

According to the Declaration of Covenants, Conditions and Restrictions (CC&Rs) for The Casas Adobes Terrace Homeowners Association (CATHOA), the Architectural Control Committee (ACC) is responsible for providing the orderly development, maintenance and preservation of front, exposed side yard and buffer yard landscape, and architectural control of CATHOA. The ACC is bound and guided by the CC&Rs, By-Laws, Articles of Incorporation, and Standards and Rules of CATHOA, as well as any laws, ordinances and regulations of any applicable governmental entity. The ACC is committed to maintaining a high degree of aesthetic value, quality lifestyle, and strong financial worth of all properties. In keeping with the original standards for the planned community development of CATHOA, the ACC seeks to continue the uniformity of design in the best interest of the community as a whole.

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Application Procedure

In accordance with the requirements in the CC&Rs, ***all Homeowners must obtain written approval of the ACC prior to commencing any work that alters the exterior appearance of any property.*** This includes any architectural or landscape project that significantly alters the appearance of the front, exposed side yard or buffer yards or significant changes to the property grading and drainage patterns, the addition of hardscapes, or any deviations from these standards. ***Failure to obtain prior written approval and / or to conform to prescribed standards and rules is a violation of the CC&Rs and may subject the Homeowner(s) to penalties, including fines per CATHOA's Violation Policy and Fine Schedule and / or other remedies such as alterations and / or removal of the project at the Homeowner's expense.***

1. Obtain an Application for Project Approval from the Casas Adobes Terrace HOA website (www.casasadobesterrace.com), the Management Company, or from the ACC. Complete the application and attach all pertinent documentation (i.e., scaled plans, setbacks from walls, structures and drainages, specifications, drawings, pictures, color samples, brochures, etc.). All deeded Homeowner signatures must appear on all ACC forms. ***Any required County permits and compliance with County codes and ensuring contractors comply with these standards and rules are the Homeowner's sole responsibility.***
2. Submit the completed application and supporting materials to the Management Company or ACC. Allow up to 45 days from submission for the ACC to review and act on the application. The Homeowner will be notified in writing of the committee's decision. The original form and attachments will be retained for ACC records. An appeal regarding a disapproved application may be submitted to the ACC or Management Company (CC&Rs Article XI, Section 2 Appeals, Page 26). Such appeal must be made in writing within 14 days of the date of the notice.
3. Work may begin upon written notification that the project has been initially approved. ***Unless otherwise specified, an approved application shall be valid for up to six months from the date of initial approval.*** Approved work should proceed in a timely manner and if not completed within the designated time, a new application must be submitted. Any changes made to an approved project without prior re-approval by the ACC will void the existing initial approval.
4. ***Homeowners must notify the ACC or Management Company to arrange for a final on-site inspection*** by the ACC on completion of the project to ensure that the final "as built" project is consistent with its initial approval (certain projects may require progress inspections as well) per CC&Rs Article IV, Section 1, V. Final ACC approval (or disapproval) after inspection by at least 2 ACC members will be provided in writing for the Homeowner's records.
5. The ACC shall provide a report to the CATHOA Board of Directors at its regular meetings.

Typical Projects and Requirements

The following list includes most projects and has been prepared for Homeowner convenience and flexibility. Each item states whether ACC approval is required or that you can proceed subject to the pre-approved conditions set forth therein. ***If you have a project that is not listed or any questions, please contact the Management Company or ACC before proceeding.***

1. Buffer Yards

Changes to buffer yard landscaping require ACC approval (CC&Rs Article IV, Section 1, D and Resolution 32514).

2. Decorations (House and Yard)

- a. These may be placed judiciously and kept to a modestly reasonable number on front exterior walls of the house, garage or in the front yard, and should be consistent with the Southwestern character of the development. They may not be fastened to any party or boundary block wall or be placed in buffer yards on corner lots.
- b. Strings or other types of decorative lights, bulbs, signs, figures, projected images, banners, balloons, ribbons, etc., may only be temporarily installed on the Homeowner's own property as decorations associated with Holidays, special events, etc. Placement on CATHOA property requires ACC approval. These temporary decorations may be done no earlier than 30 days prior to the commencement of a major Holiday or event and removed no later than 14 days after.

3. Drainage, Erosion and Grading

Drainage channels located on any property shall be maintained to provide proper drainage and prevent erosion. Any debris resulting from erosion or improper maintenance, including dirt, gravel, rock, etc., must be cleared from sidewalks and streets (CC&Rs Article X, Section 3). Maintenance and upkeep of existing drainage channels does not require ACC approval. **Changing drainage patterns requires ACC approval.** Drainage may not be diverted to neighboring properties.

4. Driveways and Entrance Walkways

- a. These may be sealed and coated. Colors and materials require ACC approval.
- b. These may be widened for ingress / egress convenience or additional permitted parking space (CC&Rs Article IV, Section 1, U amended). Asphalt is not permitted. ACC approval is required.

5. Encroachments

No tree, shrub or plant may interfere with the vision of a motorist or cyclist or overhang or otherwise encroach on any sidewalk from the ground to a height of eight feet (CC&RS Article IV, Section 1, R).

6. Flags and Flagpoles

Flying a flag as allowed by ARS 33-1808 is permissible on a staff attached semi-permanently to the house. ACC approval is required to erect a permanent freestanding flagpole or for flags not covered above or placement on CATHOA property.

7. Gazebos

These are freestanding structures with five (5) or more partially closed sides, sometimes with a raised floor and a peaked or domed solid roof. The overall exterior height at the highest point is not to exceed ten (10) feet at the peak of the structure. The overall size shall not exceed twelve (12) feet by twelve (12) feet with a minimum setback of eight (8) feet from perimeter walls [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it] and cannot be placed in front or side yards. Colors must be compatible to the house (visible roofs cannot be reflective). ACC approval is required.

8. General Appearance

- a. Homeowners shall keep all shrubs, trees, hedges and plantings on the front and buffer yards and easements neatly trimmed and shall keep all such areas properly cultivated and free of trash, weeds and unsightly material. (CC&Rs Article IV, Section 1, Paragraph D). Weeds are defined as any undesired or uncultivated plant that grows in profusion, (freely and abundantly), so as to crowd out a desired crop or disfigure a lawn or landscape. No wild or unplanted plants shall be allowed to grow; all must be removed as weeds. Removal (including dead stems) will be required by the 3x3x3 chart meaning weeds 3 inches tall or 3 inches wide or 3 plants in a 3 foot by 3 foot area.
- b. Homeowners are required to remove any and all dead plantings. If plant removal reduces the tree or shrub count below the minimums specified in 'Shrubs' and 'Trees', plant replacement is required.
- c. No clothesline may be visible from neighboring property.
- d. Driveways should be free of automotive fluid stains and spills. Oil pans, cardboard, carpet squares, etc., used to prevent stains must not be visible from the street when in use and removed when a vehicle is not parked over them.

9. Ground Cover

- a. All bare earth must be covered by crushed rock (not decomposed except in walkways, see Hardscapes). Colored rock (white, green, etc.) is not permitted. A minimum 3/8 inch and maximum 1 inch size rock shall be used. Re-rocking front and / or buffer yards requires ACC approval if changing existing color (samples may be required).
- b. Additional ground cover may consist of decorative or flowering plant material (dead stems must be removed) in limited areas for accent. River rock may be used for drainage only. Turf in front and buffer yards is prohibited.

10. Guttering and Runoff ('green') Storage Units

Gutters and downspouts require ACC approval. Drainage may not be diverted onto neighboring properties. Color must match the trim or house behind them. Runoff storage units may only be placed in rear yards and require ACC approval if over the wall height.

11. Hardscapes

Patios, sidewalks, terraces, decorative walls, boulders, etc., may be used to create an imaginative landscape design that is consistent with the Southwestern character of the development. Walkways may consist of brick, paving stone, flagstone, concrete, tile, decomposed granite, etc. Asphalt is not permitted. ACC approval is required for front or buffer yards.

12. Lighting

Additional lighting must be done at a reasonable level of illumination and direction so that it does not impair the enjoyment of neighboring properties or is a safety hazard into the street due to intrusion and / or glare. ACC approval is required if changing light fixtures on the front or side of the house (e.g., garage, entryway, etc.).

13. Mailbox Stands and Boxes

Replacement & maintenance that does not change the design or color may be undertaken. To maintain uniformity, all mailbox stands must have two straight, vertical, parallel legs of 1 inch square tubing with the same decorative flower design centered in the base and painted black. The height of the stand shall reasonably meet the postal standards. The boxes shall be the standard 6½ inches wide, 20-22 inches long, 9 inches high and painted black.

14. Outside Speakers

Outside speakers are not allowed to be placed in front or side yards. ACC approval is required for permanent speakers to be installed in rear yards. They cannot be operated so as to cause a nuisance (CC&Rs Article IV, Section 1, E).

15. Outside Storage Facility and Units Showing Above the Wall (e.g., sheds)

These are not permitted in front yards and must be used only for the storage of personal property of the resident, such as normal house and garden items. At no time shall any storage unit be used to house animals. Units above the wall height require ACC approval and may not be closer than six (6) feet to any wall [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it] and three (3) feet from the house structure. Fifty (50) feet setbacks are required from front streets. These may not exceed **seven (7) feet at its highest point and may not exceed eight (8) feet by eight (8) feet in size at the base of the unit**. The roof overhang may not exceed twelve (12) inches. The location must provide minimal visibility from the street or neighboring properties. Colors must be compatible to the house (visible roofs cannot be reflective). Additional concealment may be required, such as plants, trees or shrubs. The unit must be maintained in good condition or removal will be required.

16. Painting

Exterior repainting of the house or trim (must be darker than house) requires ACC approval if changing existing colors. Approved colors are available from CATHOA's website or Management Company. Samples are required if using a brand other than Dunn Edwards. Cables, pipes, conduits, boxes (junction, meter, etc.), roof flashing, vents, etc., must be painted the same color as the house, roof or trim behind them.

17. Patio Covers

These are attached, solid or nonsolid roof structures. Their length shall not exceed the rear width of the existing house structure. The maximum depth of any patio cover shall not exceed fourteen (14) feet from the existing wall line of the house structure. Colors must be compatible to the house (visible roofs cannot be reflective). ACC approval is required.

18. Pet Enclosures

These must be humane, safe and secure. Animals cannot be housed in front or side yards (the part of the backyard between the house and wall). Enclosures must be removable and placed in rear yards (the part of the backyard behind the rear line of house). They require a minimum setback from the perimeter walls of eight (8) feet [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it]. Units above the wall height [six (6) feet maximum] require ACC approval. No enclosure or animal shall constitute a nuisance or health / safety threat (CC&Rs Article IV, Section 1: B, E, J and X). Pet fence enclosures may not be fastened to any party or boundary block wall.

19. Ramadas and Shade Covers

These are freestanding structures with four (4) open sides, a ground level floor (if any) and flat roofs. The overall exterior height at the highest point shall not exceed nine (9) feet for a solid roof or eight (8) feet for a nonsolid roof. The overall size shall not exceed (14) feet by (14) feet maximum roof dimension at the outside edge, with a minimum setback of eight (8) feet from perimeter walls [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it] and cannot be placed in front or side yards. Colors must be compatible to the house (visible roofs cannot be reflective). ACC approval is required.

20. Recreation Equipment

Construction or installation of playground-type equipment, such as swing sets, climbing structures, play forts, basketball backboards, etc., must be reasonably sized and placed on the property so as to provide a minimum setback (from the base of the equipment) of eight (8) feet from the perimeter walls [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it]. No recreational equipment may be permanently placed in front yards. All such equipment shall be maintained or removal will be required. Basketball hoops and backboards must be collapsible or moveable, and should be collapsed when not in use. ACC approval is required.

21. Roofing

Replacing roofing that is visible from streets, common areas, or neighboring properties requires ACC approval of color and material. Actual samples are required. All flashing, drip edges, vents, etc., must be painted per paragraph 16 within 30 days of installation. Patio cover, gazebo, ramada, etc., roof color must be compatible to the house and cannot be reflective.

22. Satellite Dishes and Antennas

Per Federal Communications Commission rules, the CC&Rs (Article IV, Section 1, paragraph H, page 9) are specifically interpreted to allow for installation of dishes, DBS dishes, MDS dishes or MDS antennas, as long as they are dedicated solely to the reception of television, video, audio, data transmission signals. They should be located so as to be shielded from view from the street or other lots whenever possible. No poles will be allowed above the wall. Antennas may not be placed in front yards. No units may be fastened to any party or boundary block wall. Cables, boxes, conduits, etc., along the house must be painted to match the house color (reference 'Painting', 16) within 30 days of installation.

23. Security / Storm Doors and Wrought Iron Security Bars

These are acceptable, provided that they are of a compatible color tone to the house. They must meet Pima County Code #1204 and provide quick release safety features. Retractable security screening systems require ACC approval.

24. Shade Screens

The frames and screening of shade screens or other such devices must blend with the window to which they are affixed. No reflective materials may be installed in or on windows. **Awnings are not approved for installation in CAT.** Other shade or privacy-intended items, such as lattice screens for patios, must be painted to match the house color and not exceed eight (8) feet in height. Retractable solar screening systems require ACC approval.

25. Shrubs

Each property must have at least two (2) shrubs planted in the ground in the front yard. A shrub is defined as a woody perennial plant with multiple stems arising from the base or ground. Cacti and succulents are not shrubs.

26. Signs

Permitted signs in addition to those allowed by ARS 33-1808 on the Homeowner's own property are: Neighborhood Watch, security systems, painted curb address, no soliciting, private property, and "Homeowner" name or greeting plaque. ACC approval is required for signs not covered above and / or placement on CATHOA property (CC&Rs, Article IV, Section 1, M). Removal of a sign should its size or nature be excessive will be required.

27. Solar Devices

ACC approval is required per ARS 33-1816. The proposed locations of the solar panels and all conduits, cables, boxes, etc., must be shown on the application. Minimizing visibility from the street or other lots to the extent possible should be a consideration. All conduits, cables, boxes (including inverter), etc., must be painted to match the color of the house, trim, or roof behind them (reference 'painting', 16) within 30 days of the solar panel installation. Additional concealment such as trees, shrubs, placement behind walls, colored panels, etc., may be required.

28. Structures

Structures over the wall height require ACC approval if they are to be erected for more than 48 hours.

29. Swimming Pools and Spas

ACC approval is required. Any Homeowner who installs a swimming pool and / or spa assumes responsibility and liability for any damage to any adjoining properties from improper drainage or construction. This shall include the absolute restoration of any landscaping, irrigation, walls, etc. Installation must meet County codes. Accessories and / or features above the wall height such as diving boards, slides, ladders, waterfalls, shade covers, etc., must be six (6) from any perimeter wall [ten (10) feet from rear wall on a corner lot which is the side yard of the lot behind it]. Plans must include placement of related mechanical equipment with regard to noise and concealment in such a manner as to provide for the least possible notice from outside the property.

- a. In ground pools and spas must be done by a contractor licensed in their construction and installation. These must be located so that a minimum of five (5) feet exists between the side of the pool or spa from any perimeter wall.
- b. Above ground pools and spas must be located so that a minimum of six (6) feet exists between the side of the pool or spa and any elevated decking from any perimeter wall.

30. Trash / Recycling Containers and Concealment (e.g., Gate Coverings)

All containers must be ACC pre-approved **and** concealed from the street when not in use on collection days (CC&Rs, Article IV, Section 1, J) by either placement in the Homeowner's garage or behind rear yard walls (please reference 'Walls and Gates' below for concealment options by covering rear yard gates).

31. Trees

- a. Each property must have at least two (2) trees with a minimum height of six (6) feet when newly planted in the front yard. If the Homeowner feels the front yard is incapable of accommodating two (2) trees, he or she must apply for a variance from the ACC. A tree is defined as a woody perennial plant with a single main stem (trunk) and a head of branches and leaves at the top. All trees must be kept neatly trimmed. Suckers must be removed.
- b. Pima County prohibits the planting of mulberry and olive trees.
- c. Homeowners should consider the size of the tree canopy and root spread at maturity before planting trees close to property lines or yard perimeter walls and the location of utility and sewer lines.

32. Walls and Gates

- a. Additions or repairs to any party or CATHOA owned wall must be done by a licensed contractor. ACC approval is required. **Written consent from adjoining property owners is required.** Walls cannot be painted and materials used must match those of the existing structure and color (Royce / Young Block "Tan" for main and "Chocolate" for decorative). Permits may be required by Pima County. No units of any kind may be fastened to any party or boundary block wall (pet enclosures, solar devices, satellite dishes, etc.). The walls are not designed for any additional support. Homeowners assume responsibility and liability for any damage to a wall resulting from any activity or condition (plantings, construction, etc.) (CC&Rs Article IV, Section 1, Paragraph P).
- b. Homeowners are encouraged to cover rear yard gates with solid material (e.g., wood or black metal mesh, etc.) for concealment of items such as Trash / Recycle Containers, yard items, etc. Colors and materials require ACC approval. Uncovered gates and / or exposed frames must be painted black.

33. Windows

Replacing windows that are visible from streets, common areas, or neighboring properties requires ACC approval of color and material. Frames and screens must be a compatible color tone to the house. Repairs must match existing stucco in texture and color within 30 days of installation. No reflective glass or materials are allowed.