design Review Committee review, the Lot Owner will be required to sign the Coyote Creek Construction Agreement (Section 7.4 Appendix D) and will receive a copy of the Preliminary Design Submittal Checklist (Section 7.7 Appendix G).

During this phase, the Lot Owner is required to submit a preliminary package of their conceptual design that contains **all items** listed under Section 4.4. An incomplete set will not be accepted and will be returned to the Homeowner for further development. If the submittal is incomplete and has to be returned to the Homeowner twice, the Reviewing Architect will charge additional review fees per Section 4.2.2 and will not conduct further review until payment is made. It is recommended that preliminary plans be submitted for review before the design has been finalized.

Show location of septic tank and leaching field (if required).

4.3.1 Topography Survey (minimum scale 1" = 20')

Show full boundaries of the property & full width of the subdivision street where property occurs.

Show and label existing topographic contour lines at no less than one (1) foot intervals and at no less than twenty (20) feet beyond all construction limits.

Show and label boundary lines, lot dimensions/bearings & distances, setbacks for CR-1 zoning, setbacks noted in Section 3.3, easements, floodplain locations.

Show and label existing utilities.

Show and label all major natural terrain features, including rock outcroppings and washes.

Show a North arrow

Show all major vegetation.

For Additions/Alterations: Show all existing & new items, such as structures, patios, driveway, patio walls, etc.

4.3.2 Preliminary Site Grading Plan (minimum scale 1" = 20')

Include all information outlined for Topography Survey requirements (Section 4.3.1) in addition to the following requirements.

Show all site improvements/site development: limits of grading, drainage, culverts, etc.

Show and label the complete extent of all site development elements or improvements and all site drainage treatments.

Show locations of buildings, pools, and other structures of property and adjacent lots.

Show driveways, guest parking, walkways, all buildings, patio walls, pools, spas, fountains, mechanical locations, equipment locations, screen walls and gate locations.

Show and label all proposed Finish Floor Elevations (F.F.E.) for all buildings, patios, walls, etc.

4.3.3 Average Natural Grade Diagram and Calculations (minimum scale 1" = 20')

Show and label existing natural topographical contour lines at 1-foot intervals to a distance of not less than 20 feet beyond the Improvement. Should the Owner desire to modify the Building Envelope, the Design Review Committee can review and approve such modification on a case-by-case basis.

Refer to Section 2.2 to calculate Average Natural Grade

4.3.4 Site Staking Plan (minimum scale 1" = 20')

Provide a plan that depicts point locations of all corners of the house, garage, patios, and all related major improvements.

Number each point accordingly.

Refer to Section 7.6 Appendix F.

4.3.5 Preliminary Floor Plan (minimum scale 1/8" = 1')

Show a complete floor plan, indicating all rooms, doors, windows, mechanical areas and enclosures, patios, garages, storage areas, and any stairs showing changes in elevation. Show and label all finish floor elevation(s) values.

Show and schedule all enclosed living area square footage totals.

4.3.6 Preliminary Roof Plan (minimum scale 1/8" = 1')

Show and label all major components: roof pitch, direction of slopes, parapet heights, ridge heights, scupper locations, chimney(s), skylights, roof drains, and roof materials.

4.3.7 Preliminary Elevations (minimum scale 1/8" = 1')

All major exterior building elevations shall be represented.

Show and label all existing contour grades and proposed finished contour grades.

Show and label all finish floor elevation(s) lines and values.

Show and label all top-of-wall and top-of-roof elevation call-outs or dimensions for all major building components and all site walls.

Show and label all major exterior material.

4.3.8 Landscape Plan (minimum scale 1" = 20')

See Section 2.12.2 Landscape Design Requirements

4.3.9 Miscellaneous Requirements

Any other drawings, scaled models, materials, or samples that will aid the Reviewing Architect during this phase of the design review process.

The preliminary plan review and approval process is as follows:

- The Reviewing Architect will evaluate the preliminary plans as submitted and provide a written assessment to the DRC within 14 days. This response will provide either (1) a recommendation of approval to proceed to the next steps of the pre-construction review, or (2) a list of items to be corrected. A sample Preliminary Design Review Checklist Form is provided in Section 7.7 Appendix G. NOTE: This step is to secure the professional recommendation(s) of the Reviewing Architect only and does not constitute approval of the preliminary plans.
- The Design Review Committee will review the preliminary plans, document any required modifications or changes, vote on the request and render a decision based on majority rule.
- The Lot Owner will receive written notification of the Design Review Committee's decision, details regarding any non-compliance items or required changes and a copy of the preliminary Plans as notated by the Design Review Committee.

Should additional information be required at any time during the review process, the Design Review Committee may request a meeting with the Lot Owner(s) prior to rendering a decision. The Lot Owner may also request a meeting with the Design Review Committee at any time during this process.

Note: Approval of the preliminary Plans does not authorize the initiation of construction.

4.4. Final Design Document Review

The Plans to be reviewed during this stage are defined as a full set of completed plans and specifications that will be submitted to Pima County for Building Permits. Two bound sets of these plans must be submitted to the Association's current management company for Design Review Committee approval. The final plan review and approval will be conducted following the same process defined in Section 4.3 (Preliminary Plan Review).

This package should include all items listed in Section 4.3, all items of this section and all revisions and corrections to the Reviewing Architect's comments. An incomplete set will not

be accepted and will be returned to the Homeowner for further development. If the submittal is incomplete and has to be returned to the Homeowner twice, the Reviewing Architect will charge additional review fees and will not conduct further review until payment is made.

Review and approval of the submitted final Plans applies only to the conformity of the plans and specifications to the general architectural style and compliance with the Architectural Design Guidelines and does not imply approval for engineering design or architectural specifications and codes. Lot Owners must follow all local building codes and setback

requirements for construction. Failure to submit plans to the Design Review Committee prior to obtaining governmental review or approval from Pima County is done at the Lot Owner's sole risk

Specific submittal requirements of this phase include the following, and are summarized in Section 7.8 Appendix H: Final Design Submittal Checklist:

4.4.1. Topography Survey

All requirements as outlined in Section 4.3.1 of this document. Update information as necessary.

4.4.2. Site Grading Plan

All requirements as outlined in Section 4.3.2 of this document. Update information as necessary.

4.4.3. Average Natural Grade Diagram and Calculations

All requirements as outlined in Section 4.3.3 of this document. Update information as necessary.

4.4.4. Site Staking Plan

All requirements as outlined in Section 4.3.4 of this document. Update information as necessary.

4.4.5. Floor Plans

All requirements as outlined in Section 4.3.5 of this document. Update information as necessary. Provide overall dimensions for the floor plan, patio columns, roof overhangs, etc.

4.4.6. Roof Plans

All requirements as outlined in Section 4.3.6 of this document. Update information as necessary.

4.4.7. Elevations

All requirements as outlined in Section 4.3.7 of this document. Update information as necessary.

4.4.8. Building Sections (minimum scale 1/8" = 1')

Provide at least two full length section cuts depicting the most unusual area(s) of construction. Show new & existing grades.

4.4.9. Architectural Details

Show all details necessary to fully convey the design of the finished building with particular attention to any unusual design features.

4.4.10. Structural Plans (minimum scale 1/8" = 1')

Roof Framing Plan showing framing materials, types, sizes of all posts beams, fascias, or other wood trims.

Foundation Plan showing extent of foundation work, types of stem walls, and finished materials.

Provide construction details pertaining to Roof Framing Plan and Foundation Plan.

4.4.11. Plumbing Plan (minimum scale 1/8" = 1')

Clearly indicate all information required for a complete in-place system.

Show location of all fixtures, supply and waste lines, hose bibs, water softener locations, and appropriate meter locations.

Indicate where water supply connections are for irrigation.

4.4.12. Mechanical Plan (minimum scale 1/8" = 1')

Clearly indicate all information required for a complete in-place system.

Show locations of roof vents, outside mechanical equipment, and duct penetrations.

4.4.13. Electrical Plan (minimum scale 1/8" = 1')

Clearly indicate all interior and exterior information required for a complete in-place power & lighting system.

The Design Review Committee may require a photographic copy or sample of any light fixture deemed questionable.

4.4.14. Hardscape (minimum scale 1/8" = 1')

Show location of patio walls, pool, spa, pool equipment, appropriate enclosures, and gates.

Label all finished materials.

Label all tops of wall heights relative to the Finished Floor Elevation (FFE)

Indicate finish materials and colors of all walkways, patio, etc.

If clearly depicted, items listed above may be included on the Site Plan and/or Floor Plan instead of a separate Hardscape plan.

4.4.15. Landscape Plan

See Section 2.12 Landscape Design Requirements.

4.4.16. Exterior Materials and Color Samples

Provide an 8.5x11 packet of materials clearly marked with Owner's name, filing date, and Lot number. This packet should contain: color photo copies clearly representing the materials to be used and actual samples 2' by 2' either on a board or the actual house wall of any paint to be used. All samples or photo copies must be identified with manufacturer's specification, including name, product number, color and light reflectance value.

Specific material samples and colors shall be made for (as applicable) the main body material, trim, roofs, window frames, doors, accents, site walls, fencing, and colors of other structures. In addition, include manufacturer's specification of window glazing and any window tinting or film.

The DRC reserves the right to request actual samples of any material at any time for further clarification.

4.4.17. Miscellaneous Requirements

Any other drawings, scaled models, materials, or samples that will aid in the review process.

*If there are changes to the plans that alter what was approved during the Preliminary Plan Submittal and Review, a letter must accompany the Final Submittal explaining all changes and/or

modifications. Please note: If these changes are significant, the Reviewing Architect may deny the Final Plan Submittal and request a re-submittal for Preliminary Re-review.

4.4.18. Final Plan Review by Architect

Upon receipt of a submittal package that meets the above outlined minimum requirements, the Reviewing Architect will then review the final design submittal.

Additionally, the Reviewing Architect can inspect if the building looks like the Plans but cannot inspect quality of construction in any way. The project owner and contractor take full responsibility that the project is built to the plans approved by the DRC and Pima County.

The Reviewing Architect will send a response to the Design Review Committee within 21 calendar days with either a recommendation of approval to proceed with the next steps of the pre-construction review, or a list of items to be corrected. The response will then be sent by the Design Review Committee to the Lot Owner.

Refer to Section 7.8 Appendix H Final Design Submittal Checklist.

4.5. Permitted Document Review

One bound full set and one digital copy of the final Pima County Approved Plans and specifications must be submitted to the Association's current management company for Design Review Committee review and acceptance. The final, permitted plan as submitted and approved must be followed. **Any additions or modifications to this plan require the review and written approval of the Design Review Committee prior to implementation.** Failure to obtain prior approval may result in re-work of the item(s) in question and the possible assessment of fines. Review of the Permitted Plans completes the New Home Design Review process.

5. New Home Construction Process

Upon successful completion of the Permitted Document Review Stage, the Construction phase may be initiated. A Pre-Construction Inspection, as defined in Section 5.1, must be scheduled and successfully completed prior to any excavation or clearing of the Lot.

If the Construction phase does not commence within twelve (12) months of the permitted plan acceptance date, plans must be re-submitted to the Design Review Committee for approval and the re-initiation of the construction process. This step is required to ensure that there have been no changes in either the approved plans or the Architectural Design Guidelines since the conclusion of the original New Home Design Review Process.

The required stages of the construction phase are as follows:

1. Pre-Construction Inspection
2. Progress Visits
3. Exterior Element Submittal
4. Post-Construction Inspection

The construction phase shall not exceed a period of 12 calendar months, unless waived in writing by the Design Review Committee, and commences when the pad is cleared and terminates with the post-construction inspection by the Design Review Committee. All construction shall be continued diligently from start until completion.

Unless waived in writing by the Design Review Committee, should construction cease for any reason for a continuous period of 3 weeks or more, the work site will be considered abandoned and the Lot Owner and/or their designee must take the following actions:

- A plan to clean up and secure the Lot must be provided to the Design Review Committee within 48 hours of their request.
- A timeline and plan for resumption and completion of construction must be submitted to the Design Review Committee for approval within 30 calendar days following the securing of the Lot.

Failure to comply with the above requirements may result in the Lot Owner being cited for non-compliance and the potential imposition of fines.

If a time extension is required, a written request for the extension must be submitted to the Design Review Committee.

5.1. Pre-Construction Inspection

Upon successful completion of the New Home Design Review process and notification from the Lot Owner of the intent to initiate construction, the Design Review Committee will schedule and conduct a site inspection with the Lot Owner and his/her contractor or builder. This inspection must occur prior to the initiation of any excavation or clearing of the Lot and will include a physical review of the Lot as well as a review of the construction rules and standards (see Section

6). The following must be in place and will be subject to inspection:

5.1.1. Final Site Staking

The spot locations as noted on the Site Staking Plan from Section 4.3.4 and/or Section 4.4.4) shall be staked on the lot.

Finished Floor Elevations Established

5.1.2. Construction Area Limit Fencing

Install continuous stakes and colored rope around the portion of the area that is anticipated to be utilized during construction (Grading Limits) and that contains all of the proposed Improvements. This rope shall extend out to the street for construction access.

The roping shall remain intact and securely in place for the entire duration of the construction phase of the project.

See Section 7.5 Appendix E Site Staking Plan.

5.1.3. Building Permit from Appropriate Building Jurisdiction

The Builder shall provide a copy of the permit issued covering the entire scope of work on the specific project.

5.1.4. Construction Fees

Payment of applicable submittal fees and required deposits

5.1.5. Required Signage

See Section 6.

5.2. Construction-in-Progress Reviews and Inspections

All exterior elements including but not limited to exterior paint, roof material, windows, lighting, courtyards, perimeter walls, gates, retaining walls, rip rap usage, driveway, garage doors, landscape, pool, spa, outdoor fireplace, other hardscape, accessory features shall be submitted for approval together as one package, if possible.

5.2.1. Progress Inspections

The Association and/or members of the DRC will conduct on-site progress inspections on at least a monthly basis throughout the Construction phase. Any violations or non-approved building activity observed will be reported to the Design Review Committee and the Lot Owner will be notified in writing of the issue(s) and the corrective action required. As stated in Section 4.4, the final Plan as submitted and approved must be followed. Any additions or modifications require the review and written approval of the DRC prior to implementation. Failure to comply may result in re-work and/or the assessment of fines.

5.3. Post-Construction Inspection

Upon completion of construction, the property owner is required to have a final inspection for conformance with plans/specifications and compliance with all association Governing Documents prior to move-in.

At least two members of the DRC are to inspect the property to determine that all requirements outlined in the said documents have been met. The Lot Owner or the lot Owner's representative shall be provided the opportunity to attend said inspection and review. Within thirty days of the final inspection and review, the Design Review Committee shall provide to the Lot Owner a written copy of any deficiencies, violations or unapproved variations from approved plans, as may have been amended, that have come to the attention of the Design Review Committee.

If the final inspection report identifies any deficiencies, violations or unapproved variations for the approved plans, as amended, the Association may hold the construction deposit for one hundred eighty (180) days or until receipt of a subsequent Report of Construction Compliance, whichever is less. If a Report of Construction Compliance is received before the one hundred eightieth day, the Design Review Committee shall promptly release the construction deposit monies to the Lot Owner. If a Construction Compliance Report is not received within one hundred eighty days, the construction deposit is forfeited.

Neither the approval of the plans nor the approval of actual construction by the Design Review Committee shall constitute a representation or warranty that the plans or construction comply with applicable governmental requirements or applicable engineering, design or safety standards. Release of the construction deposit to the Lot Owner does not constitute a representation or warranty from Coyote Creek that the construction complies with approved plans.

It is the responsibility of the Lot Owner to ensure that there is sufficient time to begin and fully complete all facets of their development, including the final on-site inspection, prior to scheduling the final inspection. The site is to be cleared of all building materials, and the streets and any common areas adjacent to the property shall be cleaned prior to final inspection.

The street and any common areas adjacent to the building site will be inspected for damage caused by construction activity, as will desert areas around the building project that have been disturbed by construction. Repairs to roads and common areas and revegetation of disturbed areas around the building project will be required prior to receiving final written approval to occupy the property. The Lot Owner will be responsible for the cost of the repair/cleanup and/or re-vegetation and such costs will not be deducted from the Construction Deposit. If the Lot Owner refuses to pay for the cost of the required repair/cleanup and/or re-vegetation, the Lot Owner may forfeit the entire amount of his or her Construction Deposit.

Neither the Board of Directors, the DRC nor the Reviewing Architect are liable for design deficiencies, failure to meet zoning and code requirements, faulty construction procedures, structural failures, or the property owner's failure to comply with subdivision restrictions and/or guidelines. There are no verbal agreements or approvals that can be made by anyone. All approvals and or denials shall be made in writing.

The Design Review Committee will conduct the post-construction or final inspection upon notification from the property owner that the following conditions have been met:

- All construction materials/debris, equipment, dumpsters and Porta-potty are removed from the Lot
- Home construction is complete, including painting, installation of exterior light fixtures, garage doors, and any planned hardscape elements
- Approved driveway has been installed
- All Restored (disturbed) areas as defined in Section 2 have been returned to their natural state with approved re-vegetation, hydro seeding and/or landscaping
- All mechanical units are properly installed and shielded from view as required

The results of the inspection will be documented and provided to the Lot Owner in writing. If no violations or compliance issues are noted and no fines have been levied during the course of construction, the Construction Deposit will be refunded to the property owner within 30 days. Any violations or compliance issues identified by the Design Review Committee during this inspection will result in a failed inspection and the withholding of the construction deposit. A plan and timeline to correct these violations or issues must be submitted to the Design Review Committee within 60 calendar days following the failed inspection. Failure to comply with this requirement may result in the Lot Owner being cited for non-compliance and the potential imposition of fines. The required follow-up work must be completed, re-inspected and approved before the Construction Deposit return will be authorized.

5.4. Existing Property Modifications, Improvements and Maintenance

After approved construction is completed, no modifications, improvements or changes to any of the exterior elements of the property may be made without the prior written approval of the DRC. The detailed information provided in Section 2, Architectural Design Standards, applies to any additions, changes or alterations to any Lot or existing structures as well as to new home design and construction. Refer to Section 7.8 Appendix H for a list of exterior design elements requiring approval. Construction Rules and Standards (Section 6) apply to all major projects requiring heavy construction.

5.4.1. Modification and Improvement Approval Requirements

All subsequent construction, modifications, improvements and/or alterations to any Lot or existing structures are subject to the submittal and approval process as defined in Sections 3 and 4 of this document.

5.4.2. Maintenance Approval Requirements

The ADG's are subject to periodic review and amendment. Therefore, some previously-approved exterior design elements may no longer be permitted. For example, the allowable LRV (light reflective value) for exterior finish colors has been changed. Consequently, not all colors currently in use on existing properties are approved for future use. Refer to Section 2.6.

Accordingly, due to similar changes, the following maintenance items require written approval from the Design Review Committee (see Section 2) prior to implementation:

- Re-painting of any exterior element of the home with the current color(s)
- Replacement of plants and landscape elements (rock, rip rap, etc.) with the same approved plant or item previously in place does not require written approval.
- Re-application of current driveway material(s)

5.4.3 Fees

Major modifications or improvements (such as building additions, pool installations, perimeter or retaining wall installations, etc.) may require one or all of the following:

- A \$5,000 Construction Deposit, refundable upon completion of the project and final inspection and approval by the Design Review Committee
- A non-refundable fee for a Reviewing Architect evaluation per Section 4.2.2.
- A non-refundable HOA Infrastructure Fee of \$1,000.

These fees will be applied on a case-by-case basis at the sole discretion of the Design Review Committee.

6. Construction Rules and Standards

The Lot Owner and his/her contractor/builder are responsible for maintaining the construction site and observing the construction rules and requirements.

Failure to comply with these rules and requirements may result in a work stoppage and/or fines levied against the property owner pursuant to the CC&R's.

- The construction area, defined as the building envelope plus the driveway, any disturbed areas and the septic/leach field, must be staked, roped/fenced in compliance with applicable laws and regulations. This area must remain roped/fenced throughout the entire period of construction to prevent disturbance of the natural set-aside areas of the Lot.
- All construction area fencing shall be standard orange vinyl construction fencing, chain link fencing, or stakes and ropes in compliance with applicable laws and regulations.

- No construction work is permitted before 6:00 AM or after 6:00 PM, Monday through Saturday or at any time on Sunday subject to conditions. While work on Sunday is not encouraged, it is permissible if it is performed with no noise. Examples of permissible work on Sunday are indoor work without loud music and outdoor work without power tools, generators, machinery, or loud music. There is to be no construction activity to take place on any Federally acknowledged holiday.
- All construction parking must be on adjacent roadways or within the roped/fenced construction area.
- A Porta-potty (temporary toilet) must be provided on site throughout the course of construction and must be located within the construction area, but in no event any closer than 10 feet from the edge of the street.
- A dumpster must be installed after grading and foundation are completed and emptied as needed. It must be located within the fenced or roped construction area as noted on the approved site plan.
- Construction materials shall be delivered to and stored inside the construction fenced or roped area.
- A sign must be obtained from PB Trading and installed at the work site in an open area near the driveway to display permitted working hours/days at Coyote Creek. Said sign shall be returned upon completion of construction in good condition or a \$100 charge will be levied.
- The worksite must be kept clean or, following a 15-day warning, a clean-up crew will be allowed on the Lot at owner's expense .

7. Appendices

7.1. Appendix A: Coyote Creek Design Review Committee Charter

Vision

Coyote Creek will be recognized and promoted as one of Tucson's "Best Places to Live"

Mission

To define and maintain design standards that preserve a desirable quality of life and protect the investment of all the Residents of Coyote Creek and to promote their understanding of the Architectural Design Guidelines

Values

- Foster the harmonious blend of the desert habitat with "civilization" to preserve the natural ambiance of the Coyote Creek Community
- Ensure the integration of each site, structure and landscape into the desert environment
- Support the expression of the individuality of each homeowner within the parameters of overall community design objectives

Strategy

- Maintain feasible and achievable Architectural Design Guidelines that support the vision, mission and values of the community
- Document and communicate Architectural Design Guidelines, the Design Review processes and subsequent revisions to all Residents and potential Residents of Coyote Creek
- Partner with homeowners to ensure understanding and compliance with the Architectural Design Guidelines
- Consider feedback from homeowners in refining and revising the Architectural Design Guidelines
- Apply current and revised design standards equitably and fairly to all homeowners

Objectives

- Define and clarify Design Review Committee membership, authority, responsibilities and scope.
- Create, publish and revise the Architectural Design Guidelines as necessary
- Ensure that the Design Review Committee and Architectural Design Guidelines are in compliance with Coyote Creek CC & R's

- Ensure that the Coyote Creek Design Review Committee is operating within the parameters required by Arizona State law
- Develop and communicate processes
- Establish timelines for Design Review Committee and homeowner actions
- Clarify the application of Architectural Design Guidelines throughout the life cycle of home ownership (i.e. initial build, changes, maintenance, etc.

7.2. Appendix B: Building Height Measurement Example

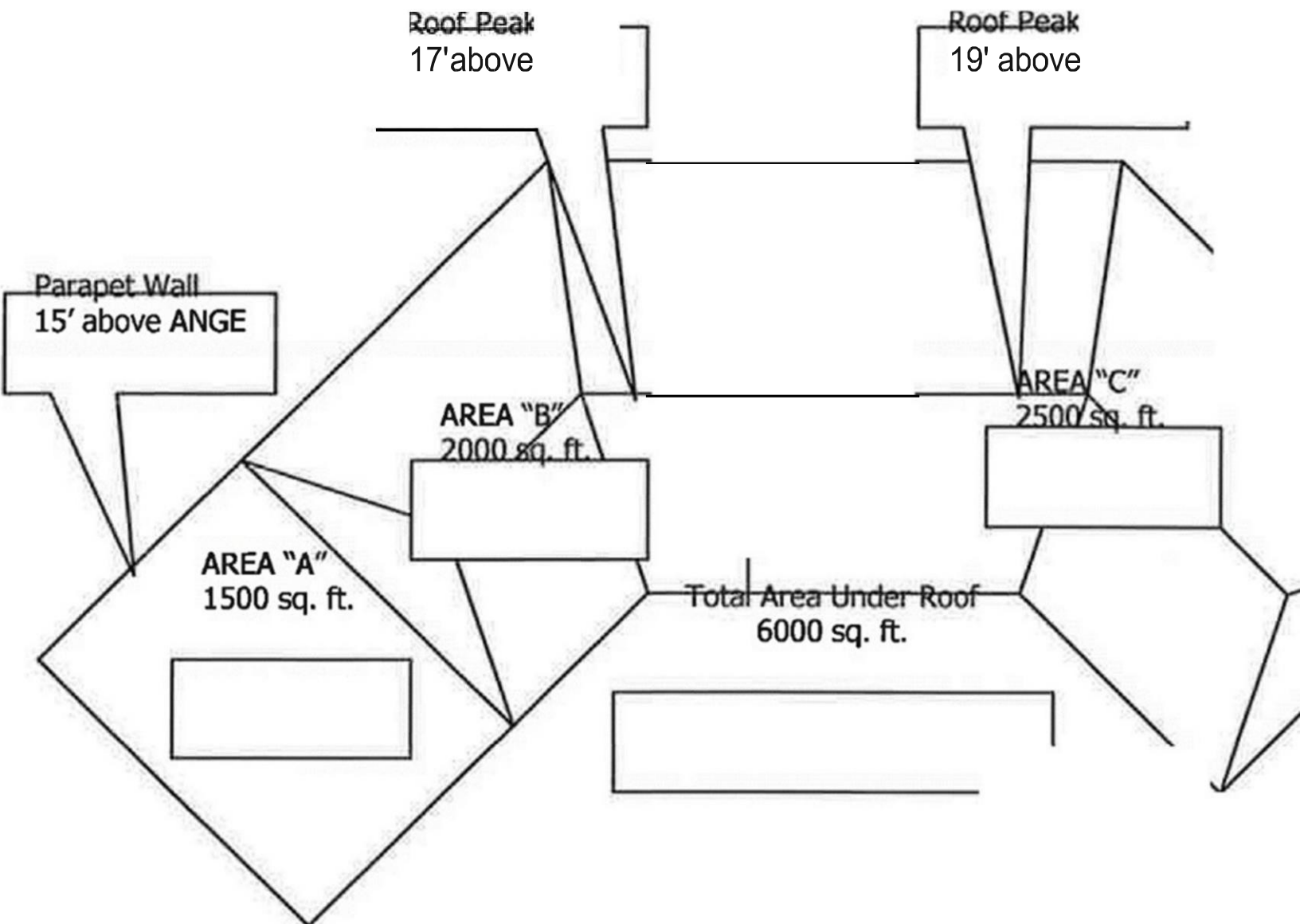
The following process should be used to determine building height:

1. Per Section 2.2 of the Architectural Design Guidelines, calculate Average Natural Grade Elevation (ANGE). See Figure 1.
2. Determine all peak elevations of the proposed structure.
3. Subtract ANGE from each peak elevation to determine peak height.
4. Calculate the total area under roof, including garage and covered patios.
5. Determine what percentage of the total structure area is under each peak height or structure "Area" (see Example below).
6. Compare results with current Architectural Design Guidelines to determine if building height(s) comply.
7. A variance may be considered due to lot configuration and constraints

For example, consider the roof plan pictured below in Figure 1.

1. Steps 1-3 of the recommended process result in determining the Peak:
Different Peak heights: 15', 17' and 19' above ANGE.
2. The total area under roof for this example is 6000 square feet (Step 4).
3. There are two roof types with three different heights on this structure. Per Step 5, calculate the square footage of each Area, then determine the percentage of the total for each:
 - a. Area "A" is the garage with flat roof and parapet wall of 15' above ANGE. The area bounded by the parapet wall is calculated to be 1500 sq. ft. or 25% of the total.
 - b. Area "B" is a sloped hip roof with a peak at 17' above ANGE. All areas under the peak are associated with it; therefore, this Area is calculated to be 2000 sq. ft. or 33% of the total.
 - c. Area "C" is also a sloped hip roof with a peak at 19' above ANGE. This area is calculated to be 2500 sq. ft. or 42% of the total.

Comparing these results to current guidelines (Step 6), which allow no more than 1/3 (33%) of the structure to be higher than 17' above ANGE, this plan is unacceptable as Area C is at 19' and covers 42% of the total structure.



7.3 Appendix C: Approval Request Form



5225 W Massingale Road • Tucson, Arizona 85743

Phone: (520) 297-0797

Email: caddensupport@cadden.com

DESIGN REVIEW COMMITTEE SUBMITTAL FORM

Should you have any questions, please feel free to call the above- listed phone number. Please submit this completed form and any additional materials to the address or, email address in the above letterhead.

1. Owner's name: _____ Lot #: _____
Address and phone #: _____
2. Contractor's name: _____ License #: _____
Address and phone #: _____
3. Description of work to be done: _____

4. Types of materials to be used: _____

5. Color(s) to be used: _____
6. Purpose of improvement: _____

7. Other information: _____

In addition to this submittal form, please provide any required drawings, diagrams, cut sheets, pictures, material samples, etc. as defined in the approval requirements section(s) of the Design Guidelines specific to your request.

The Design Review Committee reserves the right to request further information and/or to conduct a site visit prior to rendering a decision on any submitted request.

Thank you for complying with the policies and procedures of the Design Review Committee. Your patience and cooperation with this process are greatly appreciated. All submittals will be reviewed as soon as possible, and you will be notified in writing of the Design Review Committee's decision.

The DRC meets the first Monday of every month. All submittal **MUST** be received a week prior to the meeting date to properly prepare for the meeting. If you do not meet the deadline your submittal will be reviewed at the following DRC Meeting.

All submitted samples must be picked up 30 days after DRC Meeting. They will be discarded if not picked up.

I acknowledge that I take full and sole responsibility for any damages done to common areas or other lots during construction. I acknowledge that my deposit will not be refunded my deposit for any damages caused to any common areas due to the contractors that I have hired for work to be completed.

Homeowner Signature _____

Date _____

7.4. Appendix D: Construction Agreement

1. COYOTE CREEK HOMEOWNERS' ASSOCIATION CONSTRUCTION AGREEMENT

Dear Coyote Creek Homeowners' Association:

I have received and read the current Covenants, Conditions and Restrictions for Coyote Creek as Amended and Restated, dated and recorded January 23, 2020, and the Design Guidelines of Coyote Creek dated April 21, 2021. I understand that the most current versions of both of these documents are available to me at the website <http://www.coyotecreekhomeowners.org> in the section titled "HOA Documents". I have also received and read the letter from Cadden Community Management on behalf of the Design Review Committee approving, with conditions, the plans for construction on Lot #_____in Coyote Creek. I fully understand and I will comply with these conditions.

In addition, *prior* to any work or construction on this property of a new residence or a major modification or improvement of an existing residence, I will deliver to Cadden Community Management the following fees and deposits:

2. A **non-refundable** Association Fee in the amount of \$3,200.00. This fee is to cover the cost of a consulting architect to review the construction plans as well as additional administrative costs incurred to monitor construction. The amount of the Association Fee may be reduced for a major modification or improvement of an existing residence in accordance with Section 4.2.2 of the Design Guidelines of Coyote Creek. I understand I will also be responsible for the cost of any required visits to the site by the architect at a cost of \$125.00 per hour. Site visits by the architect may be needed if actual construction deviates from the approved plans. Any and all changes to the approved plans arising during construction must be approved by the Design Review Committee prior to the commencement of the changes.
3. A **refundable** Construction Deposit in the amount of \$10,000.00 for a new residence or \$5,000.00 for a major modification or improvement of an existing residence. This deposit is to ensure that all construction complies with the approved plans, the Covenants, Conditions and Restrictions for Coyote Creek, and the Design Guidelines of Coyote Creek. Failure to comply with these standards could result in the forfeiture of the Construction Deposit.
4. A **non-refundable** HOA Infrastructure Fee of \$1,500.00 for a new residence or \$1,000.00 for a major modification or improvement of an existing residence. This fee is to cover the cost of excessive wear and tear caused by construction vehicles on the Association's privately-owned and maintained streets and damage to other HOA infrastructure caused by my construction activities.

For the purposes of this Construction Agreement, the words "major modification or improvement of an existing residence" shall include, but not be limited to, building additions, remodels, pool installations, and perimeter or retaining wall installations. The fees and deposit described above which are applicable to a major modification or improvement of an existing

residence may be applied on a case-by-case basis at the sole discretion of the Design Review Committee.

I understand the refund of my Construction Deposit will not occur until *after* the final inspection of the work by the Design Review Committee and will be subject to the procedures described below. Before I schedule the final inspection by the Design Review Committee, I further understand the following conditions must be fully satisfied:

- All construction materials, debris, equipment, dumpsters and porta-potty (temporary toilet) have been removed from the property.
- Construction of the new residence or completion of the major modification or improvement have been fully completed, including, but not limited to, painting, installation of exterior light fixtures, garage doors, and any planned hardscape elements.
- The driveway, as approved by the Design Review Committee, has been installed.
- All disturbed areas as defined in Section 2.1 of the Design Guidelines of Coyote Creek have been returned to their natural state with approved re-vegetation, hydro-seeding, and/or landscaping.
- All mechanical units are properly installed and shielded from view, as required by the Design Guidelines of Coyote Creek.

As determined by the Design Review committee, all of the foregoing conditions may not apply to a project involving a major modification or improvement of an existing residence.

Once the conditions listed above have been fully satisfied, I understand that I may request a final site inspection of the work by the Design Review Committee. Within thirty (30) days after completing the inspection, the Design Review Committee will deliver to me a letter explaining whether the condition of my property satisfies all applicable standards and whether all or none of the Construction Deposit will be returned to me.

Should the Design Review Committee identify any deficiencies during the final inspection, these deficiencies will be explained within the letter I will receive within thirty (30) days following the inspection. I understand I must correct these deficiencies and submit a Report of Construction Compliance to the Design Review Committee within one hundred eighty (180) days following the date of the final inspection. If a Report of Construction Compliance is received within one hundred eighty (180) days following the date of the final inspection, I understand the Design Review Committee will promptly release the Construction Deposit to me. If a Construction Compliance Report is not received by the Design Review Committee within one hundred eighty (180) days following the date of the final inspection, I further understand I will forfeit all of the Construction Deposit and the money will be retained by the Coyote Creek Homeowners' Association. Deposits will only be refunded to the legal owner of the property upon which the construction has occurred.

Prior to and during the period of construction, I agree that I must comply with the following rules and requirements and that I am responsible for such compliance on behalf of my contractor. I evidence my acknowledgement of each of these rules and requirements by my initials below:

_____ All exterior elements, including, but not limited to, exterior paint, roof material, windows, lighting, courtyards, perimeter walls, gates, retaining walls, rip-rap usage, driveway, garage doors, landscape, pool, spa, outdoor fireplace, other hardscape, and accessory features must be submitted for approval by the Design Review Committee together as one package. Any samples of building materials or paint dropped off for review will be discarded after thirty (30) days of the decision by the Design Review Committee.

_____ The construction area, defined as the building envelope plus the driveway, and the disturbed areas and septic/leach field, must be staked and roped or fenced. This area must remain roped or fenced throughout the entire period of construction to prevent disturbance of the natural set-aside areas of the property.

_____ All construction area fencing must be standard orange vinyl construction fencing, chain link fencing, or stakes and ropes in accordance with applicable laws and regulations.

_____ No construction work is permitted before 6:00 AM or after 6:00 PM, Monday through Saturday, or during any time on Sunday, subject to conditions. While work on Sunday is not encouraged, it is permissible if it is performed with no noise. Examples of permissible work on Sunday are indoor work without loud music and outdoor work without power tools, generators, machinery, or loud music.

_____ All construction parking must be on adjacent roadways or within the fenced or roped construction area.

_____ A porta-potty (temporary toilet) must be provided on site throughout the entire period of construction and must be located a minimum of ten (10) feet from the nearest street.

_____ A dumpster must be installed after grading and foundation are completed, emptied as needed, and must be located within the roped or fenced construction area as identified on the approved site plan.

_____ Construction materials must be delivered to and stored inside the roped or fenced construction area.

_____ A sign must be obtained from PB Trading Company and installed at the work site in an open area near the driveway to display permitted working hours and working days within Coyote Creek, and shall be returned upon completion of construction in good condition or the property owner will be required to pay \$100.00 to replace the sign. This fee will not be deducted from the Construction Deposit and I agree to pay this fee separately to PB Trading Company.

_____ The construction area must be kept clean. If the construction area is not kept clean, and within fifteen (15) days' following written notice by the Design Review Committee, the property owner has not adequately cleaned the site, the Design Review Committee may contract an independent clean-up crew to clean the site and the property owner will be responsible for the actual costs incurred. The clean-up costs incurred will not be deducted from the Construction

Deposit and I agree to fully reimburse the Coyote Creek Homeowners' Association for these costs.

_____ The general contractor must comply with Section 2.11.2 of the Design Guidelines of Coyote Creek and provide one and one-half (1-1/2) rock a minimum of thirty (30) feet into the driveway to keep dirt and mud off the streets. No construction materials are to be placed on the paved surface of the roadways within Coyote Creek. This includes, but is not limited to, dirt, sand, gravel, landscape materials, and boulders.

I agree to fully comply with all of the rules and regulations of the new home construction process or the major modification or improvement process as set forth within the Design Guidelines of Coyote Creek and the applicable provisions of this Construction Agreement. I further agree to coordinate all construction activities on my property with Cadden Community Management and the Design Review Committee as set forth within the documentation received in my construction approval package. Should I have any questions regarding the new home construction process or the major modification or improvement process or any of the documents I received in connection therewith, I will contact Ms. Alexandra Jaeger at Cadden Community Management, 5225 W. Massingale Road, Tucson, AZ 85843, telephone (520) 297-0797, or email ajaeger@cadden.com.

ACCEPTED AND AGREED TO:

PROPERTY OWNER

Printed Name: _____

Date: _____

I have provided a copy of this Construction Agreement to my general contractor for review and by its signature below, my general contractor evidences that it has read and fully understands the content of this Agreement.

GENERAL CONTRACTOR

Printed Company Name: _____

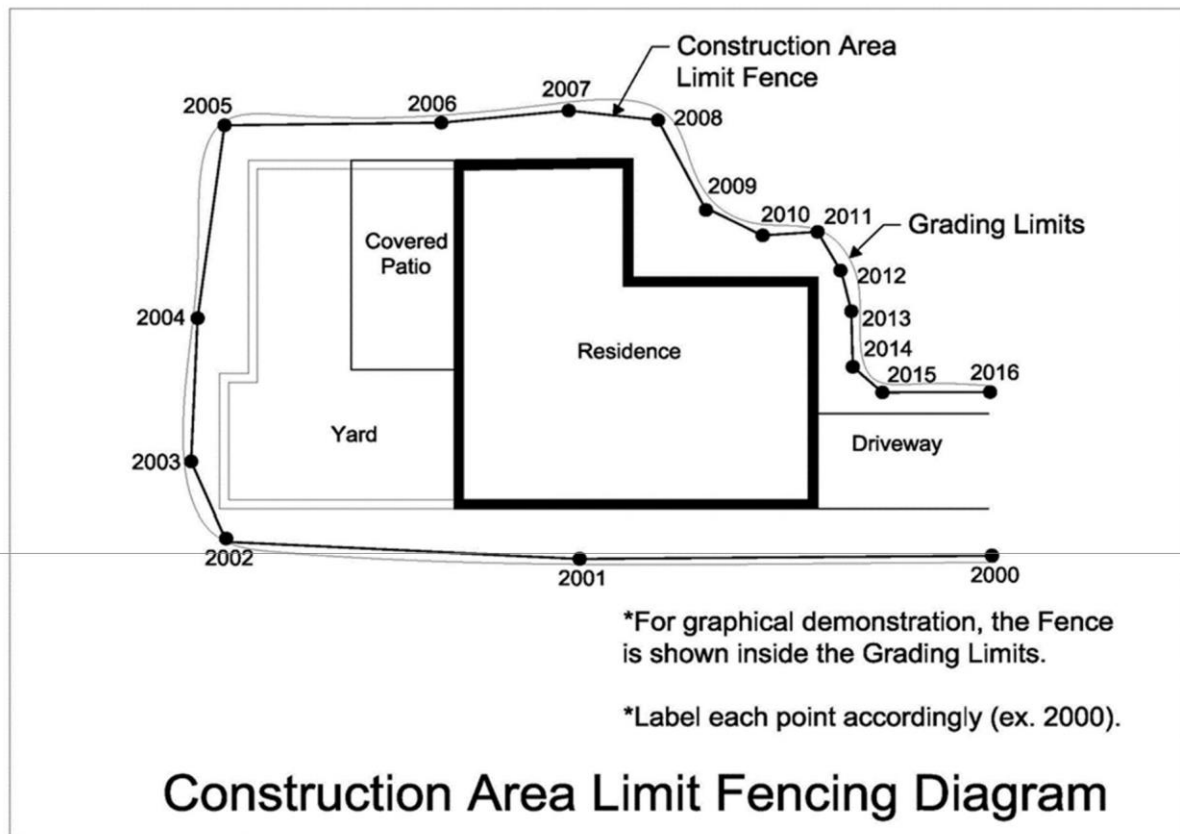
By: _____

Title: _____

Date: _____

7.5. Appendix E: Site Staking Plan

7.6. Appendix F: Construction Area Limit Fencing Diagram



7.7. Appendix G: Preliminary Design Submittal Checklist

Community of Coyote Creek
Architectural Design Review Committee

Project:

Submittal By:

Legend:	
•	Completed
▶	Needs more information or DENIED
n/a	Not Applicable
⊖	Was not included in submittal - see comments if any.

SAMPLE ONLY

PRELIMINARY DESIGN SUBMITTAL
CHECKLIST

DATE

TYPE

Summary
Status

- 4.3.1 Topography Survey (1" = 20'-0")
- a full boundaries of property & full width of subdivision street where property occurs
 - b show and label existing topography at no less than 1' interval and no less than 20' beyond all construction limits
 - c label boundary lines, lot dimensions / bearings, setbacks for Pima County and setbacks noted in Section 3.4
 - d existing utilities and stub outs
 - e show and label all major terrain features, including rock outcroppings and washes
 - f show north arrow
 - g show all major vegetation
 - h For additions / alterations: Show all existing & new items, such as structures, patios, driveway, patio walls etc.
- ** all packages must be based upon actual datum and shall not be based upon any assumed datum.

Comments:

- 4.3.2 Preliminary Site Grading Plan (scale of 1"=20'-0")
- a show everything in 4.3.1
 - b show all site improvements / site development: limits of grading, drainage, culverts, etc.
 - c Show and label the complete extent of all development elements or improvements
 - d show locations of buildings, pools and other structures of property and adjacent lots
 - e show driveways, guest parking, walkways, all buildings, walls, pools, spas, fountains, mech, equip, screen wall & patio
 - f show and label all proposed finish floor elevations for all buildings, patios, walls, etc.
 - g show location of septic tank and leaching field (if required)
- * Maintain 30' setback around property excluding drainage ways, driveways and private roads
- * Only use Catalina Rock for rip rap treatments
- * Any site wall or coping may not exceed six feet in height as determined by the average grade level
- * All screen walls must be a minimum of 12" above the tallest piece of equipment

Comments:

Comments:

4.3.3 Average Natural Grade Diagram and Calculations (min. scale of 1"=20'-0")

- a show and label existing natural topographical contour lines at 1' intervals at a distance of not less than 20' beyond the building envelope b show and label diagram per Section 2.2 for the sample calculations

4.3.4 Site
a house,

Staking Plan (min. scale of 1"=20'-0")

provide a plan that depicts point locations of all corners of the garage, patios and all related major improvements

- b Number each point accordingly
c Have a registered surveyor flag all corners noted on plan and provide a certification of the layout.
** See Section 7.5 Appendix E for sample plan

Comments:

4.3.5 Preliminary Floor Plan (min scale 1/8" = 1'-0")

- a show a complete floor plan, indicating all rooms, doors, windows, mech area & enclosures, patios, garages, storage area, etc. b show and label all finished floor elevation values
c show and schedule all enclosed living area square footage totals

Comments:

4.3.6 Preliminary Roof Plan (same scale as floor plan)

- a show and label all major components: roof pitch, direction of slopes, parapet & ridge heights, scupper locations, chimney, skylights, etc.

Comments:

4.3.7 Preliminary Elevations (same scale as floor plan)

- a Show all major elevations
b Show and label all existing contour grades and proposed finished contour grades c Show and label all finish floor elevations.
d Show and label all top of wall and top of elevation call outs for building and site walls e Show and label all major exterior materials
* 15' for ridgeline and 13' for parapet. If FFE set below ANG, then 16' for parapet and 18' for ridgeline
* Roof other than Spanish tile or flat roofs or elements such as domes, cupolas, vanes etc. must receive special approval from Agent
* Min size of exposed beam must be 6" in smallest dimension. For ramada or porch, it must be 4" in smallest dimension

Comments:

4.3.8 Landscape Plan (min. scale 1"=20'-0")

- a show any existing major trees or cacti to remain or to be relocated b indicate how all disturbed areas will be landscaped
c show proposed vegetation based on Approved Plant List Section 8.xx - Show species, sizes and total count

Comments:

4.3.9 Slab, Parapet & Roof Certifications (for additions / Alterations to an Existing Residence Only)

- a for slabs: provide certification for heights of all existing levels
b for parapets & roof ridges: provide certification for highest roof parapet and / or ridge of existing residence
c provide sealed diagrams (roof plan and site plan) by a registered surveyor showing where the points in (a) and (b) were taken from

Comments:

4.3.10 Miscellaneous Requirements

- a Drawings, scaled models, materials or samples

Comments:

GENERAL COMMENTS

1

2

3

Please contact the Cadden Management, through telephone 520 297-0797

Sincerely,
Coyote Creek Design Review Committee

7.8. Appendix H: Final Design Submittal Checklist

Community of Coyote Creek Architectural Design Review Committee

Project:

Submittal By:

Legend:	
•	Completed
▶	Needs more information or DENIED
n/a	Not Applicable
e	Was not included in submittal - see comments if any.

SAMPLE ONLY

FINAL DESIGN SUBMITTAL CHECKLIST

DATE

TYPE

Summary

Status

☐

1 Topography Survey
a All requirements in 4.4.1

Comments:

2 Site Grading Plan
a All requirements in 4.4.2

Comments:

3 Average Natural Grade Diagram and Calculations
a All requirements in 4.4.3

Comments:

4 Site Staking Plan (min. scale of 1"=20'-0")
a All requirements in 4.4.4

Comments:

5 Floor Plans
a All requirements in 4.4.5

Comments:

6 Roof Plans
a All requirements in 4.4.6

Comments:

- 7 **Pre -Elevations**
a All requirements in 4.4.7

Comments:

- 8 **Building Sections**
a provide a min. of 2 full length section cuts b
show and label new and existing grades

Comments:

- 9 **Architectural Details**
a Show all necessary details necessary to fully convey the design

Comments:

- 10 **Structural Plans**
a Roof framing plan b
Foundation plan
c Construction Detailing for 10a and 10b

Comments:

- 11 **Plumbing Plan**
a Complete plumbing plan
b Show locations of all fixtures, supply and waste lines, hose bibs and meter locations c
Indicate where water supply connections for irrigation

Comments:

- 12 **Mechanical Plan**
a Complete mechanical plan
b Show locations of roof vents, outside mech equipment and in-duct penetrations

Comments:

- 13 **Electrical Plan**
a Complete electrical plan
b Photo of any light fixture deemed questionable

Comments:

- 14 **Hardscape Plan**
a Show location of patio walls, pool, spa, equipment, enclosures and gates b
Label all finished materials
c label all tops of wall heights relative to the FFE
d Indicate finish materials and colors of all walkways, patio, etc.

Comments:

- 15 **Landscape Plan**
a All requirements in 2.12

Comments:

- 16 **Slab, parapet and roof ridge certifications for additions / alterations to Existing Homes**
a All requirements in 4.3.9

Comments:

- 17 **Exterior Materials and Color Samples**
a 8.5 x 11 packet of materials showing all colors, type, location, product number, LRV value.
Actual samples, if required

- 9 **Miscellaneous Requirements**
a Balance of drawings

GENERAL COMMENTS

1

2