

# ARCHITECTURAL REVIEW COMMITTEE DESIGN GUIDELINES

REVISED AND ADOPTED BY VOTE OF THE BOARD OF DIRECTORS,  
DECEMBER 20, 2023 (as amended)

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# THE LEGENDS AT SANTA RITA SPRINGS DESIGN GUIDELINES

## 1 Introduction

### 1.1 Purpose

The Legends Design Guidelines have been established to maintain and protect property values and enhance the desirability and aesthetic desert appeal and attractiveness of the Legends Community for the enjoyment of all residents. (Covenants, Conditions and Restrictions (hereafter referred to as “CC&Rs”) Page 3, Paragraph 2, Recitals B and CC&Rs Article 2.2). The Architectural Review Committee, (hereafter referred to as the “ARC”) has responsibility set forth in the Governing Documents to help maintain the highest standards and values of the Legends Community when making decisions concerning homeowners’ requests (CC&Rs Article 1.3 and 7.4).

These Design Guidelines (hereafter referred to as “DGs”) provide guidance to homeowners regarding matters of particular concern to the ARC when considering homeowner submittals. Guidelines are not the exclusive basis for decisions of the ARC. Compliance with the Guidelines does not guarantee approval of any request or submittal. (CC&Rs Article 7.1.4).

The ARC established a database to inform the community of existing precedents, and to help create standards and consistency as a community. The ARC database manager updates the database periodically. Homeowners may view the database on the Legends Website (DGs Section 7.6).

No material changes or deviations in or from the plans and specifications of the work project are permitted once approved by the ARC without prior written consent of the ARC (CC&Rs Article 7.1.4).

CC&Rs Article 7 provides for enforcement of the DGs in the event of noncompliance.

### 1.2 Areas Covered by these DGs

Homeowners must complete an ARC Submittal form when making changes in any of the following categories as indicated in Article 7 of the CC&Rs:

<b>Submittal Type</b>	<b>Sec</b>	<b>Submittal Type</b>	<b>Sec</b>
Door: Front, Security and/or Screen	5.5, 5.6	Patio Extensions, Rear	5.2.2
Driveway, Entryway & Pathway Surfaces	5.8	Pergolas & Ramadas	5.3
Flagpoles	5.13	Reflective Finishes	5.5.2
Gate, Installation	5.2.1	Roof, Roof Tiles	5.1
Gate, Repainting Common Wall	7.2	Satellite Dishes, Radio & TV Antennas	5.11
Gutters, Downspouts & Scuppers	5.10	Screened Enclosures	5.6
House and/or Trim Painting	4.2	Solar Energy Devices	5.12
Landscaping	6	Solar Screens	5.6
Landscape Rock/Gravel	6.3	Tree Replacement	6.2.1
Lighting	5.7, 6.5	View Obstruction	6

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Miscellaneous: Other	5.16	Wall Additions	5.2.1, 5.14
Motion Detectors	5.7.4	Weather Stations	5.11
Prohibited Structures	5.15	Yard Decorations	6.4
Patio/Courtyard Design	5.2		

Table 1: Submittal Types

### 1.3 Scope

The DGs are grouped as follows

- Section 2 General requirements for changes to homes and lots;
- Section 3 Easements that exist on homes facing Tulum, Alonso and Espinosa;
- Section 4 Exterior treatments and colors;
- Section 5 Architectural Construction and Maintenance Standards;
- Section 6 Landscaping;
- Section 7 ARC Processes and Procedures

## 2 General Requirements for Additions or Changes made to Homes and Lots

### 2.1 Modifying your Home

Except for work to repair damage and/or to return the premises to the original condition, all exterior changes or modifications to an existing home or lot, including masonry walls, or changes in substance of design or design of the front or rear landscape visible from the street, must be submitted to the ARC for prior written approval. Each submittal must be in three (3) copies in writing and must include full details of the planned project. Submission by e-mail is permissible. See the Legends Website at [www.legendshoa.org](http://www.legendshoa.org) to access a submittal form, or obtain one from an ARC member. All submittals shall include:

- 2.1.1 The Homeowner's Name, Address, and Lot Number (ARC members can help with the correct 4 digit lot number),**
- 2.1.2 Contractor(s)' Name, Address, Phone, and license number,**
- 2.1.3 Detailed description of work including project start date and expected duration.**
- 2.1.4 List of materials to be used, including samples, colors, paint chips, makes, models, and/or style numbers, and**
- 2.1.5 Accurate scale drawings showing dimensions and the exact location of the proposed addition or deletion. Attach an elevation drawing for room additions or other structures that tie into the roofline.**

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## 2.2 Timeline for ARC Approval

The ARC, a volunteer committee of the Legends Homeowners' Association, has 30 days after receipt by the ARC of a complete and accurate submittal to review and respond to the homeowner's request. They make a sincere effort to complete their work in less time, if possible. Improvements may commence as soon as the ARC has approved the Submittal Form and issued a Green Permit to the homeowner (DGs Section 7) provided all other appropriate Pima County building permits have been obtained. It is the homeowner's responsibility to obtain all required permits. The homeowner may not begin construction prior to receiving both ARC approval and all required permits.

## 2.3 Submittal Review by the ARC

When a homeowner completes a Submittal to add or change an existing structure, landscaping, etc., the ARC shall review the application for:

- Completeness of the application, including written opinions, proved by the applicant from Homeowners who may be affected in any way (CC&Rs Articles 12.3.1 and 12.3.2).
- Consistency of the requested addition or change with the Sonoran Desert Design Concept (see Sec. 4.1 below) and prior AC decisions.
- The scale of the requested addition or change in the available space.
- The elevation of the requested addition or change on the lot in comparison with the elevations of Neighboring lots.
- When there is a potential view blockage the ARC will direct the homeowner to the View Standards Committee. See CC&R Article 14.

## 2.4 Display and Return of the Green Permit

Once approved, the ARC shall issue a Green Permit for the specific modification or improvement. The homeowner will display it in a prominent front window clearly visible from the street, or on a weatherproof signpost in front of the house, to signify that ARC approval for the project. Upon completion, the homeowner will contact the ARC member listed on the permit to view and approve the finished work and collect the Green Permit for the ARC file.

## 2.5 Nonconformance with CC&Rs

Homeowners making any additions to the exterior of their homes or lots without applying for and receiving ARC approval will be in violations of CC&Rs Article 7.9. ARC approval of a submittal does not authorize violation of the CC&Rs in any way. Landscaping planted by a homeowner, even with approval by the ARC shall not create a view obstruction. See CC&Rs Article 14.

## 2.6 Noncompliance with the Conditions of the ARC Approval

The ARC reserves the right to require the homeowner to halt any and all work being performed by the homeowner and/or the contractor for which an application has not been approved or which is deemed unsuitable, undesirable, or in violation of the CC&Rs. The homeowner shall return the premises to the original condition. Failure of the homeowner to comply may be cause for action in law or in equity for injunction, action for damages, or such other remedy as may be available. The HOA Management Company will notify the homeowner in writing of any infraction(s) of the Governing Documents. The ARC will inform the Legends Board of Directors of any noncompliance or nonconforming issues that may come to their attention. See CC&Rs Articles 7.9 & 11.3.

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### 2.7 Timely Completion of Improvements

Homeowners who have not completed improvements within 60 days of ARC approval are required to provide the ARC with a schedule for timely completion.

## 3 Easements that exist for homes on Via Tulum, Via Alonso and Via Espinosa

Refer to Figure 1 Sketch of Easements for Wall Areas on Page 8

### 3.1 Front and Side Yard Easements for Homes on Via Tulum, Via Alonso and Via Espinosa.

CC&Rs Article 6.10 includes language explaining the courtyard easement system for the homes facing Via Tulum, Via Alonso and Via Espinosa. The following paragraphs offer a similar explanation in the form of a “Homeowner ‘A’ and “Homeowner ‘B’” scenario.

### 3.2 Front Courtyard Easements

Refer to Figure 1 on Page 8. The property lines for the Legends homes facing Via Tulum, Via Alonso, and Via Espinosa run approximately through the middle of each front courtyard. This front courtyard is for the exclusive use of the home opening into this area namely Homeowner ‘A’. The side of Homeowner ‘B’s garage helps create Homeowner ‘A’s front courtyard and only can be used by Homeowner ‘A’. Homeowner ‘B’ cannot alter or disturb the exterior side of their garage that Homeowner ‘A’ is enjoying. Homeowner ‘A’ may plant vines that attach to the garage, display or hang decorative items of the Sonoran Desert Design

Concept, etc. Homeowner ‘A’ does not have the right to penetrate the wall without Homeowner ‘B’s written permission (CC&Rs Article 6.2.2 and 6.10). For these DGs “penetration” is defined as piercing the outer layer of a wall for the purpose of affixing something to that wall. The color of the garage must remain the color of the home to which the garage belongs. If Homeowner ‘B’ decides to repaint his/her entire home, Homeowner ‘B’ can temporarily access Homeowner ‘A’s’ courtyard to repaint the garage wall the current color or a new color approved by the ARC. Homeowner B shall ensure no vines or plants are harmed while the repainting occurs. If Homeowner A has plants attached to the garage wall, Homeowner B shall disturb the plants as minimally as possible. Homeowner B shall give Homeowner A one (1) week notice prior to repainting the side of the garage, and shall finish the job in two (2) workdays.

### 3.3 Masonry Walls Connecting Homes

The eight (8) foot high masonry walls that divide the homes facing Via Tulum, Via Alonso, and Via Espinosa are the walls reserved for wall decorations and fountains unless the fountain is attached to the entry side of the home of Homeowner ‘A’. The courtyard created by the masonry wall, Homeowner ‘B’s garage wall, and the wall of Homeowner ‘A’s home is for the exclusive use of Homeowner ‘A’. The color of the eight (8) foot masonry wall can remain the main or trim color of Homeowner ‘A’s home on both sides of the wall.

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### 3.4 Rear Courtyard Easements

The rear courtyard easement of the homes on Via Tulum, Via Alonso, and Via Espinosa is for the exclusive use of the home with the living room adjacent to it (Homeowner 'B'). The side of the master bedroom and/or master bath, herein referred to as the northern masonry wall of Homeowner 'A' defines the side courtyard for Homeowner 'B' and can only be used by Homeowner 'B'. Homeowner 'B' may plant vines that attach to the side wall and display decorative hangings/items. Homeowner 'B' does not have the right to penetrate Homeowner 'A's wall without Homeowner 'A's written permission. Definition of "penetration is found in DGs Paragraph 3.2. The color of the northern side of Homeowner 'A's home will be the color of the rest of Homeowner 'A's home. If Homeowner 'A' decides to repaint his/her entire home, Homeowner 'A' can access Homeowner 'B's rear yard to repaint the wall the current color or a new color approved by the ARC. Homeowner 'A' shall ensure no vines or plants are harmed while the repainting occurs or, if Homeowner 'B' has plants attached to the wall, Homeowner 'A' shall disturb the plants as minimally as possible. Homeowner 'A' shall give Homeowner 'B' one (1) week notice prior to repainting the side of the home and shall finish the job in two (2) workdays.

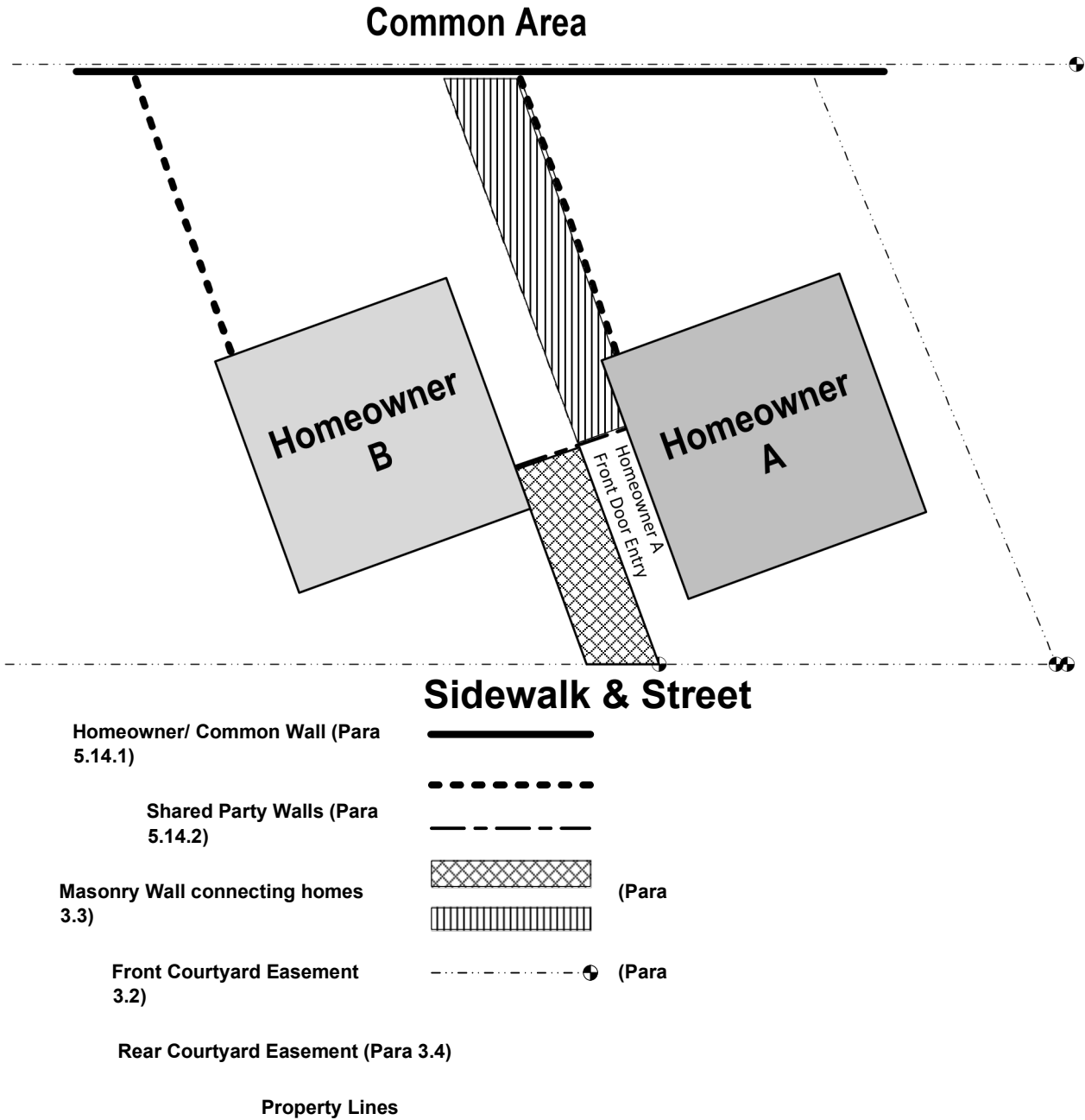


Figure 1 Sketch of Easements for Wall Areas

## 4 Exterior Treatments and Colors



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## 4.1 Exterior Appearance and Material

Exterior treatments and colors shall be consistent with the standards of the Sonoran Desert Design Concept.

### 4.1.1 The Sonoran Desert Design Concept

The key points of the Sonoran Desert Design Concept are:

- Respect, protect and conserve the special features of the environment,
- Blend with the natural shape and texture of the land,
- Natural desert landscaping should be used as much as possible,
- Design spaces that extend to the outdoors,
- Maintain starry nights and dark skies with limited lighting,
- Provide for meaningful natural desert open space,
- All sides of buildings should be considered part of the character of the area,
- Use colors and materials that blend into the natural setting, and

### 4.1.2 Emulate the rich and diverse southwestern architectural heritage.

An addition to the exterior house surface must be sand stucco. Homeowners may use wood trim provided it matches the existing home design.

## 4.2 Exterior Home Painting

### 4.2.1 Repainting your Home and/or Trim

ARC requires approval to repaint your home and/or trim. An ARC submittal is required for ALL exterior painting.

The ARC maintains a selection of approved colors on the HOA website. Paint samples of the approved colors are available through the ARC membership. All current committee members are listed on the HOA website along with their contact information. Details of the submittal procedure are found under Section 2 of the Design Guidelines.

## 5 Exterior Structures, Building Projections, and Maintenance Standards

### 5.1 Roofs

Roof design and construction materials for additions to homes are subject to review and approval by the ARC.

#### 5.1.1 Pitched Roofs

Pitched roofs in the Legends are constructed of concrete or clay tile, all of which exhibit muted earth or terracotta tones (See Section 4 above).

- To completely replace roof tile on a house only a single muted color tile as close as possible to the other roof colors in the community can be accepted. An ARC submittal is required.
- Existing roof tile shall be replaced with the same color tile as currently exists. No ARC submittal is required.
- Shingle roofs of any kind are prohibited.

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- No mechanical equipment of any kind may be installed on a roof, with the exception of solar energy devices, weather station wind sensors, radio or television antennae, and satellite dishes less than one (1) meter (39.37") in diameter unless placed during the original construction period or shielded from view by a parapet approved by the ARC. See Section 5.11 below and CC&Rs Article 12.2.14 and 12.2.15.
- ARC will approve satellite dish installations on pitched roofs only with a written statement from a licensed installer indicating ground mounting will not provide an adequate signal. See CC&Rs Article 12.2.14 and 12.2.15.

### 5.2 Patios and Courtyards

Patios and courtyard must be an integrated part of the main residence and located entirely within the lot or side yard easement. Patio and courtyard designs are subject to approval by the ARC.

#### 5.2.1 Front Courtyards

- The wall construction for front courtyards shall be sand stucco.
- Wall heights enclosing entryway courtyards shall not exceed five (5) feet measured from the garage floor slab.
- According to Pima County zoning regulations walls shall be at least ten (10) feet from a side property line, or the distance from the property line to the outside wall of the house, whichever is smaller. See Pima County Website <http://www.pimaxpress.com/plumbing/plan4c.htm/>.
- The color of the wall must be the base or trim color of the home.
- Entry gates into a courtyard may be of wood or metal construction, and shall be painted to match the home or an approved trim color. White, red, yellow, blue, indigo, violet or any basic primary color is prohibited as they are not consistent with the Sonoran Desert Design Concept.
- Black may be used on metal front courtyard gates.
- Wooden gates may be finished in the natural color of the wood.
- Gates must be no more than twelve (12) inches above the courtyard wall. The ARC will consider an archway gate greater than 12" above the courtyard wall.

#### 5.2.2 Rear Patio Extensions

The ARC must approve all ground level patio extensions.

### 5.3 Pergolas and Ramadas

The ARC must approve all pergola and ramada designs prior to work starting on the installation.

### 5.4 Ceramic Tile

The ARC must approve any ceramic tile installed inside or on the exterior face of a front courtyard and visible from the street prior to beginning installation.

### 5.5 Security Doors and Windows

#### 5.5.1 Decorative Metal Coverings

The ARC must approve decorative metal over doors and windows. The color of the window or door decorative covering must be the base color of the home or an approved trim color. White, red, yellow, blue, indigo and violet are prohibited, as they are not consistent with the Sonoran Desert Design Concept.

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## 5.5.2 Reflective Finishes

No highly reflective (visible to the naked eye) finishes are allowed on exterior surfaces other than glass or hardware fixtures. This includes without limitation the exterior surfaces of any of the following:

- Roofs and all projections above roofs,
- Vertical surfaces such as patio walls, retaining walls, doors, trim, fences, pipes, and
- Exterior equipment, mailboxes or newspaper tubes.

Glass may NOT be mirrored or covered with and type of film reflecting light in the visible spectrum. Interior or exterior films added to the windows shall not reflect more light in the visible spectrum than untreated glass. Any proposed addition of reflective film to glass surfaces requires ARC approval. Such approval is independent of potential benefit or harm to the glass surface.

## 5.6 Solar Screen and Screened Enclosures

All solar screens, front entryway screens, and rear screen enclosures require a submittal and approval by ARC.

## 5.7 Outside Lighting

See CC&Rs Article 12.3.5 and Tucson/Pima County Dark Sky Ordinance <http://mthamilton.ucolick.org/public/lighting/Ordinance.html>.

### 5.7.1 Minimizing Light Pollution

All external light bulbs must be rated at no more than a 60 Watt incandescent bulb or the equivalent CFL or LED bulb rated for outdoor use. For safety reasons house numbers must be illuminated from dusk to dawn.

### 5.7.2 Lighting visible from the street

Exterior Garage Fixtures and other external lighting visible from the street may not exceed twelve (12) inches high and ten (10) inches wide.

- The ARC must approve any style of garage fixture other than that which was installed by the builder. The new design must be of a style with the light not directed upward which will not disrupt the view or comfort of the Homeowners and comply with the Pima County regulations regarding low light. See the Legends Website ARC page for examples.

### 5.7.3 Exterior Garage Lights

- Exposed light bulb fixtures, or any fixture that projects light outward, require a yellow 60 Watt incandescent bulb or the equivalent CFL or LED bulb, rated for outdoor use.
- Garage lamps directed only toward the ground should use soft white light and must be a 60 Watt incandescent bulb or the equivalent CFL or LED bulb rated for outdoor use.

### 5.7.4 Motion sensor security lights.

The ARC will approve security lights connected to motion sensors, provided the pool of light is directed downward. See CC&Rs Article 12.3.5.

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### 5.8 Driveway Entryways and Pathway Surfaces

Driveways must be concrete. Brick or flagstone accents are acceptable. Entryways and pathways can be brick, flagstone, concrete or concrete products. Any surface treatment of driveways, pathways or entryways must be as close as possible to the original color. No painting or staining will be approved. All changes are subject to written approval of the ARC,

### 5.9 Building Projections

Architectural building projections including chimney flues, vents, gutters, downspouts, utility boxes, railings and patio walls must match the color of the main residence or must be of a trim color approved by the ARC. Electrical equipment, solar equipment, pool pumps, air conditioners and heat pumps must be concealed as much as possible from street view. See CC&Rs Article 12.2.15.

### 5.10 Gutters, Downspouts and Scuppers

Gutters, downspouts and scuppers are subject to ARC the approval. Homeowners assume the responsibility for channeling the drainage water to the Common Area drainage channels without damaging Common Area grading, shared/party walls, e.g. the walls between two homeowners' properties.

- They must be the color of the base or trim of the associated home.
- Downspouts shall be kept close to the home and hidden from view as much as possible.

### 5.11 Satellite Dishes, Weather Stations, Television and Radio Antennae

Satellite dishes less than one (1) meter (39.37") in diameter, weather stations, television and radio antennae shall be located in as unobtrusive a manner as possible without unreasonably impairing the efficiency, functioning, or cost of the unit. All installations are subject to approval by the ARC. See CC&Rs Article 12.2.15.

- Equipment of the minimum height necessary to receive or transmit an effective signal are preferred.
- Ground mounted satellite dishes enclosed within patio walls or screen walls are preferred. (See also <http://www.law.cornell.edu/cfr/text/47/1.4000>)

#### 5.11.1 Large Satellite Dished (BUDs)

Satellite dishes over one (1) meter (39.37") in diameter are prohibited.

### 5.12 Solar Energy Devices

Solar energy devices shall be installed in as unobtrusive a manner as possible without unreasonably impairing the efficiency, functioning or the cost of the devices. To minimize the effect on views, installation on south facing areas of the roof are preferred.

(See

<http://www.azleg.gov/search/oop/qfullhit.asp?CiWebHitsFile=/ars/33/01816.htm&CiRestriction=1816> and CC&Rs Article 12.2.15).

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### 5.13 Flags and Flagpoles

See CC&Rs Article 12.3.11.

Flags may be displayed in front yards, either on a staff angled from the garage wall facing the street, or on a flagpole. Flags may be displayed in back yards on a flagpole.

#### 5.13.1 Flags

Flags shall be no larger than three (3) feet by five (5) feet. Flags on poles may be illuminated by a pole-top light fixture that only projects light downwards. No other type of illumination is permitted.

- All standard protocols concerning display of the American, and State flags must be followed. (See <http://www.va.gov/opa/publications/celebrate/flagdisplay.pdf>).
- Flag displays are limited to the following:
  - Current American Flag,
  - A flag of any of the United States Armed Services,
  - POW/MIA flag
  - An Official state flag of the homeowner's choosing, or
  - A flag of an Arizona Indian nation

#### 5.13.2 Flagpoles

A flagpole shall be no higher than twenty (20) feet and not lower than fifteen (15) feet. Front yard Flagpole placement is subject to approval by the ARC. Back yard flagpole placement is subject to approval by the ARC, and the written approval of the homeowner to the immediate north of the applicant's property.

### 5.14 Modification of Walls and Gates

Walls and Gates under this heading are defined as follows:

- **Homeowner/Common Walls** are those that separate individual homeowner's property from Common Area property owned by the Legends Homeowners' Association.
- **Homeowner/Common Wall Gates** are defined as gates established by the builder during the original construction process to allow access through a Homeowner/Common Wall. To maintain continuity these gates must be painted with an approved body or trim color that matches an existing color of the house.
- **Homeowner/Common Wall Gates on Via Espinosa and Via Alonso** were provided by the builder for rear access to the backyard. Homeowners who do not have any existing gate access to their backyard may install a gate in the common wall at the rear of their lot, subject to the approval of the ARC. To maintain continuity of appearance, gates placed in the common wall that runs parallel to Abrego must be of metal construction, no higher than the height of the wall, and must be painted to match the exterior color of the wall. The lot must have drainage sufficient to ensure that installation of a gate does not cause erosion damage to the common area behind the lot.
- **Shared Party Walls** (hereafter referred to as Shared Walls) are those that separate one homeowner's from another homeowner's property generally extending westerly from the Homeowner/Common Wall at the rear of the homeowner's property.
- **Under no circumstances are any block walls to be painted. The color of any block walls must comply with the Sonoran Desert Pallet upon approval by the ARC to include all modifications and repairs.**

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### 5.14.1 Restrictions on Modification of Homeowner/Common Walls

The ARC discourages raising a Homeowner/Common wall higher than is absolutely necessary to provide adequate privacy for the homeowner. The ARC is aware that, because of special arrangements made with the original builders or the natural change in elevation from one street to the next there are many

Homeowner/Common walls that exceed this 6' rule. The ARC will not consider these originally higher walls as setting a precedent for augmenting Homeowner/Common walls elsewhere in the Legends.

This guideline applies to all homeowner/common Walls within the Legends except those whose street address is Tulum. Homes on Tulum overlook Abrego and the Homeowner/Common walls are strictly limited to current height and construction.

The ARC believes the Homeowner/Common Walls are an attractive feature that raise the value of all of our properties; the ARC wishes to leave the level of the walls as constructed by the original builder. However, we recognize that due to inconsistencies by the builder and differing topographies, walls on some lots afford much less privacy than those on others. The following procedure provides for those situations in an effort to allow increased privacy while still retaining the overall attractiveness of the Homeowner/Common Walls.

#### 5.14.1.1 Requirement to Meet County Standards

Homeowners who wish to raise the level of their Homeowner/Common wall (those walls that run generally along the easterly side of their property and adjacent to common area) are required to meet all County building and zoning requirements. ARC may be able to provide guidance on obtaining County approval. ARC approval is not to be construed as approval by the County. The Owners shall assume all liability and responsibility for the modified wall's structural integrity.

#### 5.14.1.2 Limitation to Homeowner/Common Wall Height

The ARC strongly prefers that walls be raised the minimum required to provide homeowners with desired privacy, but in no case shall the top of the wall be more than 6' 0" above the sidewalk on the Easterly side of the street that the wall faces. Upon being notified by the Homeowner that a wall change is being considered, ARC will provide a measurement for the Homeowner (and in their presence, if desired) indicating whether the wall is already at the maximum allowable height, or, if not, how many courses of 8" block may be added before reaching the maximum. Partial courses of blocks, i.e. blocks less than 8" in height, are not allowed.

#### 5.14.1.3 Unique Property Characteristics

The ARC will consider each application for wall modification independently and will endeavor to decide the appropriate allowances based on the location of the property, the proposed changes, and the architectural appearance of that segment of wall in relation to those on each side of the property. The ARC decision on a property owner's request will attempt to recognize the unique aspects of the property while maintaining an overall consistent appearance within the subdivision.

#### 5.14.1.4 Contractor Requirements

As with all professional construction projects and especially those involving foundations and masonry, the contractor chosen should be state licensed and bonded. It is the responsibility of the

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homeowner having the wall work done to ensure the contractor complies with this. The ARC reserves the right to research the contractor's qualifications.

### 5.14.2 Restrictions on Modification of Shared Party Walls

Shared Party Walls (hereafter referred to as Shared Walls) are subject to the joint rights of the two adjoining homeowners. All proposed modification to Shared Walls are also subject to approval by the ARC.

- Changes to any Shared Wall must be agreed upon in writing by all adjacent Homeowners.
- Repairs to Shared Walls must be made in accordance with CC&Rs Article 11.4.

### 5.14.3 North/ South Connecting Walls

North/South Connecting Walls between homeowners' homes may be no higher than 8 feet. Modification of these walls requires submittal to and approval by the ARC and agreement by the adjacent homeowners. See CC&Rs Articles 11.3 & 11.4.

## 5.15 Prohibited Structures / Modifications

Prohibited structures and/or modifications include but are not necessarily limited to (See CC&Rs Article 12.2.14):

- Basketball hoops
- Swing sets and similar sports and play equipment
- Clotheslines
- Woodpiles
- Above ground swimming pool
- Outbuildings
- Dog Runs
- Animal pens

## 5.16 Miscellaneous: OTHER

Other additions and/or modifications to your home or lot that will be visible from the street or from a Homeowner's lot must be submitted to and reviewed by the ARC prior to installation (See CC&Rs Articles 1.34 and 12.2.14).

## 5.17 Licensed Contractors

The ARC recommends that homeowners select a licensed and bonded contractor for any improvement project on their property. Licensing status may be checked by contacting the Registrar of Contractors (<http://www.azroc.gov/>).

# 6 Landscaping

Each homeowner shall keep their home site and exclusive front and side yard easements clean and free of trash, rubbish, debris, weeds, dead or decaying vegetation (including compost piles),

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other unsightly material, and any plant or other vegetation which the ARC determines to be restricted for aesthetic, safety or health reasons.

Each homeowner is responsible to see that no structure, tree, shrub, fence, or any exterior addition to their home or yard obstructs the view of any other Homeowner. Even though the ARC may have approved landscaping plans, if subsequent growth of any vegetation obstructs any Homeowner's view and that Homeowner complains to the View Standards Committee, that committee must examine the alleged obstruction and inform the offending homeowner of the view obstruction. The offending homeowner must then remove or prune the obstruction in a timely manner agreed to by all involved parties (See CC&Rs Article 12.3.1, 12.3.2, 14.2.2 and 14.4).

### 6.1 Landscape Design

The landscape design of all visible portions of each lot or any portion of a lot not enclosed by a wall should be compatible with the standards set by the Sonoran Desert Design Concept (See Section 4.1 Above). All modifications to landscape design must be submitted to and be approved by the ARC.

### 6.2 Landscape Plants

#### 6.2.1 Landscape Plants Suggestions and Restrictions

- No plant shall obstruct a Homeowner's view.
- An approved plant list, which is consistent with the Sonoran Desert Design Concept, is available on the Legends Website on the ARC page or from an ARC member. The plants have been selected for their estimated height at maturity no higher than the peak of the house). No ARC submittal is required for front yard landscaping when choosing plants from the Approved Plant List.
- For plants not on the approved plant list see Section 7.4 below.
- Removal of plants and trees requires no approval from ARC. When removing a tree or large shrub the stumps must be removed at ground level or below.
- Vines shall be limited to those that do not encroach, make noise upon, or damage the wall of a Homeowner's home.
- Landscaping shall not overhang the sidewalk in a manner that endangers the safety of people walking on the sidewalk.
- Landscaping along the roads and on corners shall not obstruct the visibility or safety of drivers.
- When planting trees or shrubs homeowners must consider possible root damage to houses, walls, sidewalks and/or pipes and conduits.
- No plant should create a view, noise, litter or structural problem.

#### 6.2.2 Front and Courtyard Plants

Front and courtyard plants visible from the street, sidewalk, or Homeowner's property shall be consistent with the Sonoran Desert Design Concept (See Section 4.1 above). These plants are subject to submittal and approval by the ARC unless they are on the Approved Plant List. See CC&Rs Article 12.3.1



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### 6.2.3 Backyard Plants

Backyard plants do not require ARC Approval. All plants should comply with CC&Rs Article 12.3.1; 12.3.10 and 14.

### 6.3 Landscape Rock

#### 6.3.1 Gravel

Consistent with the overall landscaping of the Legends front yards shall feature decorative gravel that is Sonoran brown, rust, or tan in color. Gravel size shall be  $1/8^3$  to  $1/4^3$  inches. Contrast gravel in decorative islands shall be gold cream in color and shall be  $1/8^5$  to 1 inch in size. White, black, gray, green, bright red or pink gravel is not consistent with the Sonoran Desert Design Concept.

#### 6.3.2 River Rock

Smooth light to dark muted shades of river rock is permitted in low-lying areas of homeowner's property to prevent erosion during heavy rains. Positioning of river rock in front yards is subject to submittal and approval by the ARC.

#### 6.3.3 Large Decorative Rock

Placement of large decorative rock must be approved by the ARC. Such rocks must be consistent with the Sonoran Desert Design Concept and be small enough not to block views or obstruct access to utilities.

### 6.4 Landscape Decorations

No large decorations shall be placed in front yards without prior approval by the ARC and shall be consistent with the Sonoran Desert Design Concept (i.e. no lantern men, gnomes, etc.). There shall be no more than four (4) ornaments per front yard.

### 6.5 Landscape Lighting

Landscape lighting may not exceed twenty-four (24) inches in height. See Section 5.7 above.

## 7 ARC Processes and Procedures

### 7.1 Homeowner/Common Wall Gate Color

To retain the developer's design concept Homeowner/Common Wall gates must be the same color. Information on the approved paint for the repainting of these gates is available on the Legends Website on the ARC page.

### 7.2 Expedited Approved Plant List

No submittal is required when the homeowner is planting in the front yard from the Approved Plant List. Any new landscaping shall not create a view problem or noise issue from another homeowner. See also Section 6.2 above.

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## 7.3 Plants not on the Approved Plant List

When a homeowner wishes to plant something not on the Approved Plant List a submittal is required. The applicant must specify the size of the plant at original planting as well as at maturity. The homeowner is responsible to see that all plantings are trimmed properly to stay in compliance with the View Standards Handbook and CC&Rs Article 12.3.1 and 14.

## 7.5 ARC Database

The ARC will consider each submittal independently including precedent that has been established and recorded in the ARC database. The ARC database lists all closed ARC Submittals (DGs Section 1.1). The ARC database list may be viewed publicly on the Legends Website at

[https://docs.google.com/spreadsheet/ccc?key=0AqYM3G2rqtoGdHFCUjFCeUdNLU14NHQ5MjM5TEIzW\\_VE&usp=sharing](https://docs.google.com/spreadsheet/ccc?key=0AqYM3G2rqtoGdHFCUjFCeUdNLU14NHQ5MjM5TEIzW_VE&usp=sharing).

## 7.6 Formal Complaints

A homeowner who believes there is a violation of CC&Rs within the scope of the Architectural Review Committee may submit a written complaint to the ARC for consideration. If the violation is the result of a Homeowner's action or inaction, in the interest of good Homeowner relations, the homeowner is encouraged to first discuss their concern with the Homeowner. If the result of that discussion does not resolve their concern a complaint may be submitted to the ARC.

The complaint should contain as much detail as possible. The ARC will review the complaint and provide a response to the homeowner in a timely manner, within thirty (30) days, unless circumstances make that impossible. If the complaining homeowner is dissatisfied with the outcome of the complaint, the homeowner has the right to refer to the complaint to the Legends at Santa Rita Springs Board of Directors.