

4. Architectural Guidelines

Homeowners must notify the Management Company prior to beginning any repair or replacement visible from the street and/or requires a dumpster to be located outside the home. Complete and submit an Architectural/Landscape Change Form for approval prior to beginning any exterior work involving a change.

Specific Colors

- a. Court Home
 - Doors must be a dark brown color compatible with Norfolk Brown.
 - Security doors and window guards may be either Pyrite or Navajo White, but if both are installed, the color must be the same.
 - Side patio gates are the responsibility of the Pointe Community Association and may only be Navajo White, or black.
- b. Single Family Attached/Detached
 - Window frames may be an anodized black or brown, Norfolk Brown or Navajo White.
 - Side patio gates may be Navajo White, black or anodized black or brown.
 - Security doors may be Navajo White, black or anodized black or brown. Would it make sense to change this to colors that manufactures produce? Is white a problem? How about “anodized brown, black or white?”
 - Front Doors and Front gates may be Navajo White, black or anodized black or brown. Materials may include rod iron, anodized metal or wood.

NOTE: The PCA formula for Navajo White and Norfolk Brown are both available through Dunn Edwards. If you want to use a different supplier, have them match these formulas.

4.2. Accessories

- a. Address Plates
 - Court Home owners in need of replacement or repair of their address plates attached to the wall are the responsibility of the HOA. Contact the management company.
 - The HOA maintains the street curb address painting for all homes.
- b. Awnings
 - As Court Home awnings are replaced, the newly adopted style is a straight bottom hem – no decorative cut or scalloped edging. Approved canvas colors are Terracotta or Dark Brown.

- Single Family attached/detached have option for scalloped and straight bottom hem are optional. Approved Canvas colors are Terracotta, dark brown, dark green or dark navy.
- c. Balconies
- Court Homes should limit balcony furniture to two chairs and one small table.
 - Balconies may not be used for storage.
 - Barbecue grills and fire pits are NOT allowed.
- d. Door Decorations
- Front door/gate adornments are allowed.
 - All shall be in good taste and condition.
- e. Electrical Boxes
- Service pedestals, transformers, switch cabinets and similar installations must be painted Navajo White. If you have questions regarding rules governing what should and should not be painted, please contact the Management Company.
- f. Flags and Flag Poles
- Flagpoles, attached to the residence, shall be no longer than six feet in length and one inch in diameter and shall be mounted at first floor-level only. Flag poles must be placed in a manner that does not obstruct walkways or driveways.
 - Flags shall be flown in accordance with Federal and State Guidelines.
 - Flags must be in good taste and condition.
- g. Holiday Decorations
- Seasonal decorations may be placed on the exterior of a Court Home or Single Family Homes thirty days prior to the holiday but must be removed within thirty days after the holiday. As long as decorations follow these guidelines, no approval is required.
- h. Umbrellas and Sun Sails
- If visible from neighboring properties, umbrellas and/or sun sails shall be fabric and of a solid color.
 - Requires AC approval, if attached and visible.
- i. Walkways and Stepping Stones
- Walkways or step stones shall be constructed of cement with a salt-treated pattern to match sidewalks, burnt Mexican brick, concrete or pavers, or Saltillo tile.
- j. Water Hoses
- When not in use, all hoses, visible from the street, must be contained out-of-sight in a terra cotta pot or on a hose reel that is hidden by a wall or landscape.
- k. Wires
- If visible from neighboring property, cable/TV/internet wiring shall be affixed in an intersection or 90-degree angle and painted to match the home.

- All homeowners are encouraged to have such wires located to the side or rear of the residence whenever possible.
- l. Trellises
- When visible from the street or neighboring property, trellises must be painted Navajo White, black, anodized black or brown.
 - All trellis must be of a simple design, a lasting material, and maintained.
- m. Pergolas and Ramadas
- Backyard pergola and ramada structures are permitted, but if visible from the street or from neighboring property, all will require Architectural Committee approval prior to construction and/or installation.
 - Court Home pergola, ramada, and other exterior structures are the responsibility of the Pointe Community Association. No individual modifications are allowed.

4.3. Doors

- a. Garage Doors
- Garage doors of all residents shall be replaced with like doors.
 - Garage doors of the Single Family Attached residences shall be a solid panel, finished in wood grain texture, painted Navajo White.
 - Garage doors for Single Family Detached residences shall be solid or raised panel, with or without sunburst glass top panel, finished wood grain texture, painted Navajo White or dark brown.
- b. Front Doors
- Single Family Attached/Detached doors style is not restricted. Colors approved are Dark Brown, Navajo white, or anodized black or brown.
 - Single Family Attached/Detached homes: Security and Insect screens are permitted in the approved colors, Navajo white, black, anodized black or brown.
 - Court Homes shall all have dark brown stained front doors (on the exterior). Court Home doors are maintained by the Pointe Community Association except for those damaged by neglect or abuse.
 - Court Home security doors must be a plain bar style. Approved colors are Navajo white or Dark Brown. No insect screens allowed.
- c. Exterior Door Hardware
- The Court Home hardware on exterior doors shall all be the same, to match the existing design.
- d. Court Home Patio Doors
- Court Home patio doors shall be either French doors or aluminum sliding doors painted Norfolk Brown, Navajo White, or an anodized black or brown color.
 - Requires AC approval.
- e. Pet Doors

- Single Family attached or detached: If visible from the street or from neighboring property, pet doors shall match the surrounding door or window.
- Court home owners must get Architectural committee approval.

4.4. Lights

a. Approved Existing Lights

- Courthouse exterior lighting is provided and maintained by the HOA.
- Porch lights and other light fixtures defined as customary, indirect, with non-colored light bulbs are permitted without Architectural Committee approval.
- Non-customary lighting such as illuminated artwork, fixtures or elements not providing customary/safety lighting, illuminated signage, and/or displays, moving lights or light reflection elements, require AC approval.

b. Security, Flood Lighting and Motion Detectors

Lighting for security is only permitted on single family attached and detached homes. It requires AC Approval if the placement affects your neighbor.

4.5 Roofs

c. Color

- Color shall be white for flat roofs, terracotta clay tile with mortar on sloped roofs, or cement tiles, New Eagle 3419 Marana Tile barrel style as approved by the Architectural Committee.
- All roof lines, facias, flashing, or other exposed trim area shall be Navajo White or Norfolk Brown to match adjacent surfaces.

d. Scuppers

- Scuppers shall be painted, Navajo White.
- Leader heads and leaders connected to the original six inches (6") galvanized overhang scuppers shall be allowed only with the prior approval of the Architectural Committee.

e. Gutter Systems

- All visible gutter systems must be approved by the Architectural Committee prior to installing.

f. Sun Decks

- Other than balconies, the roofs of residences shall NOT be used as sun decks or living areas, with the exception of those originally built with this feature.

4.5. Storage Areas (Exterior)

- a. Exterior storage and storage shed units shall be permitted upon review of design and specifications, and prior written approval of the AC. Any approved and authorized exterior storage or storage unit shall be attractively screened and concealed—subject to all required approvals as to Architectural Control so as to not be visible from neighboring properties.

4.6. **Swimming Pools and Spas**

- a. Draining and/or filter backwash of pools must follow Phoenix City Code and water may NOT be drained into the streets, alleys, washes, ditches, or other City of Phoenix right-of-ways. These are considered part of the storm drain system.
- b. Homeowners with pools are encouraged to use the water to irrigate landscaping. Large amounts of water may be drained utilizing a home's sewer clean-out. Reference the City of Phoenix website for additional information at: <https://www.phoenix.gov/waterservices/customerservices/generalinfo/poolinfo>

4.7. **Walls, Fences, Gates and Pet Restraints**

Walls, fences, gates and pet restraints visible from the street are subject to the following:

- a. Walls
 - Walls must remain masonry and painted the same color as the residences, Navajo White.
 - Any proposed changes to walls must be approved by the Architectural Committee prior to work commencement.
- b. Gates and Wrought Iron Fences (For Single Family Homes)
 - Wrought iron fences shall be made of square solid or square tubing and painted one of the current colors approved are Navajo white or Black,
 - Flora (plants/flowers) and Fauna (animals), along with any other recognizable symbols or icons, are prohibited.
 - Supporting pictures and paint color are required with AC application prior to installation.
- c. Pet Restraint Screens
 - Chicken wire and expandable baby gates are prohibited.
 - Any restraint screen must be approved by the Architectural Committee.

4.8. **Windows**

Windows visible from the street shall be subject to the following:

- a. Window Guards
 - Window guards, of any kind, must be approved by the Architectural Committee prior to installation.
 - Window guards must be simple, linear, NOT extend beyond the window frame and if available, match the design of existing wrought iron security door. Selected color must match other existing wrought iron accessories.

- Window guards shall comply with city code and fire exit safety regulations – Phoenix Fire Department recommends that bars on windows should have a single action quick release device.
- b. Window Trim
- Single Family may be a dark brown complement of Norfolk Brown or Navajo White.
 - Court Home window trim must be a dark brown complement of Norfolk Brown or an anodized brown.
- c. Window Tinting
- Window tinting, if visible from neighboring property, shall be non-reflective smoke glass color conforming to Phoenix City Code #507 (non-reflective).

4.9. Satellite Dishes/Television Antennas

- a. Satellite Dishes
- Satellite dishes must NOT exceed 30” in diameter.
 - Must be submitted to the Architectural Committee for approval.
 - Homeowners shall make every attempt to conceal satellite dish placement from the view of neighboring properties. It is recommended that satellite dishes be installed on the inside of a parapet wall, so not to be visible.
- b. Television Antennas
- Television antennas one (1) meter or less in diameter are permitted per the Federal Telecommunications Act of 1996 OTARD Rule.
 - It is required, that their location and concealment are reviewed by the Architectural Committee.

4.10. Real Estate Signage

- a. No signage is allowed on the common areas or on the sidewalks.
- b. Court Home for-sale signs are limited to front windows and/or gates.

4.11. Political Signage

- a. Political signage must be limited to one per household and displayed only 71 days prior to an election date.
- b. The cumulative size of these signs shall not exceed nine (9) square feet.
- c. Political signs cannot be hung off roof tops.
- d. All political signs must be removed within 7 days following said election.

4.12. Solar Panels

Arizona Revised Statute (ARS) Section 33 -1816 (the Planned Communities Act) strictly prohibits planned communities from prohibiting the installation or use of a solar energy device. The law allows planned community associations like to adopt rules regarding the placement of these devices so long as these rules do not effectively prevent installation, impair the device’s ability to function or adversely affect the cost of the device. The Pointe Homeowners Association has adopted the rules below to govern the placement of the panels.

A.R.S. Section 44 -1761 defines “solar energy device,” in part, as a system or series of mechanisms designed primarily to provide heating, cooling, or day lighting, to produce electrical or mechanical power, or to provide any combination of the foregoing by collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization. Passive systems shall clearly be designed as a solar energy device.

- a. The placement of solar panels on mission tile roofs is NOT permitted.
- b. On homes where they are allowed, solar panels must be located in such a manner as to minimize their visibility from the street.
- c. A roof plan showing the proposed location of solar panels must be submitted to the Architectural Committee for approval prior to installation.
- d. Court Homes are currently excluded.

4.13. Construction Dumpsters and Portable Toilets

- a. Homeowners must register construction dumpsters and portable toilets with the Management Company prior to placing the items in front of their home, or in any space visible from the street or neighboring property.
- b. If the proposed construction project has been duly approved by the Architectural Committee, when required, the items will be allowed in place for a maximum of 30 days with an option to extend the placement another 30 days with approval from the management company.
- c. Construction dumpsters and portable toilets located on Dreamy Draw Drive may require a City of Phoenix permit.

4.14. Architectural Committee Approval Timelines

- a. In accordance with the Pointe Community HBAs, The Architectural Committee has forty-five (45) days to approve or disapprove your project. You may not commence with your project prior to AC approval.
- b. The Architectural Committee time limit for any proposed landscaping work and/or residential modification, alteration, or addition is ninety days from the date of approval.
- c. The Architectural/Landscape Change Application requires each applicant to state the Desired Date to Begin Work and the Anticipated Completion Date. Should either date need to be changed either by exceeding the ninety-day start up limit or the actual Completion Date of the project, the homeowner should notify the Management Company.

5. Landscaping

Landscape/Remodel Projects that can be seen from the street or by neighbors must be reviewed and approved by the Architectural Committee, subject to the following guidelines:

- a. All properties are required to have operating, automatic, in-ground irrigation systems. Above ground, oscillating sprinklers are prohibited except on a temporary basis in the case of malfunction of the automatic system.
- b. The annual water and sewer fees for homes in this community are based on the actual water usage from mid-December through mid-March. To the extent possible, please try to conserve water but especially during this period.

5.2. Landscape Maintenance

- a. Landscape Maintenance Crews
It is the responsibility of homeowners to manage their landscape maintenance crews and assume responsibility for the actions of their crews.
 - It is illegal to dump cuttings anywhere in our community. If a crew is observed doing this, the responsible homeowner could receive a violation notice and possibly be fined. The homeowner will be assessed the cost of the cleanup of any such dumping.
 - In consideration of other homeowners, suggested professional landscape maintenance times are from Monday at 8:00 am until Saturday at 12:00 pm.
- b. Professional landscaping work (repair, maintenance and/or construction) is discouraged between Saturday noon and Monday morning.
- c. Tree Trimming
 - Trees should be trimmed when necessary so they do not become safety hazards, particularly during storms.
 - Single family homeowners are responsible for the trees on their property. Those located in the common areas are the responsibility of the Pointe Community Association.
 - Court Home owners are responsible for the trees within their courtyard/patio area.
- d. Tree Spraying
 - OLIVE TREES, which shall be sprayed once a year in late January through March (when the tree is 2/3 in bloom) to avoid fruit production.
 - Homeowners failing to spray are responsible for regularly removing all fruit and related litter from the sidewalk and street along their property line.
- e. Tree Roots
 - Tree roots may, over time, interfere with shared community water lines and/or damage sidewalks and roadways. Should this be the case, the tree owner will be responsible for all repairs and may be required to remove the tree(s).
- f. Palm Tree Trimming

- Palm trees must be trimmed once a year beginning in June.
 - All trimming must be completed by July 1st.
- g. Fruit Tree/Plant Litter
As fruit ripens, ALL must be removed so not to attract unwanted pests. The area around a fruit tree must be cleaned on a regular basis.
- Homeowners are also responsible for regularly removing all plant litter (blossoms, seed pods, leaves) from the sidewalk and street along their property line.
- h. Trimming Shrubs and Ground Covers
- Plants must be maintained regularly to prevent an overgrown appearance and to help them flourish and be at their most attractive.
 - Plant material is not allowed to encroach upon sidewalks, driveways, building entrances, gates, and neighboring properties. Regular trimming is critical to maintaining the well-manicured look of the community.
- i. Removal of Dead and/or Dying Plant and/or Plant Parts
- Plants must be trimmed regularly to remove dead branches and leaves. Dead plants should be removed as soon as noticed.
- j. Lawn Maintenance
- Lawns should be maintained, and the edges of the lawn must not grow into the pavement.
 - Lawns must be over-seeded with a winter rye seed in the fall if it is seen by the neighborhood. This seeding must be completed before December 1st to assure proper growth.
 - If a lawn has brown spots, the irrigation system should be checked to make certain adequate water is being distributed over the lawn. If brown spots seem to be an ongoing, continuous problem, the homeowner should seek advice from a landscape professional.
 - Rabbits and pets can contribute to brown spots. There are a variety of commercial resources and remedies that might help deal with these issues. All homeowners are encouraged to report pet owners who do not clean up after their pet.

5.3. The Wash

- a. Protected by Federal Law
The arroyo, as many call it, is a natural area and drainage course that runs through this community. It provides a habitat for birds, animals, insects, flora, and fauna, as well as privacy and open space.
- The wash is considered a common area. It was left undisturbed when the community was developed so homeowners could benefit from this amenity.
 - The wash is considered a wetland, as defined by the U.S. Army Corps of Engineers and is protected by the Clean Water Act, Section 404 and Phoenix City Code.
- b. Wash Guidelines
- Do not disturb the ground in the wash. Plants and trees may be cut, but roots must remain intact to reduce erosion.
 - Do not dump landscape cuttings into the wash.

- Do not drain pool water or any other liquid into the wash.
 - Do not place ANY debris in the wash, e.g., soil, silt, sand, rubbish, broken concrete, asphalt, oil, tires, batteries, construction material or litter.
 - If plants are planted on private property adjacent to the wash, erosion control methods must also be installed.
 - Homeowners not adhering to these requirements will be in violation of these Rules and subject to a fine.
- c. HOA Responsibility In and Near the Wash
- The wash is cleared twice a year by the HOA's landscape maintenance company.
 - The landscape maintenance crew is instructed to clean about a ten (10) foot wide strip down the middle of the wash. Within this strip, they clear out anything that impedes the flow of water and remove dead dry brush that might pose a fire danger.
- d. Drainage Ways
- Drainage ways are to be maintained by the Pointe Community Association.
 - Homeowners cannot plant or install items that prevent normal water flow through the drainage ways.
- e. Homeowner Responsibility In and Near the Wash
- It is the responsibility of homeowners with lots adjacent to the wash to keep their portions of the wash in good shape.
 - Property lines are not marked in the wash. Fences do not mark property lines, which has caused confusion among property owners who think fences mark the property lines. Many lots extend down into the wash.
 - All property owners landscaping along the wash should know where the edges of their properties are located. Homeowners are responsible for educating themselves as to their property lines along the wash or checking with the City of Phoenix assessor's office for the exact plat measurements of their property to determine its limits and its relationship to the Association Common Area(s) and the wash.
 - Property owners along the wash shall remove debris, leaves, dead plants and litter from that portion of their property that adjoins the wash.
 - No private vegetation, plantings and paving beyond a homeowner's property is permitted.

5.4. Hardscaping and Alternate Materials

As a general rule, the guidelines below apply to areas that can be seen from the street or from neighboring properties.

- a. Crushed Granite

If crushed granite is desired, it must be filtered granite sized 1/2" to 3/4" and be installed to a minimum depth of 2 inches throughout the yard.

- The only shades of granite allowed in this community are Madison Gold or Adobe Red.
- Granite colors and placement must be reviewed and approved by the Architectural Committee

b. Boulders

- Boulders for decorative and functional purposes are permitted but must be submitted to the Architectural Committee for approval prior to installation.
- The homeowner must state the number of boulders proposed, their sizes and configuration on the lot in sufficient detail for the approval process.
- It is suggested that boulders be slightly buried to achieve a natural look rather than being simply placed on top of the ground.

c. Rip Rap, River Rock and pea gravel

- Colors and placement must be reviewed and approved by the Architectural Committee
- Pea gravel approved 1/8" to 3/8" in size. The approved colors are natural buff, rust brown or shades of gray.

d. Pots and Planters

Require AC approval, if visible from the street or from neighboring properties, subject to the following:

- Pots and planters shall contain only live plants.
- Wood pots are not permitted.
- Pots located on common walls must be agreed upon by neighbors.
- Planters and/or borders shall be only of brick or stuccoes to match the house.
- All such planters and/or borders, if visible from the street, must be approved by the Architectural Committee prior to installation.
- All visible pots and planters must be properly maintained and damage caused by water must be repaired.
- Brick planters in front of Court Home properties are the responsibility of the Pointe Community Association.

e. Artificial Turf

After a test installation to analyze the viability of artificial turf in this community, the Architectural Committee has concluded that this material may be approved for certain installations visible from the street or neighboring property, subject to the following guidelines. Installations require Architectural Committee review and approval.

- Only Landscape Turf is allowed.
- Guidelines for Selecting and Installing Artificial Turf:
 - Artificial turf must be professionally installed.
 - Architectural Committee applications for installation of artificial turf must include a sample of the exact finished turf product.

- Only natural grass colors are acceptable; multi-toned natural grass colors are permitted.
- Artificial turf must be installed in such a way as to appear seamless and uniform.
- The pile height of the artificial turf shall be minimum of 1 ½ inches, not to exceed 2 inches.
- Artificial turf must be maintained in like new condition, color, and uniformity with no tears or seams visible.
- When artificial turf reaches the end of its lifespan and no longer appears natural in color and appearance, or has suffered irreparable damage or wear, the turf must be replaced.

f. Xeriscape

The use of drought tolerant plantings and other water conservation methods of Landscaping are encouraged. However, it is important to note that Xeriscape is allowed, but Zeroscape (No living plant material) is Prohibited. For Xeriscape Landscape the following must be followed: Architectural Application filed with Design Drawing showing actual dimensions of the area to be Xeriscape. 1/3 of that area must be planted with proposed drought tolerant plants showing the exact location of the plants