

HILLCREST BAY INCORPORATED

Homeowners' Association



Architectural Review Guidelines

2020

Hillcrest Bay Homeowners Association

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THE ARCHITECTURAL REVIEW



Architectural Review Committee (ARC)

The purpose of the Architectural Review Committee (ARC) is to administer the community's guidelines by overseeing changes and modifications to a property through an application and appeal process designed to balance the interests of individual homeowners and the community as a whole, ensuring that guidelines are met and property values are protected. Ultimately, a review committee has a duty to put the interests of the community as a whole above the interests of individual homeowner members.

An architectural review committee is responsible for:

- Managing the application and approval process;
- Monitoring the community for violations of standards;
- Fairly enforcing standards set forth in the governing documents;
- Making subjective and objective decisions about guidelines compliance;
- Reviewing guidelines for adequacy; and
- Educating the community about set guidelines

If you are planning any EXTERIOR CHANGE TO YOUR PROPERTY, new construction, house, manufactured home, garage, sheds, or awnings, a completed Building Application form must be submitted in duplicate to the Board of Directors (Board). The Board will review your plans to ensure that they comply with the requirements of Hillcrest Bay. After the Board has completed its process an approved set of plans will be returned to the homeowner to take to the County for permits. One set will remain on file with the Association pursuant to Arizona Statue; the HOA is required to maintain all architectural approvals or denials for any lot within the subdivision. Homeowners must be in good standings with the homeowners association in order for applications to be approved by the Board.

The ARC is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant within **60** days. The ARC will respond in writing with either approval, approval with conditions, disapproval or a request for more information about the project. If the ARC fails to render a decision after receiving all the required information, the application will be considered approved by default.

Questions regarding this process should be directed to ARC@hillcrestbay.com

ARCHITECTURAL REVIEW PROCESS

The Architectural Guidelines provide a framework for the decision-making process of the Board. These Guidelines have the same enforceability as the CC&Rs, even though they, for the most part, are not recorded with the county recorder.

NOTE: The HOA's covenants **require prior written approval** for any improvements to a lot. Therefore do not commit labor or materials until you have received written approval.

1. The owner submits to the Board, an **Application for Architectural Review**, along with all requested documentation. Please keep in mind that the Board has **60** days to review the application. Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making.
2. The application, noted with the date of receipt by the Board, will start the process, provided that all of the information necessary for review is received. The board will then make a precursory review of the application and request any additional information from the owner if needed. The Board may still require additional information as detailed in 4.d. below. The **60-day** review period will not begin until the application is complete and appropriate for review.
3. The Board will act within **60** calendar days upon receiving the complete application. In many cases, the owner will receive a response sooner than this.
4. The Board's decision will be noted on the application. The owner will then be notified of the decision. The application will show one of the following four decisions.
 - a. **APPROVAL:** The application is approved as submitted.
 - b. **APPROVAL WITH CONDITIONS:** The overall proposal is accepted, but with certain specified changes, limitations or requirements that must be followed.
 - c. **DISAPPROVAL:** The application is denied. The owner can appeal to the Board within **15** business days. (See the Appeal Procedure section for more details.)
 - d. **ADDITIONAL INFORMATION REQUIRED:** The Board has determined that additional information is needed for an appropriate review of the application. In this case, the entire process begins again once the Board receives the requested information. The owner should follow the same submission procedure as before. The Board will act swiftly on all re-submissions.
5. The Board reserves the right to visit your lot and inspect the improvement(s). This will be done for two specific reasons.
 - a. To ensure that the application details were followed.
 - b. To familiarize them with the site conditions and understand the complete scope of the work.
6. Once work has begun on an approved application, it must be completed within **one year**. Applications are valid for **one (1) year** from the date of approval.

NOTE: Many design changes and improvements require a permit, and the county may not issue a permit without the written approval of the Homeowners' Association. Please plan in advance and remember that the Board has **60** days after all the appropriate information has been received to review applications. It is strongly suggested that the county be contacted to determine what permits or approvals are required according to those entities' ordinances. **The Board's approval is not a substitute for approval by the county. It is the homeowner's responsibility to acquire appropriate approvals, permits, etc. from the county.**

REVIEW CRITERIA

The Board evaluates each application on the individual merits of the application and the standards listed below.

- **Relationship of Structures and Adjoining Property** - The proposed change should relate harmoniously to its surroundings and to existing buildings and terrain that have a visual relationship to the change.
- **Protection of Neighbors** - The interest of neighboring owners and renters should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light, and air, and other aspects of design, which may have substantial effects on neighboring property. The Board should consider the various appropriate criteria and exercise discretion in determining which of the criteria govern in each specific application.
- **Workmanship** - The quality of the work must be in accordance with industry standards.

EXPLANATION OF STANDARDS

The standards outlined below are the procedures and guidelines applied by the Board to assist the HOA and its members in the design review process.

There are three major categories of improvement guidelines. They are blanket approvals, common improvements, and appearance standards/maintenance.

BLANKET APPROVALS

Items in this category do not require approval, provided the guidelines mentioned are followed.

Items not specifically mentioned here require approval.

Lighting

- Low voltage lighting to illuminate only individuals property, located no closer to the street than the right of way.

Satellite Dishes

- No more than three feet (3') in diameter, with hidden cable located in the backyard.
- The preferred placement of the dish is on the roof at the rear of the house.
- If more than two dishes are placed on a home, written architectural approval must be obtained.

Landscaping

- Planting does not require approval from the ARC; however, owners still need to comply with the governing rules, to maintain weed control and avoid height restrictions. Anything other than plants that are considered hardscape requires approval, (*see common improvements*).

Exterior Painting/Maintenance

- The ARC doesn't have strict guidelines for paint colors, however, we do recommend paint schemes that blend into the natural environment such as warm neutrals, we reserve the right to enforce this to avoid any bright loud or unusual color/paint schemes.

COMMON IMPROVEMENTS

Items in this category require approval. An application must be submitted along with all required documentation in order to be considered complete for review. Improvements needing approval are not necessarily limited to those listed here, but these are some of the most common.

Grading

- Major changes to the topography of a lot require approval by the Board prior to being started and may require county approval as well.
- A full licensed engineered drawing shall be submitted as part of this request.
- Drainage and water flow patterns must flow to the street.
 - Appropriate stormwater control shall be in place and maintained by the property owner.
 - All stormwater control measures shall meet or exceed local governing codes.

NOTE: The HOA, its Board of Directors, **accepts no liability for any damage** caused by such grading, whether the Board approved the request or not.

Exterior Energy Devices

- All energy production devices including, but not limited to, generators of any kind and solar energy devices, shall not be constructed or maintained on any Lot without the prior written approval of the ARC, except for heat pumps or similar appliances shown on the plans approved by the ARC.
- Accordingly, the purpose of these Rules about solar energy devices and equipment is to reasonably control use and location to protect home values and aesthetics in the community, without preventing their use.

NOTE: The laudable goal of saving energy and incorporating equipment and systems into and on to homes or lots which do so has resulted in increased interest in the installation and use of solar energy devices and equipment. The Association does not want to do anything to prevent the use of such devices but feels it is important to ensure that such equipment is reasonably controlled as to appearance and location of installation, so as to protect neighbors and the community as a whole from unsightly equipment and/or installation. *(See Resolution of the Board.)*

Hardscape

- This can include paved areas, driveways, retaining walls, stairs, walkways and any other landscaping made up of hard-wearing materials such as wood, stone, and concrete.

Drives and Parking Areas

- Changes to driveways or parking pad additions require Board approval.

Fences/Walls

- Fences and walls shall be constructed in accordance with the Declaration of Restrictions. Provided, however, fences and walls visible from the street or neighboring properties must be decorative (wrought iron, slump stone, split face or colored block, wood, wire or chain link).
- Fences must be maintained and kept in good repair.

Storage Sheds

- Sheds less than 120 sq. feet only need approval by the board; over 120 sq. feet need both board and county approval.

Decks/Outdoor Living Areas

- Structure over 120 sq. ft. and 30 inches high needs county approval

Remodeling or new construction

- Existing building structure exterior remodel or modification.
- New construction of any kind, garage, carports, mobile homes, room additions, new home construction, etc.

Lamps and Landscape Lighting

- The light is not to exceed 12 feet in height, measured from the ground to the base of the light fixture.
- All lighting must be directional and specifically directed towards the ground to avoid light pollution throughout the community and more specifically to avoid direct impact on adjacent properties.
- Other lighting on the Board approved structures will be considered providing it matches existing light fixtures.

NOTE: Low voltage landscaping lighting does not need Board approval.

APPEARANCE STANDARDS/MAINTENANCE**Property Maintenance**

- Homeowners are expected to maintain their home and yard in good fashion and appearance.
- Fences should be mended when damaged and yards should be kept trimmed.
- Weeds, trash, junk, and other nuisances should be removed when present.
- Unsightly conditions should never be permitted to occur on a resident's property.
- Each property owner is responsible for dirt removal due to rain runoff to streets or any other causes, clean up shall be done within 72 hours of the event.
- Paint and stain must be maintained and kept in good repair with no peeling, chipping, cracking or discoloration on the trim or siding.
- Edging and pruning should be done on a regular basis. Driveway and sidewalk cracks should be kept clear of weeds. Dead trees and shrubs must be removed and replaced with plantings of similar size and shape, as long as it complies with the 15 feet height restriction.
- No noxious, offensive or unsightly conditions shall be permitted upon any part of any Lot, nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood.

Parking and Recreational Vehicles

- Vehicles used for everyday transportation should be parked in the garage or driveway.
- For safety and visibility of drivers, avoid parking in the street, especially along curves or high traffic areas.
- No equipment, motor homes, trailers, boats, campers, recreational vehicles, or other mobile equipment, trailers, implements or vehicles (excluding automobiles) of all kinds or nature shall be parked or stored on any Lot unless such items are screened or enclosed from view.
- No commercial vehicle, trucks with a capacity in excess of one (1) ton, shall be parked or stored upon any Lot or street, whether public or private within the subdivision.
- No inoperable vehicles shall be parked or stored in any public or private street, and all such vehicles shall be parked or concealed from view.
- No truck, truck camper, tent, garage, barn, shack or other outbuilding or vehicle shall at any time be used as a residence or living place on any part of the subject property.

NOTE: The streets in our community are private, both the CC&R'S and the law require maintenance and enforcement by the HOA. Due to the narrow streets, we must limit the parking, our main concern is safety

and allowing emergency vehicles to get through. Other than for pickup and delivery, do not park in front of mailboxes or other resident's driveways.

VIOLATIONS AND PENALTIES

In addition to a rule violation, an exterior change made without the required approval of the ARC constitutes a violation of the covenants. A violation may require removal or modification of the work at the expense of the property owner.

When a violation is determined to have occurred the following steps shall be taken.

1. The ARC will investigate any reported violation and attempt to bring the owner into compliance. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance within a reasonable amount of time. The amount of time given to the homeowner will be based on the alleged violation.
2. Should the owner fail to act upon the recommendations for corrections, the ARC shall submit the matter to the Board.
3. The homeowner shall be invited to a hearing with the Board where the homeowner will have the opportunity to be heard and present evidence. Failure to appear shall result in a fine that will begin to accrue on the day after the scheduled hearing date. If the violation is brought back into compliance prior to the hearing, no hearing is necessary. In this case, you must let a member of the ARC, and the Board know you are in compliance. If the issue is verified, no further action is required. If compliance cannot be verified, the parties proceed with the hearing.
4. After the hearing, the Board will respond to the homeowner with a decision in writing within five (5) days. Any penalties, fines or fees relating to the violation the homeowner is responsible for will be noted in the letter from the Board. The letter will include the date the accrual of fines will begin.

APPEAL PROCEDURE

If the applicant disagrees with the decision of the ARC in its review or inspection, an appeal may be submitted as noted below.

1. Within 15 business days after the receipt of a notice of disapproval, the homeowner must file a written appeal with the ARC at the address of contact for the Board of Directors.
2. Upon receipt of the appeal, the ARC may contact the homeowner and schedule a review of any further information relating to the request and appeal.
3. Should the ARC determine that the disapproval remains, the homeowner may request that the appeal be forwarded to the Board. This request must be made within 7 days of the disapproval. It is the responsibility of the ARC to forward any correspondence and pertinent information to the Board at that time.
4. The Board shall then establish the date and the time that the appeal will be heard. Normally, this will be made at the next scheduled board meeting. A majority vote by the Board is required to reverse an ARC decision.

NOTE: No work may progress during the appeal process.

POLICIES PROCEDURES AND GUIDELINES

HILLCREST BAY BUILDING REQUIREMENTS

1. The Lot must be SURVEYED and a TOPO of the lot before any dirt is to be moved.
2. Meet with the Architectural Review Director to determine lot elevation for fifteen (15') height restrictions.
3. Apply for utility services and locations, electricity, water, and phone.
4. Keep in mind there is an easement for the utility company. Be aware of your boundaries.
5. Submit HBI Application for Building and Building plans for approval to the Association before construction begins.
6. Streets to be kept clean of dirt, rocks, debris at all times.
7. All construction debris from the building site MUST be dumped in authorized trash locations (such as City Dump). You will be subject to a fine.
8. No concrete to be poured onto the street (exception, 18" roll or sloped curb can be installed to channel water on the street side) a template can be obtained from Architectural Review Director.
9. All other roadwork to be completed will be by the owner from the lot line to the existing blacktop of the street with cold patch on asphalt.
10. All water runoff must be to the street not to other properties.
11. Authorize the Board of Directors to have access to the building site at any time to perform all measurements to establish CC&R's compliance.
12. A copy of the Certificate of Occupancy must be submitted to the Board within **10** days of County of La Paz release.

NOTE: It is the property owners' responsibility to obtain a Building permits as required by applicable Governing Codes.

HBI Application for Building form and La Paz County Permits are required on the following:

1. New structure e.g. houses, mobile homes, garages, etc.
2. Add-ons to existing structures
3. Teardown of existing structures of more than 60%
4. Removal of mobile home
5. New Stucco
6. Sheds over 120 sq. ft.
7. Decks over 30" tall
8. Awnings
9. Electrical
10. Reroofing (more than a couple of plywood sheeting replaced)
11. Block walls, wooden fencing, retaining walls, etc., on the perimeter of the lot(s)

NOTE: Generally, permits fall into categories such as electrical, structural, civil, plumbing and mechanical. For more information contact La Paz County Permits Office at 928.669.6138

LANDSCAPING ARIZONA DESERT PLANTS

TREES

Selecting the right tree is important because of the aesthetic impact it has on the community as well as natural resources such as water, sunlight, root proliferation, drainage requirements length of time required to reach maturity, etc. When considering placement, be sure the mature tree will fit safely, without interfering with overhead power lines, underground utilities, buildings, and pedestrian traffic.

Palm Trees - Not recommended Hillcrest Bay Height Restrictions



Regarding palm trees, there are over 2,500 species, make sure to research the type before adding to your landscape. Be mindful of the height restriction of 15 feet, if you cut off the top of most palm trees, you cut off its fronds and most important, its bud – which means you will have nothing left but a long, tall stump that will no longer put forth any leaves.

SHRUBS

As with trees, select shrubs carefully, according to their use and mature size. Be sure there is enough space for the mature height and width of the shrubs you want to grow. Most shrubs have attractive, natural shapes, so very little pruning or shearing is need.

GRASSES

Although many ornamental grasses are excellent for re-vegetation, some can reseed in the landscape. Choosing grasses, such as those recommended here, and watering with drip irrigation will generally eliminate or minimize reseeding. Water ornamental grasses as you would groundcovers (not grass lawns), and cut them back close to the ground every one to three years to rejuvenate growth.

GROUND COVERS

Groundcovers grow from a few inches to a few feet high, and some can spread several feet wide. Select them with mature size, especially spread, in mind. Avoid planting them too close to walkways or other plants to prevent the need for frequent trimming or pruning.

CACTI

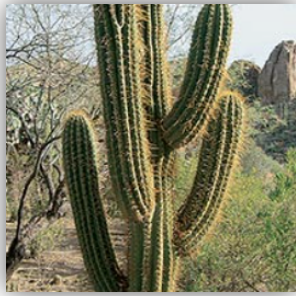
Because of their ability to store water, they require much less water than most landscape plants; but even cacti require occasional irrigation - perhaps once or twice a month in summer. However, don't overwater cacti, and plant them in soil that has good drainage.

Blue Myrtle Cactus - Not recommended Hillcrest Bay Height Restrictions



Type	Cacti
Sun	Full Sun
Water	Very Low
Growth Rate	Moderate
Mature Size	15' Height x 10' Width
Mature Form	Upright

Cardon Grande - Not recommended Hillcrest Bay Height Restrictions



Type	Cacti
Sun	Full Sun
Water	Low
Growth Rate	Moderate
Mature Size	15' Height x 8' Width
Mature Form	Treelike

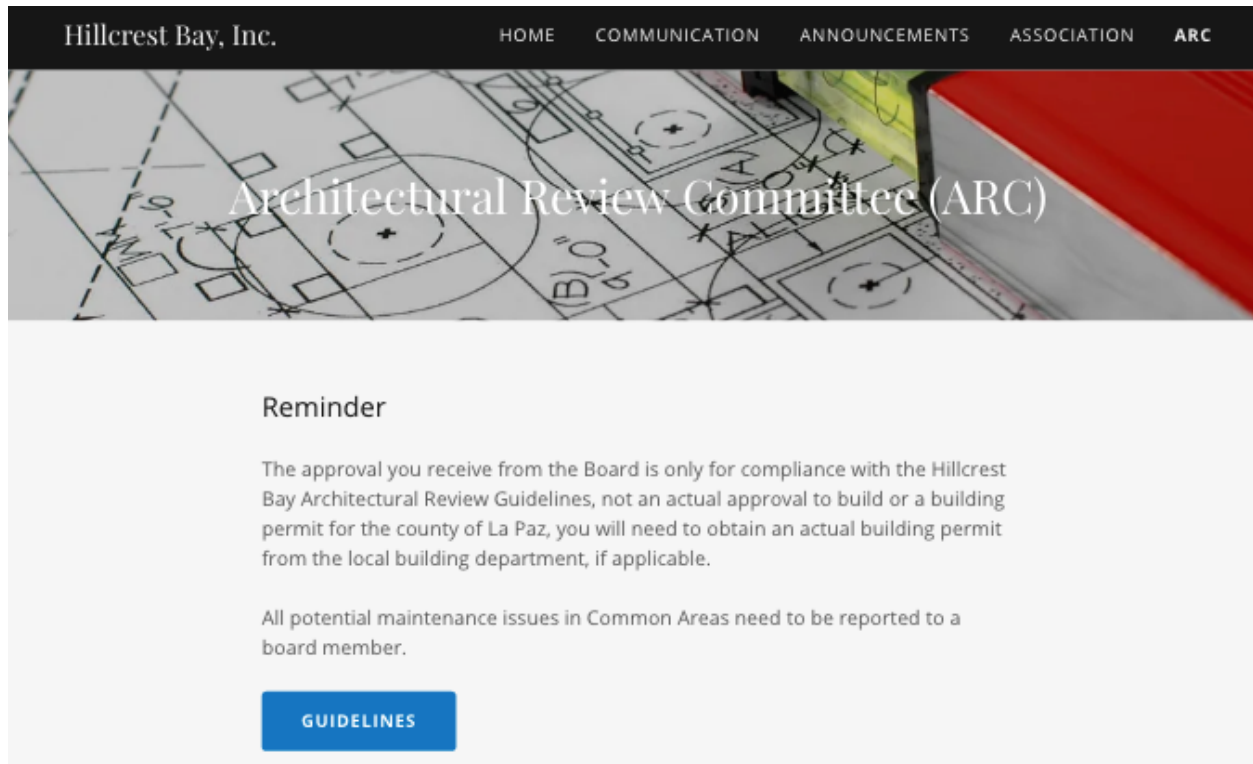
Saguaro (native) - Not recommended Hillcrest Bay Height Restrictions



Type	Cacti
Sun	Full or Reflected Sun
Water	Very Low
Growth Rate	Very Slow
Mature Size	20' Height x 10' Width
Mature Form	Columnar

Website

<https://hillcrestbay.com/arc>



Forms

All forms pertaining to Owners are available on the Architectural Review Committee (ARC) page. Our objective in creating forms for Hillcrest Bay is to assist both the owners and the board members by simplifying the process, providing consistency, and the ability to capture the information for future reference.

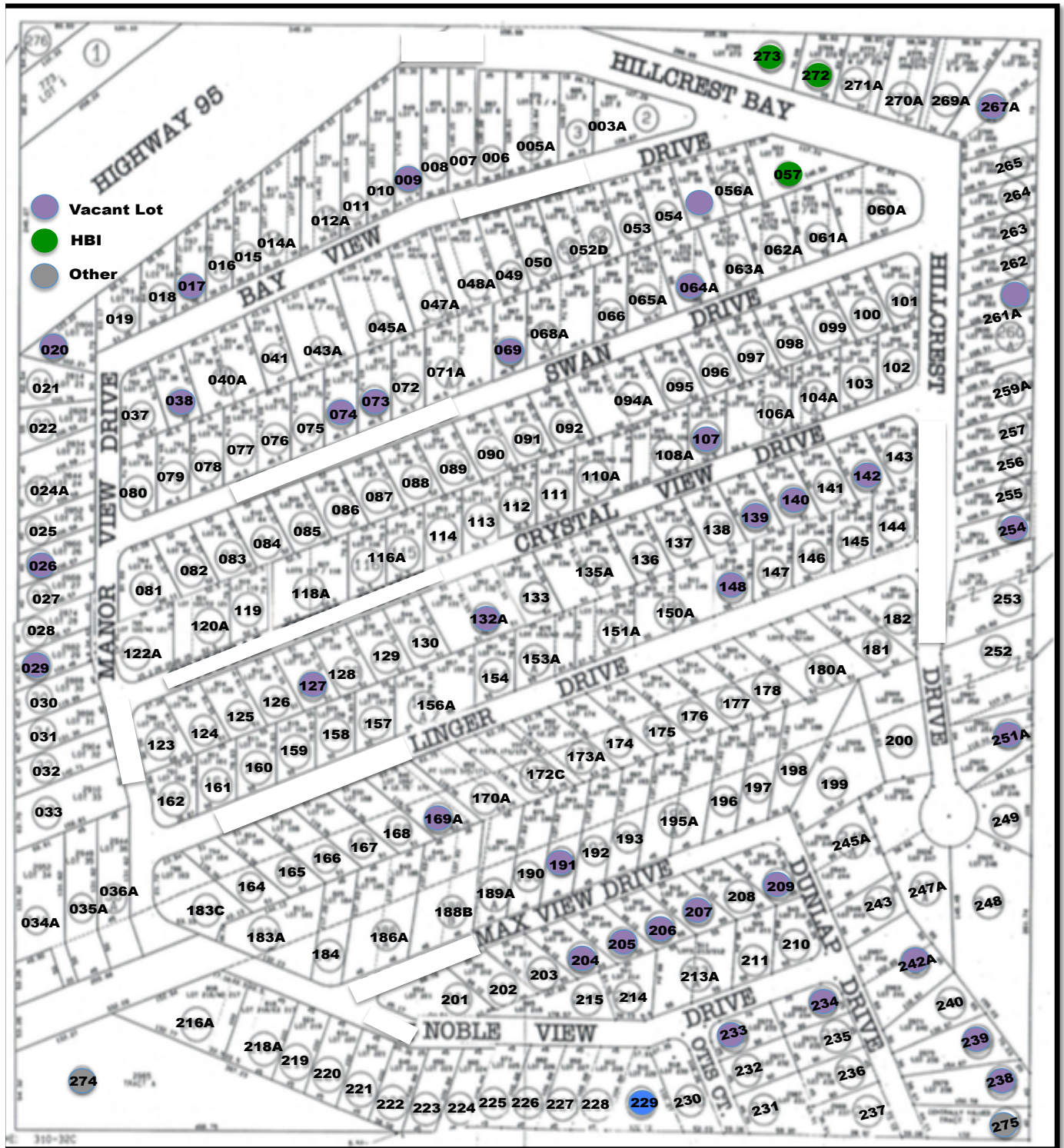
Application for Architectural Review

Architectural Review Checklist

Deposit Fee

Variance Request

Hillcrest Bay Plat Map



Hillcrest Bay Subdivision Map

