

FESTIVA
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DESIGN GUIDELINES

New Revisions Adopted: October 1, 2009

Architectural Guidelines

Festiva Tempe Community Association

I. Introduction

The Design Review Committee of Festiva Tempe, hereupon DRC, was established under Article 4.1 of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Festiva Tempe. The function of the DRC is to consider and act upon all proposals or plans which have been submitted to it, and to adopt Architectural Guidelines for any additions and modifications to existing structures within Festiva Tempe.

The DRC has the power to adopt, amend, supplement and repeal these Guidelines, subject to the approval of the Board of Directors. These Guidelines were established to interpret, implement and supplement the Declaration and set forth the procedures to be used in reviewing modifications to existing improvements in Festiva Tempe. In setting the standards for development within Festiva Tempe, these guidelines encompass the architectural design of improvements, landscaping design, and content to ensure they conform to the harmony of the surrounding area.

These Guidelines were adopted pursuant to Article 4 of the Declaration to ensure development is in a consistent manner and of high quality, in an attempt to protect the investment of those who purchase property within Festiva Tempe. They provide a documented basis for evaluating and directing the planning and designing of improvements. The purpose of the DRC review of all plans is to ensure that such proposals meet the intent not only of these Guidelines, but of the development philosophy of Festiva Tempe. The DRC has the authority to interpret accordingly in the event the Guidelines may not be explicit in a particular situation.

The DRC may amend these Guidelines, subject to the written approval of the Board of Directors of the Association, without providing notice of such amendments to any person who intends to construct an improvement requiring the written approval of the plans and specifications. Prior to implementing construction, it is recommended that the Association Management Company be contacted to determine if any supplements, modifications, additions or changes have been made to these Guidelines.

These Guidelines have the same force and effect as the provisions of the Declaration and may be enforced according to the provisions set forth in such Declaration. The information contained herein is provided to assist homeowners in planning and submitting applications.

II. Requirements for Applications

Property Owners who desire to make any changes permitted by these Guidelines must submit a written application for approval. Any applications submitted by a tenant must also be signed by the Owner. Oral requests will not be considered.

When submitting a request, in addition to completing the application form, the Owner should provide dimensional sketches or plans, elevations, specification sheets, photographs or other materials that will help the DRC visualize what the addition or modification will ultimately look like.

The Owner has the burden of demonstrating the acceptability of any proposals. Any application for approval must contain additional materials, such as exhibits, petitions, photographs, expert statements and the like, necessary for the DRC to make an informed decision. Prior to approval, the Owner may request an appearance before the DRC, together with any persons which the Owner desires, to provide additional information to the DRC, relevant to the approval of the application.

Approval by the DRC does not waive the Owner's responsibility to obtain the required governmental permits. Obtaining a governmental permit does not waive the need for DRC approval. If permits are required, a copy of the permits, accepted by the governmental agency, shall be required before a letter of completion will be issued. If the DRC determines it cannot make an informed decision regarding an application without the aid of an outside architectural, engineering or landscape consultant, it may condition its approval of the application upon payment by the Owner of the reasonable fees charged by such a consultant.

All approvals shall expire ninety (90) days after the date of approval if the item has not been completed.

III. Results of Review

The Owner shall be informed in writing of the DRC's decision within thirty (30) days after the Owner submits the properly documented application form and supporting material to the DRC. If an application is not approved, the reason(s) for its rejection shall be stated in the written notice. If the DRC fails to provide written notice of acceptance or rejection within these thirty (30) days, the request shall be considered to have been rejected.

IV. Additions & Modifications

Exterior alterations, additions, improvements or modifications require the prior approval of the DRC.

Antennas / Satellite Dish

Any antenna or satellite equipment shall, to the extent consistent with applicable federal or state laws and regulations, be placed in the following order or priority: (i) a location where the device will not be visible from neighboring property, (ii) a location in the rear yard of a lot, (iii) a location in the side yard of a lot, (iv) a location connected to a residence or other structure on a lot, or (v) in the front yard of a lot. To the extent consistent with applicable federal or state laws and regulations, any Device placed on a lot shall be approved by the DRC within fourteen (14) days of installation. All cables and conduit must be painted to match the exterior of the building to which it is attached. This guideline is not intended to delay the installation or use of an antenna or satellite dish.

Architectural Theme

The architectural theme for Festiva Tempe should reflect the integration of structures within the overall desert environment; specifically themes of the Southwest are encouraged.

Basketball Equipment

No basketball goal or similar structure or device (whether mounted on a pole, wall or roof) shall be placed or constructed upon the front yard, front elevation or front roof surface of any structure on any part of the Property. For purposes of the foregoing sentence, the term "front" shall be deemed to mean visible from ground level view from the street(s) running immediately in front of or along the side of a Dwelling Unit or other structure.

Clothes Drying Facilities

No outside clotheslines or other facilities for drying or airing clothes shall be placed on any lot unless they are not visible from neighboring property.

Colors

Generally, muted colors must be used on building exteriors, as approved by the DRC. All colors are subject to approval of the DRC and will be considered on a case by case basis. Home colors can be found under section *Home Paint Colors*.

Decorative Items

All exterior decorative items larger than 18 inches by 18 inches require written approval from the Design Review Committee prior to placement or installation. This includes, but is not limited to, iron work and personalized name plates. Holiday decorative items do not require approval; however, decorative items shall not be displayed more than 30 days prior to the actual holiday or more than 30 days after the actual holiday.

Driveway Extensions

Driveway extensions may be in violation of City Code. Submission of plan for approval is required prior to the commencement of any work.

Fences/Interferences and Obstructions

No fence, wall, hedge, shrub or other plant which obstructs sight lines at elevations between two (2) feet and six (6) feet above adjacent public streets shall be permitted on any corner Lot within the triangular area formed by the streets and a straight line connecting those property lines at points twenty-five (25) feet from the intersection of those property lines (or, in the case of a rounded Lot corner, from the intersection of those property lines as extended). No tree shall be permitted to remain within such area unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

Gates

Wrought iron may be used in the construction of gates, as used throughout the community. Gates may be screened for added privacy by affixing wood to the gate and either sealing the wood in its natural state or painting the wood the same color as the wall to which the gate is attached. To prevent an Owner's pet from escaping through open wrought iron bars, wire mesh may be added to the gate so as not to be seen from neighboring properties.

The gate should be of the same quality or better than the originally installed gate, and should comply with all gate requirements as outlined above. Gate height requirements may be established by the DRC on a case by case basis depending on the overall impact on the neighboring properties and the community. Continuity must exist between the adjoining wall and the finished height of the gate.

Gazebos/Ramada/Trellis/Pergola

Gazebos shall not exceed ten (10) feet in height. Height requirements on all other structures under this section may be established by the DRC on a case by case basis. No structure should be placed flush on any common wall. Setbacks will be determined by the DRC based on the overall lot composition. City of Tempe building code requirements must be met in order to be considered. Structures are to be painted the same colors as the house and trim or accent. Neighbor's views should be considered when determining placement. DRC approval is required prior to installation.

Gutters & Downspouts

Gutters and downspouts shall match the color of the body or trim/accent of the exterior of the home. The gutters and downspouts shall terminate in a manner that prevents erosion and contains the water on the property.

Home Paint Colors

Paint color is to be coordinated with roof color and compatible with the original paint colors of the community. All paint must be approved by the DRC prior to painting. The current preferred color choices are either the original color scheme or one of the Festiva Tempe Community color schemes available from Dunn-Edwards. Trim/accent color shall not dominate the exterior appearance and shall coordinate with the color of the main body of the home. The home's garage door and front entrance door shall be the same color, and shall match either the trim/accent color or the main body color of the house. In general, no two immediately adjacent or facing homes shall be painted the same colors. Color variation from building to building should be gradual and may be used by the DRC as criteria for approval of requests. For colors of gutters and downspouts, see Gutters & Downspouts section.

HVAC

No heating, air conditioning or evaporative cooling units or equipment shall be placed, constructed or maintained upon the property, including, but not limited to, upon the roof or exterior walls of any structure on any part of the property unless: (a) where such unit or equipment is installed upon the roof of any structure upon the property, such unit or equipment is fully screened from view from any adjacent lots by a parapet wall which conforms architecturally with such structure; or (b) in all other cases, such unit or equipment is attractively screened or concealed and is not visible from neighboring property, which means of screening or concealment shall (in either case (a) or (b)) be subject to written approval of the DRC.

Landscape Guidelines

All modifications to front, side and rear yards require written approval from the DRC. This includes all planting materials and hardscape. Examples of hardscape items are planters, walkways, decorative walls and fountains.

Drainage No owner shall interfere with the drainage established for the property or any other property adjacent to his or her lot.

Granite If decomposed granite is used, it must be of an "earth tone" color and not white, green or other bright colors. All rock areas shall be treated with a pre-emergent weed control at regular intervals to retard weed growth. Planting under liner or fabric shall not be visible. Plastic under liner is prohibited. The DRC encourages ground cover that promotes water conservation.

Lighting Lighting should be used only as necessary for functional requirements of

safety, security and identification. Unnecessary use of light is prohibited in the interest of energy efficiency and maintenance of a natural night environment. Within residential areas, lighting should be designed to coordinate with the community theme and must be shielded to reduce dispersal of ambient light. Lights should be directed down onto the pavement/property, and not onto neighboring areas. Standards should be separated to create concentrations of light, as opposed to a continual lighting stream. Landscape lighting shall be for accent purposes and shall be a low voltage system. Security lighting shall be shielded so that the light shines primarily onto the lot on which it is installed. Security lights shall be used in a manner consistent with their purpose and shall not be left on all night. Outside lights should be screened whenever possible with walls, plant materials or internal/external shielding.

All landscape lighting must be approved in writing by the Design Review Committee prior to installation.

Security/Storm/Screen Doors

Security doors must be of a natural earth tone color to match or blend with the exterior of the home. Plain or desert motifs are acceptable designs. Storm/screen doors may be approved on a case by case basis determined by color, material, quality and overall impact on the home.

Sidewalks & Paths

Design and construction of sidewalks or paths will be considered on a case by case basis. Submission of plan for approval is required prior to commencement of any work. All requests will be considered.

Solar Collection Panels or Devices

Pursuant to Section 5.9 of the CC&R's, and subject to Arizona laws that prevent HOAs from prohibiting solar panels but allow HOAs to adopt reasonable guidelines on their placement, solar collection panels or devices are subject to prior approval of the plans by the DRC, and subject to any approvals of the City of Tempe. Solar collecting panels and devices may be placed, constructed or maintained upon any lot within the property (including upon the roof of any structure upon any lot), in the following order or priority: (i) a location towards the rear of the roof of any structure on the lot, (ii) a location towards the front of the roof of any structure on the lot, in particular if the rear of the roof already has devices or if the device to be installed is a compact (i.e. up to approximately 50 square feet) unit intended for home water heating that would result in an inefficient or unasthaetic installation if mounted at the rear of the roof due to additional plumbing, (iii) a location in the rear yard of a lot, or (iv) a location where the device will not be visible from neighboring property.

Storage Sheds

Only one (1) shed is allowed on each lot. Sheds must not exceed eight (8) feet six (6) inches in finished height after set up. Roof material must be non-reflective and light color. Wood material is to be treated for termites and bug control. Outside paint must

match the color of the house. Plans must include impact on neighboring properties. Placement of the shed may not adversely affect the drainage of the property, and/or walls due to runoff. The DRC reserves the right to require larger set backs based on the configuration of a lot and the impact on neighboring property. Greenhouses are prohibited.

Sun Screens

Bronze, gray, charcoal or muted sunscreen material may be installed. The frame for window screens must match the screen material or existing window frames. Bright aluminum colored frames are prohibited.

Window Treatments

Any window treatment other than curtains/drapes or blinds should not completely block view of or through the window. Window films are acceptable as long as they are not silver or visibly reflective (reflectivity of non-visible wavelengths such as infrared is acceptable to reduce heat gain).