

**MESQUITE RANCH**

**COMMUNITY ASSOCIATION**

**COMMON PROJECT**

**GUIDELINES**

As adopted by the Mesquite Ranch Homeowners Association  
Design Review Committee and by the  
Association Board of Directors on February 1, 2002.

**This document is subject to revision and may be amended or supplemented  
from time to time. To ensure that you have the most recent edition, please  
contact the Association management representative,  
Lewis Management Resources  
520-742-5674**

## **MESQUITE RANCH DESIGN GUIDELINES FOR COMMON PROJECTS FOR PRODUCTION RESIDENCES**

These Design Guidelines for Common Projects for Production Residences (DG) have been promulgated, pursuant to Article IV of the Master Declaration of Covenants, Conditions and Restrictions for Mesquite Ranch (the CC&Rs), first recorded at Docket 11639, Page 3886 in the office of the Pima County Recorder, Pima County, Arizona, and as may be amended or supplemented from time to time. The Design Guidelines are binding upon each Owner, Builder-Developer, or other person who, at any time, constructs, reconstructs, refinishes, alters or maintains any Improvement upon a Lot, or makes any change in the natural or existing surface, drainage, or plant life thereof. The Design Guidelines are administered and enforced by the Design Review Committee (DC) in accordance with the Declaration and the procedures herein and therein set forth.

It should be noted that all residential communities within Mesquite Ranch will be governed by two versions of the Design Guidelines, one for production home builders, the other for homeowners as they modify or add to the Improvements installed by the production home builder. The versions are as follows:

- A. Common Project Guidelines, which are intended to outline the design review process and related design standards for a homeowner's common projects. Typically, these projects are undertaken at some point after the Builder-Developer's original construction has been completed (THIS DOCUMENT).
- B. Design Guidelines for Builder-Developer Production Residences, which are intended to outline the design review process and related design standards that apply to all original construction within the various Mesquite Ranch production communities.

Both of the Design Guidelines documents outlined above were developed as separate and distinct documents. Only the Design Guidelines for Common Homeowner Projects are contained in this particular document. The other document is not included in this version, but is available as a separate and distinct document. Any particular version of the Design Guidelines may be amended from time to time in an effort to enhance Mesquite Ranch. It is the responsibility of each Owner or other person to obtain and review a copy of the applicable and most recently revised Design Guidelines document that addresses his, her or its needs.

Please note that in an effort to provide an easily read document, certain terms that appear in this document have been capitalized. Definitions for those terms are given in the CC&Rs. If you are unsure of a term's exact interpretation, please refer to the Definitions section of the CC&Rs, which is available from the Management Company.

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## 1. Mesquite Ranch Philosophy

Mesquite Ranch, a master planned community within the City of Tucson, Pima County, is located near the base of the Rincon Mountains. Mesquite Ranch is unique because of its rich contrasts in topography and the abundance and variety of typical Sonoran desert plant and animal life.

The overall intent for Mesquite Ranch is to create a self-sufficient master planned community set respectfully into the natural desert. Upon completion, it will likely include a full range of residential choices, and both natural and developed open space. Mesquite Ranch is envisioned and planned to respect its natural desert and mountain setting. Development will strive to preserve and enhance the natural setting of this unique location.

Design standards and restrictions have been developed to implement this vision. Minimum standards of design provide direction to an Owner in the development (planning, design, and construction) of his/her particular project to ensure compatibility with the particular existing production home community and the overall Mesquite Ranch context. The purpose of the Design Guidelines for Common Homeowner Projects (Design Guidelines) is to provide an overall framework for quality development and to create a cohesive overall community appearance at Mesquite Ranch, which is reinforced from one section of the community to another. The Design Review Committee (DRC) will encourage creativity in design, innovative use of materials, and unique methods of construction so long as the final result is consistent with overall intent and vision at Mesquite Ranch.

## 2. Overview of Design Review Process

In order to assist each Owner in the development (planning, design, and construction) of his/her particular project, an easy-to-understand design review process has been established pursuant to these Design Guidelines. The process provides an opportunity to the Owner to draw upon the expertise and knowledge which has been acquired during the planning and development of Mesquite Ranch. The preservation and enhancement of a particular existing production home community's character, within the overall Mesquite Ranch context, is an important principle that the DRC is charged with ensuring and carrying out development.

**By way of a practical reminder, any and all modifications, alterations, additions, or changes to the original scope, construction, or Improvements of any production residence must be submitted to, and approved by, the DRC prior to the construction or implementation of such contemplated work.**

Please refer to Section 4, Design Review Process and Submittal Requirements, which outlines specific information and criteria dealing with all project submittals.

### **3. Common Project Design Standards**

#### **3.1 Lighting**

The following are common lighting projects:

- (1) Accent lighting
- (2) Security/motion lighting
- (3) Flood lighting
- (4) Pole mounted lamp/light
- (5) Wall/safety mounted lamp/light
- (6) Holiday lighting

##### **3.1a Submittal requirements for lighting projects (needed for DRC review)**

Layout shows placement/location of lights, direction and elevation of illumination, color of lights, wattage of each light, type of lighting, height of pole-mounted fixture, duration of usage for each light, whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors). Holiday lighting does not require a specific submittal and approval, providing such lighting is consistent with 3.1c(5) below.

##### **3.1b General guidelines (expected approved uses) for lighting projects**

In general, other than for reasons of safety, the Association advocates the use of lighting at a minimum level. Accent lighting can be used for landscape illumination, safety lighting of pathways, sidewalks, and pools. Security/motion, flood, pole/wall lamp/light can be used to highlight areas and create safety enhancements. Holiday lighting, as with holiday decorations is to be used in consistency with the timing and theme of the holiday. Illumination of lighting should be directed on homeowner's own property and away from neighboring property. Actual wattage, bulb color, shielding of lighting, and illumination pattern to be reviewed and considered on a submittal basis, and may require post-installation inspection to determine if the intensity of the lighting meets the community standard of low intensity/low usage level.

##### **3.1c Specific approval conditions, exclusions, etc. for lighting projects:**

- (1) Accent malibu-type lighting: in only one color (white preferred), not exceeding 18 watts per bulb. Accent/mini lighting strung in/on and around patios, eaves, porches, trees, plants, shrubs, cactus must be approved in advance, unless for seasonal or singular events.
- (2) Security motion detectors are to be installed with illumination directed at owner's property and should shut off approximately 5 minutes after triggering.
- (3) Flood illumination is to be directed at owner's property, away from neighboring property (gazebos, ramadas, recreation areas, trees, cactus, and ornamentation), actual wattage and quantity of flood lighting will be reviewed with submittal.

- (4) Pole-mounted lamp/light with pole painted black or painted to match color of house, not to exceed 6' in height, with illumination directed at the owner's property, away from neighboring property.
- (5) Holiday lighting can be installed 30 days prior to the recognized holiday and it must be removed within 30 days after the holiday associated with the lighting (recognized holidays includes New Year's Day, Easter, Memorial Day, 4<sup>th</sup> of July, Labor Day, Halloween, Thanksgiving Day, and the Christmas season).

### 3.2 Structural Additions

The following are common Structural addition projects:

- (1) Ramadas
- (2) Gazebos
- (3) Sheds
- (4) Detached Structures
- (5) Patio (porch) Additions
- (6) Patio (porch) Enclosures
- (7) House Expansions
- (8) Outdoor Fireplaces

#### 3.2a. Submittal Requirements

Design layout with structural specifications, noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color sample of structure, lighting installation, relationship to existing house structure, location of structure on property, pictorial and/or photo of proposed structure, if available. House expansion requires a set of floor plans and elevation drawings.

#### 3.2b General Requirements

In general, the Association reviews structural addition plans for architectural consistency within the community. The Association encourages Owners who are planning any of these projects to consider minimizing neighboring property interference (views, color clashes, lighting).

#### 3.2c Specific approval conditions, exclusions, etc. for Structural additions

- (1) Attached Structural additions require the material and color selection to closely match the architectural construction of the existing house structure. This could include a matching of the existing house roof form and material.
- (2) All Structural additions that exceed six feet in height (except for outdoor fireplaces) must maintain a five-foot setback to any adjacent side property line and a ten foot setback to any adjacent rear property line. Any freestanding structural additions must maintain a ten-foot separation to the main house structure. Further, all structural additions must also comply with the Pima County standards.
- (3) For appropriate color selection, refer to Section 3.6 Paint Colors.
- (4) For lighting specifications, see Section 3.1 Lighting.

- (5) Detached, portable storage sheds cannot be visible and cannot exceed the height of the surrounding wall. Storage sheds are not permitted in front yards, or side yards in front of the privacy wall.
- (6) Outdoor fireplaces must meet all of the following criteria:
  - a. The visible portion above any wall cannot exceed 3' in width or 30" in height.
  - b. Installed with a spark arrest and/or firebox.
  - c. Installed no closer than five feet to a shared party wall.
  - d. Cannot be installed on a wall where the exterior side of the wall faces an adjacent parallel street.
- (7) Carports are not permitted.
- (8) Permanent tent structures are not permitted. (Temporary tents may be permitted in the rear yard only, for a period not to exceed 7 calendar days).
- (9) No bright colors, aluminum, and/or reflective material will be permitted.



### 3.3 Recreational Equipment (temporary or permanent)

The following are common recreational equipment projects:

- (1) Playhouses
- (2) Playgyms
- (3) Swingsets
- (4) Basketball Backboard/Pole
- (5) Volleyball
- (6) Tetherball
- (7) Field Hockey/Loose Equipment

B. 3.3a Submittal requirements for recreational equipment projects (needed for DRC review)

Layout of area where recreational equipment is to be installed, with a description of equipment, proposed color, design and dimensions of equipment. Sample brochures, pictorial drawings, or photographs of similar equipment are helpful. Permanent attachment of recreational equipment to house structure requires prior DRC approval.

C.

D. 3.3b General guidelines for recreational equipment

In general, the Association encourages the use of recreational equipment to promote leisure time activities for adults and children in the community. However, the Association discourages, and does not endorse, the installation of recreational equipment, which forces users of such equipment onto the streets to use this equipment. Please note that Pima County ordinances require that public rights-of-way (streets, sidewalks, drainage areas) be maintained free and clear for access by motorists and pedestrians.

E.

F. 3.3c Specific approval conditions, exclusions, etc. for recreational equipment:

- (1) To receive an approval letter from the DRC for the installation of a permanent or portable basketball pole, the basketball poles must be placed in the enclosed rear yard areas, 10 feet from any privacy wall.
- (2) Those who choose to place permanent or portable poles in driveway areas, will be doing so at their own liability and risk.
- (3) Permanent basketball poles and bracketry must be painted black, white, or color of house.
- (4) Temporary and/or portable recreational equipment (non basketball poles) is to be stored away each day when the equipment is not in use.

- (5) When placing recreation equipment, such as playhouses, playgyms, etc., in the rear yard, they must be situated at least five feet from privacy walls. Large or tall play structures may require additional set backs.

Playgyms/play structures, which have a height of 8 feet or more and/or cover a ground area greater than 50 square feet, will be considered on a case-by case basis by the DRC. Setbacks from abutting properties, orientation to protect neighbors' privacy, color, mass and proportionality of the playgym (or the like) to the main structure, will be considered in evaluating any application for approval.

- (6) Recreational equipment shall not be permitted for permanent placement in the front yard areas. Basketball poles placed in the front yard areas shall be so placed at the Owner's risk and liability.
- (7) As required by the Pima County ordinances, public rights-of-way (streets, sidewalks, drainage areas) shall be maintained free and clear for access by motorists and pedestrians. Therefore, basketball poles should not be placed in these areas.

### **3.4 Utility Equipment**

#### **3.4a Submittal requirements for utility equipment projects:**

Layout shall include area to be screened and/or painted, designating what colors will be applied to which surface or equipment, and what type of landscaping plants are to be used for each area.

3.4b Members are required to maintain the painting or screening of the utility boxes located on their property, either near the sidewalk/curb area, or mounted directly on the home. If the homeowner desires to change the paint color, or screening materials at these locations, such modifications must be approved by the DRC.

#### **3.4c Specific Approval Conditions**

- (1) For painting curbside boxes or on-house boxes, refer to Exterior Colors
- (2) The letters and numbers originally placed on the boxes must not be painted.
- (3) If screening curbside boxes with landscaping (plants, bushes, etc.) consider placement of plantings near sidewalk, so that future growth of the plants do not block/encroach on sidewalk. Since utility workers will need access to these boxes, consider landscaping screening that will be easy to work around and does not contain any plants with sharp, thorny branches or limbs.
- (4) NOTE: If the utility company needs to work in the boxes, it has the right-of-way to displace any landscaping or screening (at the homeowner's expense) to work on its equipment.
- (5) When painting on-house boxes, meter faces must not be painted.
- (6) NOTE: Some utility boxes have been painted by the builder or the Mesquite Ranch Homeowners Association. If so, these boxes must not be repainted a different color without specific written approval by the Design Review Committee.

### **3.5 Mechanical Equipment**

The following are common mechanical equipment projects:

- (1) Air Conditioning Units
- (2) Evaporative Coolers
- (3) Water Softeners/Conditioners
- (4) Solar Heaters/Panels

#### **3.5a Submittal requirements for mechanical equipment projects (needed for DRC review)**

Layout includes area to be screened and/or painted, designating what colors are to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.

#### **3.5b General guidelines (expected approved uses) for mechanical equipment projects**

In general, the Association encourages placement of mechanical equipment in garages, or behind privacy walls, to shield it from neighboring views.

#### **3.5c Specific approval conditions, exclusions, etc. for mechanical equipment projects:**

- (1) Mechanical equipment potentially visible at the front of the house from the street or sidewalk must be shielded from view (shielding to be approved by the DRC).
- (2) No mechanical equipment, other than approved solar installations, will be installed on any roof.

### 3.6 Exterior Paint and Yardscape Color Standards

In general, all exterior paint shall match, and maintain, the original color selections of the house. Any contemplated color changes must be submitted and approved by the DRC prior to proceeding with such changes.

#### 3.6a Submittal requirements for exterior paint and yardscape color projects (needed for DRC review)

Provide specific color chip sample and product manufacturer's information, including light reflectivity values. In addition, the DRC reserves the right to require and review a large sample applied to the house or improvement.

#### 3.6b Specific approval conditions, exclusions, etc. for exterior paint and yardscape color projects:

- (1) Front/rear door - Match existing color, match color of house or approved stain color.
- (2) Security door - Black or match main color, or trim color, of house.
- (3) Garage door - Match existing color.
- (4) Garage door border - Match existing color.
- (5) Rear patio/balcony - If wood, approved wood stain color or match main color of house. If stucco, paint to match main color of house.
- (6) Gate - If wood, approved wood stain color match main house color, or match adjacent wall color. If wrought iron, black or match color of house.
- (7) Window screening - Black, match color of house, or match existing screen color.
- (8) Roof tiles - match existing type and color.
- (9) Flat roof coating - match existing color. White, off white, or reflective aluminum coating will not be allowed.
- (10) Privacy walls - exterior/interior to match existing finish and color.
- (11) Entryway walkway/driveway - protective finishes/coatings must be either color of the existing pavement or painted to match the base color of the home, subject to approval by the DRC. Overcoats with subdued patterns shall be considered on a case-by-case basis.

- (12) Exterior rock mulch or gravel - exterior color choices (single or dual color), earthtone, maximum two colors of rock or gravel. Decomposed granite is not allowed other than in areas confined by privacy walls.
- (13) Wall/door ornamentation - minimal use of other colors to provide alternative complementary accents.
- (14) Detached portable storage sheds - Earthtone, low reflectivity, color needs to be submitted and approved by DRC (see Sec. 3.2).
- (15) House-mounted utility boxes - match main house color.
- (16) Wrought iron - Black or match the base color of house.

### 3.7 Pools/Spas (and related equipment)

The following are common pool/spa (and related equipment) projects:

- (1) Pool/spa
- (2) Heaters (non-solar)
- (3) Filters
- (4) Pool Lighting
- (5) Diving Boards
- (6) Pool Slides
- (7) Pool Decking

#### 3.7a Submittal requirements for pool/spa projects (needed for DRC review)

Design layout with pool specifications noting the following (at a minimum): type of pool filtering system, wall up/down access to pool area during construction, lighting enhancement around pool area, location and height of pool equipment (filters, heaters, diving boards, slides). A pool contractor will usually provide a layout with specifications to meet the above requirements. If a pool/spa installation includes a gazebo/ramada addition, refer to Section 3.2, Structural Additions. If a pool/spa installation includes landscaping additions, refer to Section 3.9, Yardscaping. If lighting is part of the pool installation, refer to Section 3.1 Lighting. For solar heaters and panels, refer to Section 3.5 Mechanical Equipment. Above ground pools will be handled on a case-by-case basis and must be approved by the DRC prior to installation. In particular, elevated, above grade decking is subject to review and approval (with a minimum setback of five feet from privacy walls).

#### 3.7b General guidelines (expected approved uses) for pool/spa projects

In general, the DRC reviews pool plans for specific safety considerations to be followed during pool construction. Consideration shall be given to minimizing impacts of the pool and recreational equipment installation on neighboring properties.

#### 3.7c Specific approval conditions, exclusions, etc. for pool/spa projects:

- (1) Diving boards are restricted to springboard types, no platform types are permitted.
- (2) Slides shall not exceed 10' in height and color restricted to white, blue, or desert hues. All pool slide locations require DRC approval (with a minimum setback of five feet from side property lines and ten feet from rear property lines.)
- (3) A design layout, which results in backflushing into common areas, onto property or onto streets, is prohibited. Diatomaceous earth or sand filters require backflushing and, as such, are subject to regulation by Pima County. Please check with Pima County and/or the Pima County on the actual regulations for this installation.

- (4) A conditional approval granted for pool installation will regulate safety measures to be followed by the Owner and pool contractor during construction. The letter of approval, with conditions, must be signed by both Owner and pool contractor prior to beginning of pool excavation.
- (5) Pool and spa mechanical equipment located outside the privacy wall must be completely shielded from view.



### 3.8 Yardscaping

The following are common yardscaping projects:

- (1) Vegetation (ground cover, shrubs, trees, cactus, vines, grass, flowers)
- (2) Gravel (rocks, boulders, wood chips)
- (3) Irrigation and drainage
- (4) Accent walls/planter boxes
- (5) Trellises, fencing, staking, plant protection, cloth screening
- (6) Fountains
- (7) Flagstone, brick/pavers, concrete, steps
- (8) Driveway expansions
- (9) Railroad ties

#### 3.8a Submittal requirements for yardscaping projects (needed for DRC review)

A conceptual landscape layout plan identifies location of vegetation, botanical and common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples. Submittals for trellises should include location, color and types of plants to grow on trellises. No landscape or other improvement (other than decorative rocks) will be permitted between sidewalks and street curbs without specific written DRC approval.

#### 3.8b General guidelines (expected approved uses) for yardscaping projects

The Mesquite Ranch landscape concept is based on a philosophy of compatibility with the existing Sonoran desert, a sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. To this end, existing natural features, such as stands of Saguaros, unique vegetative groups, rock outcroppings, and washes are preserved wherever possible. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants ensuring minimal water usage and compatibility with the built and natural environments. The Association promotes the seven principles of "Xeriscape", which include:

- (1) Water conserving design
- (2) Low water use/drought tolerant plants
- (3) Reduction in turf areas
- (4) Water harvesting techniques
- (5) Appropriate irrigation methods
- (6) Soil improvements and use of mulches, and
- (7) Proper maintenance practices.

#### 3.8c Specific approval conditions, exclusions, etc. for yardscaping projects:

- (1) All plants incorporated into any yardscaping project must comply with the Approved Plant List (see Appendix A), or as otherwise approved by the DRC. Plants on the Prohibited Plant List shall not be permitted (see Appendix B).

- (2) All landscaping must be installed in a manner to prevent the appearance of a “hedge” or “wall height extension”. Specifically, no hedges will be permitted along property lines, sidewalks, etc., as such non-random placement of landscaping would have the effect of raising sections of privacy walls, creating a secluded front yard area, etc. (Short sections of aligned bushes are encouraged to help shield utility boxes, etc.)
- (3) All landscaping must be maintained within property lines.
- (4)
  - a. All Lots and parcels, excluding any portion of the Lot which is enclosed by a perimeter wall around the rear yard, shall be landscaped in a manner consistent with the natural desert, with accent features of non-indigenous plants, ground covers and yard ornaments approved in writing by the DRC, for each lot and parcel so landscaped.
  - b. All original and subsequent landscaping must be installed in accordance with a plan approved by the DRC. The objective of the landscaping is to generally enhance the natural desert environment and to screen, accent, soften and improve the visual character of Mesquite Ranch. All plant material should be drought-resistant, water conserving and generally compatible with the indigenous plant materials list in the Approved Plant List. Drip irrigation systems are encouraged.
- (5) All landscaping should reflect the Southwest character of the development:
  - a. Rocks and boulders, patios, sidewalks, courtyards and walls may be used to supplement and create imaginative landscaping design.
  - b. The only inorganic (rock) ground cover, which will be approved by the DRC is crushed rock. Decomposed Granite is unacceptable for use and will not be approved in any area visible from neighboring properties.
  - c. Pavers, subject to DRC approval, can be used in proportion to the overall landscape of the front yard, provided it does not become the dominant feature of the front yard hardscaping.
- (6) No tree, shrub or plant of any kind on any Lot or Parcel may overhang, or otherwise encroach upon, any public sidewalk or other public pedestrian way or bikeway from ground level to a height of ten (10) feet without prior approval of the DRC.

- (7) Turf is an approved ground cover in areas completely confined by privacy walls. Turf must be installed and maintained in compliance with the following conditions:
  - a. Common Bermuda grass, Fountain grass and all other grasses prohibited on the Prohibited Plant List of this document together with all Pima County and the Pima County restricted grasses shall be prohibited on any area, of any lot. Installation of grasses shall not interfere with lot drainage or cause seepage problems through property walls, etc.
- (8) When installing landscaping and/or irrigation, care should be given to maintaining proper grading on the lot to eliminate any undue drainage onto neighboring lots. Irrigation systems should not produce excessive watering on walls so as to cause structural damage to party walls.
- (9) Accent walls may be placed in the front yard to form seating areas or small courtyards, provided such walls do not exceed 3 feet in height. The area encompassed by accent walls shall be restricted to an appropriate proportional percentage of the square footage of the front yard. Accent walls may not be placed on property lines or adjacent to the public sidewalk. Accent wall finish materials must match that used on the house, i.e. stuccoed and painted to match.
- (10) Temporary fencing, staking, and plant protection shade cloths must be properly maintained, when visible from neighboring property.
- (11) For color selections on yardscaping materials, refer to Section 3.6, Exterior Paint & Yardscape Color Standards.
- (12) Theme Landscaping (i.e., sculptured trees/bushes that reflect animals and/or other architectural designs) will be reviewed on a case-by-case basis.
- (13) Trellises, when used sporadically near the structure, providing the height does not exceed 8 feet.
- (14) Trellises near property walls, providing no effect of raising the height of the wall results from such placement.

### 3.9 Signage

The following are common sign projects:

See list of signs in Section 3.9b and Section 3.9c below:

#### 3.9a Submittal requirements for signage projects (needed for DRC review)

Signs requiring DRC submittal, review and approval must designate the number of signs to be placed, location of each sign, size of all signs, design and message content of each sign, colors associated with each sign, and construction material type of each sign. Signs requiring Management Company approval only (as designated in Section 3.9C and 3.9D) will not require an DRC submittal process. All signs, as applicable, must comply with the Mesquite Ranch Sign Program (a copy of which is available from the Management Company.)

#### 3.9b General guidelines (expected approved uses) for signage projects

Signs requiring Management Company approval only (verbal authorization) - temporary, one-time usage signs or permanent lot identification signs: Property For Sale/Lease Signs: One (1), post-mounted, not to exceed 5' high "For Sale/Lease by Realtor/Owner" sign (professionally designed and mounted) is permitted per property lot and placed only at the specific home for sale (in front yard area of home, on the side of the lot where driveway is located). This sign for the lot is to be removed when the home is either sold or removed from the resale market listing. This sign is prohibited from being placed on Association common areas, walls, and/or builder construction lots (unless specific to that lot).

No other "For Sale/Lease Realtor/Owner" signs are permitted for posting. No flyer-type (paper) "For Sale/Lease Realtor/Owner" signs are allowed for postings on lots, parcels, common areas, model homes, postal/mail units, Pima County rights-of-way, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage or buffer walls/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content, location, and type as required by the Mesquite Ranch Sign Program.

School Announcements, Garage Sale, Bake Sale: Signs (paper and professionally designed/mounted) are allowed on property lots, association common areas, and buffer zones for the day of the event only. Once the event has been completed, all the signs are to be removed immediately. Signs are not allowed on model homes, postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, buffer walls/plantings.

Open House: In conjunction with the "For Sale/Lease Realtor/Owner" sign a lot owner, may also have one (1) sign (professionally designed and mounted) announcing an open house event on the lot and one (1) small, ground level bandit and/or A-Frame realtor sign (similar in design and less than 24" in height) only in Association common areas for the duration of the open house. No flyer-type (paper) signs for open houses are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage, Pima County rights-of-way, or buffer

walls/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content, location, and type as directed by the DRC.

**Lot Identification Signs:** Alarm/security identification signs are permitted without DRC approval, providing signs are placed on lots within three (3) feet of structure, no more than 18" to top of sign and such signs may not be self-illuminating.

**Construction Signs:** Temporary pool and construction signs as required by governmental agencies, and not self-illuminating. Signs shall be removed upon completion of the project.

**Vehicular For Sale Signs:** Vehicular For Sale signs are permitted on vehicles within the community, providing signs are placed in vehicle windows, made of quality construction material or store bought signs (no signage painted on vehicle and/or hand written on windows). No Vehicular For Sale signs are allowed for postings on lots, parcels, common areas, model homes, postal/mail units, regulatory poles/signs, utility boxes, Pima County rights-of-way, fire hydrants, or buffer walls/plantings.

**Vehicle Advertising:** No advertising on vehicles is permitted if said vehicle is Visible from Neighboring Property without specific approval of the DRC. If DRC approval is granted, it may be with limited, minimal space and lettering.

3.9c Specific approval conditions, exclusions, etc.

Other signs (as noted below) are not permitted in the community, without proper authorization from the DRC.

- (1) During political seasons, signage for elections, political events, not to exceed 30 days in advance of election day event, and must be removed within 3 days of the election event
- (2) Neighborhood watch signs
- (3) Identification signs for residential usage that number more than one (1) per lot or are larger than 72 square inches
- (4) Common area/trails signage
- (5) Home business identification signs

The Management Company is authorized to permit only those signs designated in Section 3.9C above without following the DRC submittal process (unless the Management Company deems it necessary for a particular sign to be reviewed by the DRC.)

### 3.10 Ornamentation

The following are common ornamentation projects:

- (1) Yard furniture
- (2) Exterior wall ornamentation
- (3) Flagpoles (permanent, ground installation)
- (4) Yard ornaments
- (5) Holiday decorations
- (6) Roof ornamentation
- (7) Statues
- (8) Hanging ornamentation (flags, wind socks, banners)

#### 3.10a Submittal requirements for ornamentation projects (needed for DRC review)

Layout of area where ornamentation is to be installed, with description of ornamentation, proposed color, design and dimensions of ornamentation. Sample brochures, pictorial drawings, or photographs are helpful. No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday. No submittal is required for lawn furniture or lawn ornaments placed in the rear yard area. Displaying the American flag, utilizing a staff pole and bracket mounted to the main building or suspending the flag downward from the roof overhang, will be allowed without a submittal. Any flag so displayed shall not exceed 30 square feet in area.

#### 3.10b General guidelines (expected approved uses) for ornamentation projects

In general, the Association promotes ornamentation in harmony with the surrounding Southwestern desert theme and colors. Furniture, wall ornamentation, and yard ornamentation should be used in unobtrusive proportion to the size of the house and yard. Observance of holiday and patriotic events is permitted by the DRC, with appropriate colors and decorations. (Furniture such as chairs, umbrellas, etc. on upper story balconies must be maintained in good condition and shall not be brightly colored).

#### 3.10c Specific approval conditions, exclusions, etc. for ornamentation projects:

- (1) Permanent placement of lawn/garden patio furniture or decorative wrought iron furniture/benches in front yard requires approval.
- (2) For specific color choices on ornamentation projects, refer to Section 3.5 Exterior Paint and Yardscape Color Standards.
- (3) Holiday decorations - can be installed 30 days prior to the holiday and must be removed 30 days after the holiday associated with the decorations.

- (4) Permanent roof-mounted ornamentation is not permitted.
- (5) Freestanding or ground-mounted flagpoles are not permitted.
- (6) Flags displaying advertising are not permitted.
- (7) Permanent placement of lawn/garden ornamentation in driveways is not permitted.

### **3.11 Enclosure Projects (Walls, Gates, Wrought Iron, Railings)**

The following are common enclosure projects:

- (1) Walls (privacy, party, buffer)
- (2) Gates/Gate Screening
- (3) Wrought Iron
- (4) Railings
- (5) Wrought Iron Screening

#### **3.11a Submittal Requirements for enclosure projects (needed for DRC review)**

Layout of existing enclosures on property, noting height of existing walls, proposed height of additional courses of brick, materials of construction, including finish and color and gate/screening material. If submitting plans for screening, color of screen and/or sample of material required.

#### **3.11b General guidelines (expected approved uses) for enclosure projects**

Walls and fences in Mesquite Ranch have two functions. The most basic use of walls and fences relate to privacy and security, both of which are extremely important. The Design Guidelines, however, are concerned with the potential to provide a handsome and unifying element for the overall community.

#### **3.11c Specific approval conditions, exclusions, etc. for enclosure projects:**

- (1) Residential walls and fences in "normal" conditions shall be a maximum of six (6) feet high as measured from the lowest adjacent average finished grade measured on the outside of the wall. Closely spaced parallel walls shall be disapproved.
- (2) Prior to the construction of any fence or wall, plans indicating materials to be used and location shall be submitted to the Design Review Committee for approval. Property lines shall be verified by the Owner prior to construction.
- (3) In the event rebuilding of a party wall or party fence, or with respect to the sharing of the cost thereof, such adjoining Owners shall submit the dispute to the DRC for resolution.
- (4) Any fences or walls installed as part of a home's original construction will not be removed, altered or painted without the DRC's prior written approval.
- (5) All CMU block walls visible from any street, parking area or open space within the community will be constructed and finished to match the community's original construction standards.



- (6) Wrought iron screening - refer to Section 3.6 Exterior Paint & Yardscape Color Standards for appropriate color selection. Upper story balcony wrought iron sections must comply with standards established by the DRC.
- (7) No gates will be permitted in any wall sections other than front return wall areas.

### 3.12 Antennas /Satellite Dishes

The following are common antenna projects:

- (1) Conventional
- (2) Dish/Microwave
- (3) Cabling/mounting hardware

#### 3.12a Submittal requirements for antenna projects (needed for DRC review)

Layout of area where antenna is to be installed on property/structure, type of antenna or satellite dish, dimensions and screening/camouflaging, if applicable.

#### 3.12b General guidelines (expected approved uses) for antennae projects

Antenna definitions:

- (1) Antennas are defined as any antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including related hardware, cables, brackets), that shall be erected, used, or maintained outdoors on any Lot, whether attached to a building or structure or otherwise located within the Lot.
- (2) The definition of antennas is universal and pertains to all manufacturers and technologies.
- (3) In general, antenna installations will conform to the federal government regulations as defined in FCC 96-328 or as currently amended.

#### 3.12c Specific approval conditions, exclusions, etc. for antennas

- (1) Prior to installation of an antenna or satellite dish, it is advisable to submit plans, depicting the location and type of the device, to the Management Company for review, in order to assure that an Owner will not have to modify location, and thereby incur unnecessary cost, at a later date. In general, antennas and satellite dishes should be placed so as not to be visible from neighboring properties, i.e. ground-mounted, or, as an alternative, they should be screened with landscaping, or camouflaged, to mitigate visual impacts. In no event, however, per FCC regulations, shall any satellite dish/antenna installations be restricted so as to:
  - a. Impair an Owner's ability to receive signals,
  - b. Unreasonably delay or prevent installation, maintenance, or use of such a device,

- c. Unreasonably increase cost of installation, maintenance or use of such device, or
- d. Preclude reception of an acceptable quality signal.

### **3.13 Doors/Windows/Awnings**

The following are common Door/Window/Awning projects:

- (1) Internal Window Treatments
- (2) Screen Doors
- (3) Security Doors
- (4) Gated Entries
- (5) Window Framing
- (6) Sunscreens (solar and film)
- (7) Gutters
- (8) Rolling Shutters
- (9) Exterior Awnings

#### **3.13a Submittal requirements for door/window/awning projects (needed for DRC review)**

Layout of house area where project is to be installed, with description, proposed color, design and dimensions. Sample brochures, pictorial drawings, or photographs are required.

#### **3.13b General guidelines for door/window/awning projects**

In general, the Association promotes installation of exterior treatments in harmony with the surrounding southwestern desert theme in colors. Exterior treatments are subject to weathering conditions and will require periodic maintenance to remain in good condition.

#### **3.13c Specific approval conditions, exclusions, etc. for door/window/awning projects:**

- (1) Gutters and downspouts shall closely match the surface to which the gutter/downspouts are to be attached (high reflective aluminum is prohibited).
- (2) Sunscreen material shall be black, bronze, or match existing screen color (no white or bright color screening material).
- (3) Plastic sheeting material, when Visible From Neighboring Property is not permitted as an awning for patios and balconies.
- (4) Security doors made of welded steel tube or wrought iron (for color, refer to Section 3.6).
- (5) No high reflectivity material may be installed in windows or doors.

- (6) Exterior wrought iron window treatment (bars) will be considered on a case-by-case basis, and window-by-window basis, and will be required to meet the highest aesthetic standards. All wrought iron window treatment submittals will require prior written approval from the DRC to include the specific windows approved and wrought iron design for each window. Generally speaking, any approved window wrought iron must be installed flush with the surrounding wall section, painted the color of the home with custom design characteristics. Installation of well-designed, custom wrought iron window treatments may be considered for approval, whereas, less aesthetically pleasing “bars over windows” would be less likely to be approved.
  
- (7) Exterior awnings (cloth)
  - a. Only solid color to match main exterior house color (not trim color.)
  - b. Awnings are permitted in the rear yard area only (no front or side elevation awnings.
  - c. One permitted in lieu of or in addition to rear covered patio structure, the dimensions of the patio area/awning shall not extend out from the house more than 10 feet from the access door and at full extension shall not be any closer than 5 feet from any privacy wall, while the width of the awning across the structure shall not exceed 20 feet.
  - d. Awnings must be maintained in good condition at all times.
  - e. Metal framing to be beige or other color as approved by DRC.
  - f. No plastic, metal, aluminum awning material (except frame)
  - g. Awnings restricted to lower story only.
  - h. No ground mounted vertical supports.
  
- (8) Rolling shutter assemblies shall match the color of home and/or window trim area. All rolling shutter installations require specific written approval of the DRC.

### 3.14 Roof-mounted devices

The following are common roof-mounted device projects:

- (1) Solar Panels
- (2) Solar Heaters
- (3) Solatube
- (4) Skylights
- (5) Roof Ventilators
- (6) External Gable Ventilator

#### 3.14a Submittal Requirements for roof-mounted device projects (needed for DRC review)

Layout of area where roof-mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed. Mechanical equipment, including evaporative coolers, will not be allowed on any roof. As such, all mechanical equipment is to be ground-mounted and screened.

#### 3.14b General guidelines (expected approved uses) for roof mounted device projects

In general, the Association encourages the use of energy efficient devices, providing the devices, materials, colors, and screening are aesthetically acceptable to the community.

#### 3.14c Specific approval conditions, exclusions, etc. for roof-mounted device projects:

- (1) Roof-mounted devices, such as solatubes and skylights are shall have flashing colored or painted to closely match the adjacent roof color. All glazing shall be solar bronze or black with no white or clear glazing allowed.
- (2) Solar applications such as panels or heaters will be considered on a case by case basis. Solar applications shall be an integral part of the Structure, further concealed by it or be ground-mounted within a private yard area, further concealed by landscaping. Any installation should minimize its exposure when viewed from any other Lot, Common Area, or from the surrounding Mesquite Ranch Community.

### **3.15 Roofing**

The following are common roofing projects:

- (1) Structural Additions (refer to Section 3.2 Structural Additions)
- (2) Maintenance or repair

#### **31.5a Submittal requirements for roofing projects (needed for DRC review)**

In general, roofing material is installed as part of the home's original construction, reviewed and approved during the development review process with a submittal from the builder-developer.

#### **31.5b General guidelines for roofing projects**

Materials and colors of roof materials are to be maintained and shall remain as originally specified and installed. As such, no submittal with respect to maintenance or repair work is required.

#### **3.15c Specific approval conditions, exclusions, etc. for roofing projects:**

- (1) White, off-white, aluminum or other highly reflective coatings or colors will not be permitted.
- (2) Structural addition roofing color/style materials shall match the existing house color/style roof material and installation. Aluminum flashing material must be painted to match the existing house color. Roof vents, and other miscellaneous roof penetrations must be colored or painted to match the adjacent roof color.

### **3.16 Miscellaneous items**

The following are common miscellaneous items:

- (1) Refuse Containers
- (2) Maintenance Equipment (tools, ladders, hoses)
- (3) Mailboxes

#### **3.16a Submittal requirements for miscellaneous items (needed for DRC review)**

No DRC submittal is required (except for changes to, or replacement of, mailbox or mailbox post)

#### **3.16b Specific approval conditions, exclusions, etc. for miscellaneous items:**

- (1) Containers, primarily designed for trash, placed on curb on pickup days shall be maintained in a clean, well-kept manner.
- (2) No changes to individual mailboxes shall be granted from original builder installed approved mailboxes.



## **4. Design Review Process and Submittal Requirements**

### **4.1 Commencement of Construction**

In general, no construction activity related to any proposed common project shall be allowed to commence until the project has been approved, per these Design Guidelines, by the DRC.

### **4.2 Submittal Fees**

**NOTE:** Submittal fees for swimming pools and any other miscellaneous improvement with a valuation of less than \$2,500.00 are typically not required.

The DRC may adopt a fee schedule in connection with its review process. All fee amounts are subject to periodic adjustment as determined by the DRC. Please verify in advance with an DRC representative the applicable fee amount for any particular project. All checks should be made payable to "Mesquite Ranch Homeowners Association" and must be included as part of the initial submittal to the DRC. Project submittals will not be reviewed by the DRC unless the related fees have been paid.

In addition, the DRC may adopt a compliance deposit schedule in connection with particular projects. Please verify in advance with an DRC representative whether a particular project will require such a deposit prior to the start of construction.

### **4.3 Submittal Fees Adjustments**

All fees as outlined (see 4.4 Submittal Fees) are subject to periodic adjustment as determined by the DRC. In addition, under most conditions, the design review process is a linear one with continued movement in a forward direction. However, certain projects might back track and repeat a particular phase of the total design review process. When this occurs, an additional design review fee over and above the initial amount required shall be paid on a pro-rated basis as determined by the DRC considering the particular phase of the design review process that was required to be duplicated or repeated.

Any Improvement refers only to the Design Guidelines and in no way implies conformance with any government regulations. It shall be the sole responsibility of the Owner to comply with all applicable government regulations, ordinances, and procedures and to adequately coordinate such required governmental reviews with the process and procedures outlined in these Design Guidelines.

In addition, any consideration, action or approval by the DRC shall not constitute an approval, ratification or endorsement of the quality or architectural and engineering soundness of the project or Improvement. Further, neither the DRC, its members, the Association, nor the Declarant shall have any liability in connection with or related to the project, its plans, its specifications, or its execution.

#### **4.4 Reviews of Submittals**

The DRC, or its duly appointed representative, shall conduct reviews of submittals during its regularly scheduled monthly meetings, or at such other times as it deems appropriate.

Minimum submittal deadline dates, at least 7 calendar days prior to the review meeting date, will be set by the DRC. The Owner or his/her representative shall not attend a meeting of the DRC, unless specifically requested to do so by the DRC. The DRC will endeavor to respond in writing within 14 calendar days after the review is completed by the DRC, provided that the submittal is in accordance with the requirements outlined.

#### **4.5 Enforcement**

These Design Guidelines shall be enforced by the DRC or the Association as provided herein or in the Declaration. The DRC reserves the right to waive, vary, or otherwise modify any of the standards or procedures set forth herein at its discretion, for good cause shown. Notwithstanding this, the Design Guidelines may not conflict with the provisions of the Declaration.

