

LA COLINA HOMEOWNERS ASSOCIATION

Architectural Rules

Approved and Adopted February 17, 2022

Architectural Rules La Colina Homeowners Association

To maintain the overall character of this community and consistent with Section 5.22 of the *Covenants, Conditions and Restrictions for La Colina* (“CC&Rs”), the La Colina Board of Directors (“The Board”) has adopted Architectural Rules for owners’ information and the approval process of The Architectural Committee (as established pursuant to Section 3.4 of the CC&Rs) for making exterior changes/improvements to their homes. For these Rules, “change” refers to any modification that alters the exterior appearance of a home or Lot.

All changes, additions or alterations to any visible decoration, building, view-fence, wall, other structure or landscaping shall require prior approval of the Architectural Committee if such change is visible to the community. “Visible to the community” means able to be seen from the front of the home, the streets/sidewalks of our community, or is above the height of any party wall of the Lot. In some instances, “visible to the community” will include the public trail (“the trail”) along the south/west end of La Colina. These will be noted later in the document.

All such changes, including replacements (even if the same as currently there) will require the homeowner to provide an *Application for Design Review* plus all documents and details requested herein, ideally, including drawings and photos where applicable. Documents will not be accepted if incomplete. (See *Application for Design Review* from the Property Management Company or www.WeAreVision.com/LAC .) Any incomplete architectural application will be automatically denied by the management company and returned to the homeowner to resubmit once they have provided all required information.

If a proposed change is wholly within a homeowner’s backyard but could negatively impact the aesthetics/value of adjacent homes, the HOA may require notification of the potentially impacted homeowners so that they may discuss any concerns or suggestions to minimize any negative impact.

DO NOT MAKE SELECTIONS BASED ON WHAT YOU SEE IN THE NEIGHBORHOOD BECAUSE SOME CHANGES WERE COMPLETED BEFORE ADOPTION OF THE CURRENT RULES. DO NOT REPLICATE CURRENT FEATURES WITHOUT FOLLOWING THESE RULES.

Approval by the Architectural Committee is effective upon receipt of the Committee’s written approval. Owners should perform due diligence and acquire all required permits, if applicable. Approval by the Architectural Committee does not imply anything regarding approval or permitting by the City of Scottsdale or Maricopa County.

Homeowners have the right to appeal any decision to The Board, based on The Planned Community Statutes in Arizona applicable at that time.

The Association will revise these Rules from time to time to reflect changes in typical design styles and options available, as well as based on input from homeowners.

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Architectural Theme of La Colina

The theme of La Colina is well established. All elevation and street exposed changes must be compatible with the design characteristics of the existing architecture, the adjacent homes, and the La Colina setting. Moreover, consideration of neighboring properties is necessary, as is compliance with City of Scottsdale building requirements.

Design characteristics of the HOA blend contemporary and American Southwest styles. In addition, given our location adjacent to Natural Area Open Spaces and the undeveloped land of the Salt River Pima-Maricopa Indian Community, our community strives to blend into the landscape.

Characteristics:

- One- and two-story homes with three to four bedrooms
- Low-pitched roofs
- Enclosed two- and three-car garages
- Arches above doors, windows or porches on some models
- Ceramic and concrete roof tiles of a neutral color palette
- Paint colors of a neutral palette
- No highly reflective surfaces including hardware, window trim, light fixtures, etc. (i.e., no polished chrome, polished brass, aluminum, stainless steel, etc., as opposed to flat, brushed, or rubbed finishes)
- Stucco siding with option for contrasting color trim and pop outs
- Wood entry doors, painted with approved paint colors (check with our Property Management Company to ensure the current colors) or natural stains to match the home
- Landscaping based on Scottsdale's Environmentally Sensitive Land Ordinance and Scottsdale's list of indigenous plants

The Association has adopted the following as a guide for architectural changes. All requests for changes are to be approved or disapproved based on compliance with said Rules. Additional rules and changes are made by The Association from time to time as new concepts or issues present themselves. It is important that the homeowner reviews the current version prior to submittal. A homeowner commencing changes without first submitting documents in compliance with these standards and procedures to the Architectural Committee for approval may be immediately assessed a fine of **\$100**. Continued violation by the homeowner will result in additional fines and may result in legal action.

Compliance with City of Scottsdale and Maricopa County Code

All buildings, structures, improvements or alterations to be constructed or erected in La Colina, shall comply with all applicable City of Scottsdale and/or Maricopa County code requirements as well as our CC&Rs and La Colina Association rules & regulations. All applicable permits must be displayed according to municipal code.

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Work Times and Days for Noise Producing Construction

All noise producing construction may not start prior to 7:00 am Monday through Saturday and must end prior to 7:00 pm from April 1 to October 31. From November 1 to March 31, work must end by 5:00 pm Monday through Saturday, and may not commence prior to 8:00 am on Saturday. No such construction which is audible outside the home is allowed on:

- Sundays
 - New Year's Day
 - Memorial Day
 - Fourth of July
 - Labor Day
 - Thanksgiving Day
 - Christmas Day
-

Address Plaques and/or House Numbers

The Association does not dictate the style of address plaques or house numbers but reserves the right to ensure consistency with the character of the community. The rules do preclude:

- Lighted signs/plaques
- Plaques with names or other wording beyond the street address

Awnings, Patio Covers, Security Covers and Sun Screens

Awnings, patio covers, metal security window covers or other structures cannot be added to a front elevation of any house. They may be added to the rear or side of home, but if visible to the community, require approval and must be compatible with the approved base color of said home. Roll down security screens are allowed but require approval and must be complementary to the base color of the home and not reflective.

Basketball Hoops and Other Sporting Equipment

Installation of permanent basketball hoops which are visible to the community are allowed with prior approval if they comply with the following:

- Backboards must not be attached to the front of a home.
- Backboards must be a neutral color or clear, with limited reflective values.
- Nets must not be metal chains.
- Poles (whether permanent or portable) must be a neutral color (including black but excluding white or highly reflective metal) and maintained by the homeowner.
- To limit noise, use must only be between the hours of 8 am and 8 pm daily
- Equipment must be maintained in good condition.
- Consideration must be given to obstructing views of neighbors

All sporting equipment that creates noise heard inside nearby homes may be used only between the hours of 8 am and 8 pm on any day of the week. Equipment must be removed from driveways, sidewalks and front yards every night.

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Drainage (including Pools and Spas)

Any remodel or repair should take careful consideration of the existing drainage of the home and how any changes affect the capacities of rear yards or how they would affect adjacent homes. Therefore, all plans should detail existing and new drainage patterns and be approved.

See Pools and Hot Tubs regarding backwashing and draining of pool and spas

Driveways and Walkways

Concrete and paver driveways are the only treatments used within La Colina. Repair or replacement should be compatible with the existing drives with all work to be approved by the Architectural Committee. Walkways may be concrete, pavers or other materials subject to Architectural Committee approval.

Epoxy garage coatings, staining or adding color to the surface beyond the garage or front door are not allowed.

Driveways and walkways must be properly maintained by the homeowner. This includes repair when there are significant cracks, erosion or staining or changes in elevation

Exterior Color (house, garage doors, window/screen frames, walls)

The Architectural Committee will periodically review approved exterior colors for stucco and wood fascia (trim). The details are available from the Property Management Company and its website. No exceptions are allowed to the approved colors at any time. Homeowners are expected to maintain the exterior of their homes. Peeling and fading paint will require patching and repainting. Extensive issues may require repainting of the entire home and will be subject to approved paint colors at that time.

The following are general rules for exterior colors:

- The approved color palette is based on neutral tones with maximum Light Reflective Values (LRV) consistent with the City of Scottsdale Guidelines for Environmentally Sensitive Lands Ordinance (currently a maximum LRV of 40 and chroma maximum of 6 under the Munsell Color System).
- The approved color palette may include an option for pop outs and trim. These are not required, and if used, must only be used according to the approved color palette and not mixed across base colors.
- Exterior color should be flat or satin finish; no semi-gloss or gloss is allowed on stucco.
- Garage doors and front doors can be flat, satin or industrial semi-gloss finish.
- Mesh screen protecting vents or eaves should be the same color as the main body of the home.
- Bird guard and flashing should match the roof.
- Gutters can be the same color as the main body of the house or as closely matching as possible (no white, aluminum, etc.).
- Wood fascia must be the same color as the house but may be a semigloss for weather protection.

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- Any walls and view fences visible to the community, including from the trail must be same color scheme as the main body of the house.
- The rear and sides of the home shall be painted the same base color as the front of the house.
- Chimneys (stucco or brick) must be the base house color or stacked stone coordinated with any front elevation stacked stone
- Roof top vents/flue pipes and adjoining flashing need to be painted the color of the house or closely match the roof tile color.
- Window frames and screen frames must be neutral and/or match the base color of the home.
- Stacked stone may be used in front elevations, but colors and design must match community look and feel (i.e., neutral, desert tones), and must be approved prior to installation.

Exterior Lights, including Landscaping Lighting

All light changes visible to the community must be approved by The Architectural Committee and should serve to provide adequate lighting without intrusion on windows or patios of adjacent homes and without creating a nuisance. The impact of light fixtures should be complementary with the exposed exterior surface and base color of the home. All applications should include photographs of the proposed fixture, including color. Exterior lighting should NOT be directed outside the home's Lot.

General lighting rules include:

- Fixtures should meet Dark Sky Guidelines.
- Fixtures should fit the size and style of home.
- Finishes may include various non-reflective colors such as black or dark brown paint, black wrought iron, oil-rubbed bronze, weathered copper (not green patina), other brushed/rubbed metals, etc. Unapproved finishes include polished brass, chrome, stainless steel, etc.
- Glass features should be translucent (preferably not clear unless bulbs are decorative) and neutral in color, i.e., not orange, yellow, etc.

Light bulbs can be incandescent, fluorescent, LED or halogen, but warm, not cool (i.e., not blue) to address the desert landscape and Dark Sky Guidelines.

Flags and Flag Poles

American flags are to be displayed in accordance with <http://www.ushistory.org/betsy/flaquetiq.html> and Federal Flag Code (U.S.C. Title 4, Chapter 1 §1-10).

Military or other flags allowed by State or Federal law are to be displayed in a respectful manner. Flags not protected by State or Federal law should be limited to short display times, be seasonal and be limited in use and time, consistent with holiday decoration rules and regulations. The Association may assess a fine for flags not in good condition (torn, faded, frayed, etc.) or pejorative flags not removed/replaced upon notice.

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The community prefers flags be flown from a traditional wall-mounted bracket (painted to match the color of the attached wall or a neutral complementary color, not white or polished metal), but a homeowner can install a flagpole, if desired. Flag poles must not be taller than the home. Materials must blend with the community color standards. The homeowner is responsible for maintenance. Flag poles not in use should be removed. Homeowners must submit an *Application for Design Review* and receive approval prior to installation.

Front Doors

All front doors to be replaced or changed in color must be approved by The Architectural Committee prior to installation. The request should include photographs and details regarding color/hardware/etc.

General rules for front doors include:

- Doors should be wood, wood-like composite or other materials if painted.
- Doors may have one or two sidelights.
- Sidelights (glass panels alongside the door) can be clear, seeded, rain or reed style (no mullions are allowed in sidelights, either vertical or horizontal).
- Wood or composite doors can be panel or slab.
- All panel doors shall have square or rectangular panels.
- Panel doors may have some glass panels; panels must be matching, and the glass cannot be stained/tinted/leaded, but may be clear, seeded, rain or reed style)
- Decorative iron front doors must be either black or oil rubbed bronze (black appearing) or the same as or complementary to the base color of the home.

Rules for Colors and Hardware:

- Specific colors and/or stains have been approved by The Architectural Committee for front doors (check with our Property Management Company for current approved colors). No other front door color or stain is allowed.
- Natural wooden doors that are stained or of a natural color and must be properly maintained.
- Hardware (knobs, locks, knockers) shall be matte or brushed finish, non-reflective, ideally oil rubbed bronze, black or other rubbed/brushed metals. Polished brass, stainless steel, aluminum or chrome finishes are not permitted.

Security and screen doors must be approved by the Architectural Committee and the colors must be black, oil rubbed bronze, the color of the house, brown or weathered copper (excluding green patina). Security doors can be screened or grilled.

Garage Doors

All overhead garage doors shall be four- or five-panel with four to eight raised panels depending on width of door. Spanish, barn, carriage, contemporary glass, industrial, modern and plank doors are not consistent with character of the community.

Windows are permitted if they are rectangular (including square) or curved and across the entire top panel. No mullions are allowed in windows.

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The color of the garage door is to be consistent with the base color of the home or the coordinating pop out colors of the approved color palette.

Gates

All gates visible to the community must be wood (or composite to look like wood), wrought iron (or similar) or a combination of such materials. Slats and iron work must be vertical. Gates must be maintained including repainting/staining/etc. Wood (or composite) gates shall be painted or stained to match/coordinate with the adjoining walls/house, be medium brown or the base color of the house. Iron gates shall be painted the base color of the house, black or oil-rubbed bronze or weathered copper (excluding green patina).

Gutters and Downspouts

All gutters and downspouts visible to the community or the trail must be the base color of the home or closely matching. White and metal will not be approved.

Hardscape and Other Surfaces

Changes to surfaces visible to the community, including sidewalks and patio surfaces, must be approved by The Architectural Committee and are subject to the following general rules:

- Astroturf and carpeting are not permitted.
- Flat surfaces may not be painted or tinted.
- Neutral tiles and pavers are allowed.

Iron Work and Security Doors Exposed to Street

All iron work, and doors added or changed that are visible to the community must be approved and shall be in keeping with the architectural style of the community. To that end, iron work additions or replacements are best kept simple and linear (i.e., not scrolled or decorative wrought iron).

Increase of Home Square Footage

Any change that increases the actual square footage of a home by extending or expanding the footprint of the home must be approved prior to construction and likely requires a City of Scottsdale permit as well.

Landscaping Rules

All landscaping rules are contained in a separate document. Please refer to *La Colina Landscape Rules*, available at www.WeAreVision.com/LAC or from the Property Manager.

Mailbox Rules

The HOA prefers that all replacement mailboxes shall be of a pedestal type, completed with stucco and painted to be the base color of the home or completed with stack stone, to the extent possible. Such pedestal may include block glass and lighting, subject to approval. The actual mailbox shall comply with USPS requirements.

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Samples of preferred mailboxes include the following:



Outdoor Fireplaces

No fireplaces or fire pits are allowed in the front of the home. Homeowners may install one in the back yard. Materials should be consistent with the architectural theme of the community and must not be higher than any neighboring wall. Homeowners must comply with City of Scottsdale no burn restrictions.

Pools and Hot Tubs

Homeowners do not need approval to install pools and hot tubs in their backyards, assuming the following:

- No above ground pools are allowed (spas/hot tubs can be above ground)
- No slide is permitted if visible to the community.
- No diving board is permitted if its use would impede the privacy of neighbors.
- All City of Scottsdale permitting and rules are followed.
- The City of Scottsdale does not allow backwashing or draining of pools into a city street, right of way or storm sewer, nor to neighboring properties. The City allows:
 - Draining water on your own property to irrigate landscaping, but high/low pH or high chlorine levels can harm plants, and water cannot spread to adjacent lots
 - Using the sewer clean out on your own property, but at a rate generally less than 12 gallons/minute to avoid back-up
 - Calling a septic tank hauler to pump the water and dispose of it properly.

Roofs

The general theme for La Colina is tile or cement roofs, though shape and size of roof tiles are flexible. Replacement or change in type or material shall be approved in writing by The Architectural Committee prior to removal and should be consistent with the home style and other applications made in La Colina. Tiles should be color coordinated to match the home. Shingles and shakes (wood or composite) are not allowed.

All roof replacement and repairs that includes flashing, new stacks/flues or vents must have the flashing/new stacks/vents painted to match one of the adjacent surfaces, i.e., the roof color, adjoining stucco walls, etc.

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Satellite Dishes

Satellite dishes should be installed in the least obtrusive manner without diminishing their effectiveness. Only one satellite dish may be installed, and its diameter may not exceed one meter.

Solar Panels

Solar panels should be installed in the least obtrusive manner without diminishing their effectiveness. Approval is required before installing Solar Panels to ensure a minimization of any negative aesthetic impact.

Stucco Changes

Stucco changes on any exterior surface of any type must be submitted to The Architectural Committee prior to any work being commenced. La Colina has only approved the textured stucco type (see below). No re-stuccoing shall be smooth, swirled or contain embedded materials.



Tool Sheds

Tool sheds are allowed but cannot be higher than party walls or visible to the community.

Walls and Fences (other than HOA community walls)

Homeowners must submit an architectural request to make changes to existing walls with restrictions on height, materials and colors (and subject to any required approval by The City of Scottsdale). These walls include front facing walls (with or without a gate) and common (“party”) walls between properties, whether short landscaping walls in the front or side/back walls. Such walls must comply with the following:

- Materials must be cinder block (with stucco if visible to the community).
- Colors shall be base color of the home (if wall has stucco).
- The wall may not encroach upon easements of any utility.
- Homeowner shall submit a copy of written notification and consent from the owner to a neighbor who co-owns the wall or from an owner to whose house the wall is attached and be prepared to match existing paint/stucco finish on the neighbor’s side.

The homeowner is responsible for maintenance of any front or party wall. If, for example, the paint peels, the homeowner is responsible for re-painting it. Stucco and wrought iron (including painting) must be maintained by the homeowner. Further, homeowners must ensure that irrigation and landscaping is not damaging or weakening walls.

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Windows and Screens

Replacement windows must ensure that framework is neutral or matches the color of the house. White or aluminum/mill finish frames are not approved for windows or screens, even if painted after installation due to maintenance issues.

Areas around new or replaced windows must be an approved stucco material to match the remaining wall surface on which it is placed and painted to match the base color of the home. Stucco pop-outs are allowed with approved pop out colors. Composite material trim, and other trim materials around windows are not allowed.

OTHER ITEMS

Front Yard Ornamentation, Sculptures and Wall Hangings

The Association has the right to limit the installation of items visible to the community including from the trail. While the Association supports individuality and expression of artistic preference, homeowners may not install items that violate the following rules:

- Color schemes must be consistent with the neighborhood, this precludes primary colors or bright colors derivative of such.
- Finish must be matte or non-reflective, i.e., no polished chrome, stainless steel, aluminum, etc.
- Size must be consistent with the space, but under no circumstance can such items be taller than 4 feet or length and width greater than 3 feet.
- Content/subject matter cannot be considered objectionable which precludes, but is not limited to, nudes, vulgar language, racist or pejorative text/images, etc.

Should you wish to have the Architectural Committee review your intended installation prior to purchase or installation, please submit an *Application for Design Review*.

For clarification, a wall hanging (or other hanging object) shall be defined as any item that is not integral and of the same color and material as the original wall surface of said home. Exclusions for purposes of this section include approved light fixtures, electrical meters, cable or telephone boxes or runs, approved address numbers/plaques, doorbells or door operators, flag holders, garden hose and/or hose reels.

Temporary hangings and ornamentation for holiday purposes are not subject to these rules with the exception of the last bulleted rule above regarding objectionable material.

Fine Structure

Please refer to any La Colina Association rules & regulations and the La Colina Enforcement Policy for information regarding fines associated with Architectural Change violations.

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Remodel & Construction Materials, Debris & “Roll-Off Containers” (Dumpsters)

All construction materials must be stored in the garage with the door closed when not in use. No extended storage of materials is allowed in the driveway, patio, or other exterior lot areas of the home that can be visible to the community. Large deliveries of building materials, such as bricks, rocks, pavers, landscaping material or tiles, that require additional time to remove, may be stored in the driveway or on the patio for up to 48 hours. A permit granting additional time may be obtained from the La Colina Property Management Company. See any La Colina Association rules and regulations for additional construction rules and details. Use of streets for temporary storage is subject to City of Scottsdale statutes and regulations.

Work must be done within the garage, home or driveway, not in front yards (other than the act of repainting or repairing/replacing of front elevation features), and all debris must be cleaned, and equipment removed daily.

Any damage to the front or side landscape areas due to construction shall be repaired and/or restored to its original condition. This includes concrete walks or steps, driveways, sprinkler lines or heads, borders, shrubs or trees.

All roll-off containers (dumpsters) must be approved by The Architectural Committee or the Property Management Company, prior to its placement at the home. Please note that the following restrictions apply:

- The maximum size roll-off container is 20 cubic yards (20'x 3'x 8').
- The container should be placed in the driveway of said home without encroaching on the sidewalk.
- All concrete or stucco clean-up debris is to be contained and disposed of in the roll-off container or immediately hauled to a legal disposal site. No debris is allowed to be washed down any street or curb of La Colina.

The length of time for a roll-off container in front of a home is limited to any thirty (30) day period. A maximum of three (3) 30-day periods is permitted for the same home in one six-month period. The date of drop-off and the date of pick-up must be on the application to the La Colina Property Management Company, who will issue a variance showing these same dates. The variance must be posted on the container itself and should be visible from the street at all times. If the container is not removed by the posted expiration date, the La Colina HOA will request its removal at the homeowner's expense. A fine of \$50 per day may be assessed by The Association.

Signage of Contractors and Other Service Providers

Homeowners and their contractors and other service providers are not permitted to erect/install signage on La Colina grounds, buildings or individual units. Exceptions include realtor signs, alarm/security signage and contractor signage while actively working on the premise to meet local requirements regarding licensing requirements. Small signs at doors to limit soliciting or informing of cameras are also permitted.

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Items or Features Not Described or Addressed

Any change to external structure or appearance not listed herein must be presented to The Architectural Committee and specifically approved prior to initiating any such change. There is not an implied or expressed approval of a change to any home or lot because it is not listed herein.

Please note that these Rules are prospective. Existing features are not required to be changed to come into compliance with current rules. But this does not mean existing features are authorized for future use or replacement unless they are part of the original appearance of the home when built and in place at the time of repair/replacement. For example, you may not repaint your home to a color that is no longer approved. Any changes or modification subsequent to the publication of these Rules to an individual home may cause The Association to stipulate full compliance with the any La Colina rules & regulations and these *Architectural Rules* pertaining to that item. This includes “replacing” any external feature intended as a duplicate of an existing feature that was not an original feature of the home or lot when built.