

**Sands McCormick Townhomes Association (SMTA)**  
**ARCHITECTURAL & LANDSCAPING RULES & REGULATIONS**

Effective June 12, 2023 & Amended November 15, 2023

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For Landscape & Architectural Modification Applications, see SMTA Forms at the Documents page at [sandsmccormick.com](http://sandsmccormick.com).

# **Sands McCormick Townhomes Association**

## **ARCHITECTURAL & LANDSCAPING RULES & REGULATIONS**

### **INTRODUCTION**

Sands McCormick Townhomes Association (SMTA) is a part of McCormick Ranch Property Owners Association (MRPOA), a Planned Community Development with restrictions established to protect the community against objectionable uses and to ensure a desirable look. By maintaining a measure of consistency, McCormick Ranch will always be distinguished as its own entity, not a variety of tastes and styles.

SMTA is bound by the MRPOA restrictions, which require approval by both the SMTA and the MRPOA prior to any alterations, including painting, to the appearance of your home or lot. Any proposed improvements, alterations, or painting should first be submitted to SMTA. Once approval by SMTA is obtained, SMTA will then submit the form to MRPOA for approval.

Article VII, Architectural Control of the SMTA CC&Rs, states that improvements, alterations, construction, painting, or other work that is or would be visible from the frontage roadway and/or which in any way alters the exterior appearance of any lot or structure require prior SMTA and MRPOA approval.

In general, the SMTA follows the Architectural & Landscaping guidelines as prescribed in the MRPOA Rules & Regulations. This includes dumpsters.

If a homeowner plans a modification to their home, including painting, an application for review by the SMTA can be found at the Documents page at [sandsmccormick.com](http://sandsmccormick.com)--SMTA Forms Available for Download.. If approved, this same application will be used for consideration by the MRPOA.

Likewise, if a homeowner wishes to modify or change the landscaping, an application can be found at "Documents; SMTA Forms Available for Download" at [sandsmccormick.com](http://sandsmccormick.com) Upon approval, this same form will be submitted to the MRPOA.

MRPOA Rules & Regulations can be found on our website—at the Documents page at [www.sandsmccormick.com](http://www.sandsmccormick.com)—see MRPOA.

All applications should be mailed to SMTA Board, 8720 E. San Rafael, Scottsdale, AZ 85258 or emailed to [sandsmccormickboard@gmail.com](mailto:sandsmccormickboard@gmail.com).

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#### IMPORTANT

- Any change that affects the exterior of a property (including structures and landscape) must be approved in advance by the SMTA and then the MRPOA.
- Following the guidelines does not eliminate the need to submit requests for PRIOR approval from the SMTA and MRPOA.
- No installation or commencement of any work is permitted until approved by the SMTA and MRPOA.
- Before submitting to the MRPOA, you must first receive approval from the SMTA.
- Any modification not specifically approved in writing by the SMTA and MRPOA will be required to be modified or removed at the Property Owner's expense, and a fine of between \$250 to \$2,000 may be imposed.

SOURCE: MRPOA WEB SITE—RULES & REGULATIONS

Any planned installations or replacements (modifications to the home, landscape, or painting projects) that are visible from the street to home must be submitted by the homeowner to the SMTA Board for review to ensure compliance with all Architectural Rules & Regulations. This includes, but is not limited to rock, gravel, stones, awnings, house numbers, front doors, paint, fencing, lighting, etc.

Exceptions: any replacements of plant material, like for like.

See [www.sandsmccormick.com](http://www.sandsmccormick.com)--Documents page for forms (one for Architecture and one for Landscaping).

The following are Landscaping Rules & Regulations unique to the Sands:

#### FRONT YARDS AND FRONT COURTYARDS

NOTE: Typically, front yards comprise that space between the metal rail fence and the sidewalk. Absent a fence, it would be the space between the patio and the sidewalk.

1. Clothes and/or clothes lines, equipment, and garbage containers are not allowed in front yards or courtyards where they are visible from the street.
2. Plants, shrubs and/or trees must be utilized in all front yards to soften the look of granite as well as the visual aspects of homes. **MRPOA stipulates that a minimum of 40% of the yard must be covered with plant material.**

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3. Generally, plant material is only allowed in front yards – no fountains, bird baths, sculptures, furniture, etc. Open courtyards may have furniture.
4. Pots in front yards must be kept filled with plant material or removed from sight.
5. Front yards and courtyards must be maintained in good and attractive condition by the homeowner:
  - Free of trash, weeds, and other debris. The preferred method, if possible, of weed removal is by pulling or digging them out by the roots. Spraying is the least preferable method of weed removal.
  - All shrubs, bushes, trees, and all other plants kept neatly trimmed;
  - Dead plants (or dead portions of plant) removed;
  - Front yards need to be covered with rock, gravel or stone that meet the type, color and size as recommended by the MRPOA; grass is not allowed in front yards.
6. Artificial (silk, plastic, metal, etc.) flowers and/or plants are not permitted in front yards.
7. Shrubs and trees must not encroach on sidewalks or neighbors' driveways.
8. All palm trees, front and back, must be trimmed of dead palm branches and seed pods **on an annual basis every June**.
9. Rock: lava rock and/or cinder rock and wood chips are prohibited. Predominately peach and pink colored granite will not be approved. See the MRPOA Rules & Regulations (on the Documents page) at [www.mrpoa.com](http://www.mrpoa.com) for recommended granite colors and sizes.
10. Holiday lighting and decorations are governed by the MRPOA Rules & Regulations, Article III, Part 2, Page 18.

**WHEN IN DOUBT, SUBMIT TO THE SANDS MCCORMICK HOA BOARD FOR REVIEW.**

### GENERAL PROPERTY MAINTENANCE

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1. Homeowners are responsible for the removal and disposal of all debris, dead plants, and landscaping trimmings from their property.
2. When having trees trimmed or removed, the tree removal company is required to take away branches, stumps, and debris.
3. Homeowners may not dump leaves, branches or any other debris from their patios, yards, and roofs onto the common areas.
4. Brush and bulk collection items should be placed on the curb bordering your property line (not in common areas) no sooner than nine days before the scheduled collection week. Place all pick-up items curbside in front of your property. Trash is picked up on Tuesday and recyclables on Thursday. For the City's schedule, visit [www.scottsdaleaz.gov/solid-waste/brush-bulk-collection](http://www.scottsdaleaz.gov/solid-waste/brush-bulk-collection)  
If there is residual mess after pickup, it is the homeowner's responsibility to clean it up.

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See also [smtageneralrules&regulations](#) and, for RV lot use, [smtarvlotrules&regulations](#).

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### TO REDUCE ROOF RAT PROBLEMS

1. All fruit and nut trees must be harvested no later than **March 15<sup>th</sup>**.
2. Exceptions are grapefruit and Valencia oranges which may remain on trees and removed by May 15<sup>th</sup> at the latest. Kumquats, according to the City, do not attract roof rats and are therefore exempt.
3. Citrus trees must be professionally trimmed and pruned when the fruit is picked in the spring so that the trees do not touch exterior walls or roofs (**the City recommends that all trees be kept at least 6 feet from walls and roof lines**).
4. Homeowners must keep all fruit picked up from the ground.

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5. NO NEW CITRUS (other than kumquats) may be planted on any homeowner's property, front or back.
6. Homeowners with citrus trees must take the initiative to get rid of the rats if they see them on their property or see partially eaten fruit on the ground. NOTE: traps may be used but poison may not. Why? Because the rats eat the poison in your yard and then go to your neighbors' yards or common areas to die.
7. All shrubs, bushes and dense plants should be kept trimmed and thinned to prevent roof rats from nesting.

\* \* \* \* \*

Our community is home to increasingly part-time residents who are not exempt from these rules and regulations. We always expect all homeowners to maintain their properties to these standards.

**For assistance or questions, e mail us at: [sandsmccormickboard@gmail.com](mailto:sandsmccormickboard@gmail.com).**

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**NOTE** See also [smtageneralrules&regulations](#) for more information, including rentals, parking, trash containers, swimming pool, community center etc., and [smtarvrules&regulations](#) for use of the RV parking lot.

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**FINES**

The SMTA and/or MRPOA may impose fines against a Property Owner for any infraction of these Architectural & Landscaping Rules & Regulations as well as those outlined in the General Rules & Regulations. The steps regarding the resolution of violations are as follow:

1. In the discovery/observation state and before fines are imposed, a non-compliant Property Owner will be given a COURTESY NOTICE with full details and description of the violation and an opportunity to be heard by the Board. Then, if no response or corrective action to be taken has been received by the Board within 10 days, then,
  
2. A FORMAL NOTICE of non-compliance will be issued with the amount of the fine included therein--\$100.00. Again, if no response or corrective action to be taken is received by the Board within a minimum of 10 days, then.
  
3. After 20 days have elapsed, A FINAL NOTICE will be issued. In addition to the above noted fine, a \$25.00 per day penalty will be charged for days 21 through 50; \$50 per day for days 51 through 80; and \$100 per day thereafter until the violation is cured and the fine and penalties paid. After 110 days alternative action will be taken.

Alternative action means the SMTA, at its discretion, may consult its legal counsel concerning such non-compliance issues and the Board's responsibilities for enforcement under applicable laws. If legal counsel is engaged by the Board, the homeowner will be responsible for, but not limited to, all attorneys' fees and such other fees as required to bring the homeowner's property into compliance within the provisions of Community Documents.

The SMTA Board is prepared to waive any and all fines and/or penalties, or a portion thereof, upon correction of the violation as determined by the Board.

ALL MAILINGS TO HOMEOWNERS WILL BE BY E MAIL OR USPS. THE SMTA BOARD CAN BE CONTACTED AT

WWW.SANDSMCCORMICKBOARD@GMAIL.COM

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**SMTA ANNUAL ASSESSMENT**

Any assessment or quarterly installment of the annual assessment which is not paid within fifteen (15) days of the due date shall be deemed delinquent and shall bear interest from the date of such delinquency at the rate of twelve percent (12%) per annum and may be subject to a further late fee as determined by the Board of Directors as permitted by law. (See CC&Rs, Section 9, "Annual Assessments", paragraph (A), PAGE 9.)

Approved by the SMTA Board of Directors on June 12, 2023 & Amended on November 15, 2023.



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ACKNOWLEDGEMENT & RECEIPT ADDEDNUM:

By signing below, I hereby acknowledge receipt of these Rules & Regulations together with other governing documents for SMTA and further acknowledge I am ultimately responsible for any violations and potential fines that may transpire during ownership of my property.

Signature of Owner(s)\_\_\_\_\_Date\_\_\_\_\_

\_\_\_\_\_Date\_\_\_\_\_

Address of Property\_\_\_\_\_