

THE RANCH HOMESTEADS Owners Association Design Guidelines



**The Ranch Homesteads
Owners Association**
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Legal Review is in process, change may be made

DESIGN GUIDELINES FOR CAREFREE RANCH HOMESTEADS

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1. INTRODUCTION & PHILOSOPHY

Each Lot within Carefree Ranch Homesteads is unique in terms of its natural opportunities and constraints. In order to take full advantage of those attributes, each Lot will require different approaches in design and construction. It is the intent of the architectural standards and design restrictions set forth in these Design Guidelines to preserve, protect, and enhance—to the extent justified—the special environment of Carefree Ranch Homesteads.

It is expected that the design of each Residence in Carefree Ranch Homesteads will be tailored to the unique features of each individual Lot in an effort to achieve a synthesis between nature and Residence. To preserve the natural features of each Lot, such as views, significant existing plant materials and washes, each Residence will need to be sited so as to minimize disruption of the existing environment.

These standards, affecting exterior configuration and appearance, are aimed at maintaining a community that harmonizes with the natural surroundings. They apply in addition to requirements set forth by governmental agencies and it is the obligation of Owners to become familiar with and comply with all such requirements.

A Design Review Committee (DRC), reporting to the Board of the Carefree Ranch Homesteads, will manage the process of applying the standards to all development. The actions and decisions of the DRC will be documented, and no work may be initiated without the review and approval of the DRC. It is the responsibility of the Owner to follow the design review process, gain the approval of the committee before commencing work, and to see to it that all contractors in their employ are familiar with and follow the standards.

The Design Guidelines have been prepared for use by all Property Owners in the Carefree Ranch Homesteads, and for the design control of all initial building construction and site improvements, and including, but not limited to, any subsequent site design revisions.

These Design Guidelines may be amended and reissued at any time by the Board of Directors of the Carefree Ranch Homesteads Homeowners Association, and shall be so binding upon all property in Carefree Ranch Homesteads. It is important to note that it shall be the responsibility of each Carefree Ranch Homesteads property owner to maintain the most recent edition of these Design Guidelines. A copy of the current Design Guidelines may be obtained from the Carefree Ranch Homesteads Homeowners Association through its Community Association Manager.

2. REVIEW & APPROVAL PROCESS

In order to assist each Owner in the planning and designing of his or her Residence to take full advantage of the unique opportunities of his or her Lot, a comprehensive design review process administered by the Carefree Ranch Homesteads Design Review Committee, herein called the Design Review Committee, has been established. This process provides an opportunity for the owner to draw upon expertise and knowledge which has been acquired during the planning and prior development of Carefree Ranch Homesteads. Under the Declaration, the Design Review Committee is charged with the responsibility of maintaining the standards set forth in the Design Guidelines. The Design Review Committee has the authority to review all designs proposed for-construction within Carefree Ranch Homesteads, issue all formal approvals or disapprovals of projects, and enforce the Design Guidelines. Each Residence must meet the criteria of the Design Guidelines. The Design

Review Committee may delegate its approval and disapproval authority to the Board of Directors of The Ranch Homestead Owners Association (the Board) and, during such period of delegation, any requirement herein for approval by the Design Review Committee shall be satisfied by approval of the Board.

In general, the design review process is divided into five phases:

- a) The Pre-Design Meeting,
- b) The Preliminary Submittal,
- c) The Final Submittal,
- d) The Construction Permit, and
- e) The Final Inspection

It is strongly recommended that an Owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular Lot and the Owner's special needs and the skill to translate this into building form, as well as the ability to convey to the Design Review Committee the concept and design of a proposed residence or other improvement, are all important elements of the design review process. If an Owner elects to do his or her own design or to retain non-professional services, and the result in either case is not approved by the Design Review Committee, the Design Review Committee has the right to require that that Owner thereafter utilize professional design services.

The design review process was developed to provide adequate checkpoints along the way, in an effort to minimize time and money spent on designs, which do not adhere to the Design Guidelines, or to the overall philosophy of Carefree Ranch Homesteads, and an attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each owner is himself responsible for complying with the Design Guidelines, as well as all rules and regulations of any governmental authority having jurisdiction, in order to bring the design review process to a speedy and satisfactory conclusion.

The Design Review Committee will conduct reviews of projects during its regular meetings or at such other times as it deems appropriate. Owners, Architects, or Builders shall have no right to attend any meeting of the Design Review Committee unless specifically requested to do so by the Design Review Committee. The Design Review Committee will respond in writing after a written submittal of all requirements is completed. The review will not begin until all required information has been provided to the Design Review Committee. Results of reviews will not normally be discussed over the telephone with an Owner or his or her Architect or Builder. Any responses an Owner may wish to make in reference to issues contained in the Design Review Committee's notice following review of submittals should be addressed to the Design Review Committee in writing.

The following is a procedural walk-through of the Review and Approval Process.

2.1 PRE-DESIGN MEETING

To initiate the review and approval process prior to preparing any drawings for a proposed improvement, it is necessary that the Owner and/or his or her Architect meet with a duly designated representative of the Design Review Committee to discuss the proposed Residence and to explore and resolve any questions regarding building requirements in Carefree Ranch Homesteads or interpretation of the Design Guidelines. This informal review is to offer guidance prior to the

initiation of preliminary design. An appointment for the Pre-Design Meeting should be made at least one week in advance.

2.2 PRELIMINARY SUBMITTAL

Preliminary drawings, including all of the exhibits outlined below, must be submitted to the Design Review Committee after the Pre-Design Meeting.

2.2.1 Preliminary Submittals shall include:

- a) A survey, at no less than 1" = 100', prepared by a registered land surveyor, showing Lot Boundaries and dimensions, existing surface contours at five foot intervals on U.S.C.G.S. datum, major terrain features such as washes, and all Protected Plants, highlighting those plant materials that will be removed during construction or that are within 20 feet of the proposed improvements. Each Owner submitting drawings for approval to the Design Review Committee shall be responsible for the accuracy of all information contained therein.
- b) A site plan, at no less than 1" = 40', showing the locations and areas of the Building Envelope, the Residence and all other buildings or major structures, access road, parking areas, patios, pools, walls, proposed utility service facilities and routes, site grading including existing and proposed contours and topographic features such as washes, rock outcroppings and existing trees and major shrubs to be retained and to be relocated, and elevations of all building floors, patios, and terraces, shown in relations to site contour elevations.
- c) Roof Plans and Floor Plans at no less than 1/8" = 1'0". Roof plans should show areas of flat and sloped roofs, direction of slope, and all roof mounted equipment. Roof Plans will show ridge heights and parapet heights and existing pre-construction topography with one-foot contour intervals. Contour lines must be legible beneath the footprint of any residence or other improvements.
- d) Exterior elevations of all sides of the residence, at the same scale as the floor plans, with both existing and proposed grade lines shown and all exterior materials and general colors indicated.
- e) A study model of the proposed improvements, at not less than 1/8" = 1'0", showing the relationship of all proposed improvements to the contours of the Lot may be required. Care must be taken to accurately represent the massing of all structures and roof.
- f) A Design Review Fee in an amount specified by the Design Review Committee. Please see the current Design Review Fee Schedule. Non-standard requests will be billed by the Association architect at an hourly rate.
- g) Any other drawings, materials, or samples requested by the Committee.
- h) A completed Design Application.

2.2.2 All accessory improvements contemplated on the Lot must be shown on the Preliminary Submittal.

2.2.3 To assist the Design Review Committee in its evaluation of the Preliminary Submittal, the Owner shall provide preliminary staking at the locations of the corners of the residence or major improvement, the access road, and at such other locations as the Committee may request.

2.3 POSTING OF PROPERTY

Not later than 10 calendar days after the submission of a request for approval of a building envelope and/or preliminary plans is complete, the Design Review Committee will send a notice to all owners stating that a request was submitted with respect to a particular lot and that the request will be made available for review by all owners during the period stated in the notice, which shall be no shorter than 10 days.

All owners shall be allowed to submit written comments to the Design Review Committee in connection with another owner's request for building envelope and/or preliminary plan approval for 10 days from the date of the notice provided for in this section. The Committee shall afford any such comments appropriate consideration.

Neighboring and other owners shall have no right of approval or disapproval of any request for building envelope and/or preliminary plans approval.

2.4 PRELIMINARY REVIEW

After the notice and comment period, the Preliminary Submittal will be deemed complete. The 30-day time period will not commence until the Preliminary Submittal is complete. The Design Review Committee will then review the submittal for conformance to these Design Guidelines and will provide a written response to the Owner. During such periods as the Design Review Committee has delegated its approval authority to the Board, the Board will provide the written response.

The preliminary is valid for a period of 12 months. After that time, if documents for the final review are not submitted to the Design Review Committee, then the applicant will forfeit all fees and be required to start the review process from the beginning.

2.5 FINAL SUBMITTAL

After preliminary approval is obtained, the following documents are to be submitted to the Design Review Committee for final approval.

2.5.1 Final Submittals shall include:

- a) Complete construction documents for the Residence including, in addition to all data noted in Section 2.2.1 paragraphs (b), (c), and (d), building sections as required to illustrate the building, all utility locations, electric meter and transformer locations, any adjustments to locations and/or areas of the Building Envelope or the Residence, and locations and manufacturer's catalog cuts of all exterior lighting fixtures.

- b) Samples of all exterior materials and colors, and window and glass specifications, mounted on a board clearly marked with Owner's name, filing date, and Lot number, and identified with manufacturer's name, color and/or number.
- c) A complete landscape plan, at the same scale as the site plan showing: Areas to be irrigated, if any; locations and sizes of all existing and proposed plants and any decorative features such as pools or imported rocks; and a list of all proposed plants.
- d) A hydrology report may be required, in a form determined by the Design Review Committee.
- e) A fully executed and notarized original copy of the Natural Area easement, including a legal description of the Natural Area, which must be delivered to the City by the Owner for recording upon final approval by the Design Review Committee.
- f) An approximate time schedule indicating approximate dates for starting and completion of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date.

2.5.2 All plants proposed for transplanting shall be tagged.

2.6 FINAL APPROVAL

Upon receipt of the complete Final Submittal, including any required staking; the Design Review Committee will review the submittal for conformance to these Design Guidelines and to any preliminary approval stipulations and will provide a written response to the Owner. During such periods as the Design Review Committee has delegated its approval authority to the Board, the Board will provide the written response. The Design Review Committee may disapprove an item shown on the final submittal even though it may have been evident and could have been disapproved at the preliminary submittal.

2.7 CONSTRUCTION PERMIT

Securing a building permit is the responsibility of the Owner and/or Builder. Construction shall be in accordance with the Final Submittal approved by the Design Review Committee.

2.8 ADDITIONAL CONSTRUCTION AND/OR EXTERIOR CHANGES

Any changes to the approved drawings before, during, or after the construction of an improvement must first be submitted to the Design Review Committee for approval and may be subject to additional fees. Field problems requiring revisions to the DRC approved final design plans shall be brought to the attention of the DRC for its written approval to proceed prior to any construction activity involving such revisions.

2.9 RESUBMITTAL OF DRAWINGS

In the event of disapproval by the Design Review Committee or its delegate, of either a Preliminary or Final Submittal, any resubmission of drawings must follow the same procedure as the original submittal.

2.10 WORK IN PROGRESS — INSPECTION

The Design Review Committee may inspect all work in progress and give notice of non-compliance if found. Absence of such inspection and notification during the construction period does not constitute either approval by the Design Review Committee of work in progress or of compliance with these Design Guidelines or the Declaration. Periodic inspections may be made by a member of the DRC to determine compliance with the Approved Final Design Submittal. Non-compliance with the approved drawings may result in the DRC issuing a Notice of Non-Compliance with a 10-day response period prior to issuing a “stoppage of construction” until the problem is corrected to the satisfaction of the DRC.

2.11 FINAL INSPECTION

2.11.1 Upon completion of any Residence or other improvement for which final approval was given by the Design Review Committee, the Owner shall give written notice of completion to the Design Review Committee. Such notice is required for return of the construction deposit. (See Section 5.1)

2.11.2 Within such reasonable time as the Design Review Committee may determine, but in not cases exceeding 30 days from receipt of such written notice of completion, it may inspect the residence and/or improvements. If it is found that such work was not done in compliance with the approved Final Submittal, it shall notify the Owner in writing of such non-compliance within 45 days of its receipt-of the Owner’s notice of completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same.

2.11.3 If, upon the expiration of 45 days from the date of such notification by the Design Review Committee, the Owner shall have failed to remedy such non-compliance, the Design Review Committee shall notify the Owner, and may take such action to remove the non-complying improvements as is provided in these Design Guidelines or the Declaration, including, without limitation, injunctive relief or the imposition of a fine.

2.11.4 If, after receipt of written notice of completion from the Owner, the Design Review Committee fails to notify the Owner of any failure to comply within the provided period following the Design Review Committee’s inspection, the Improvements shall be deemed to be in accordance with the approved Final Submittal.

2.12 NON-WAIVER

The approval by the Design Review Committee of any drawings or specifications for any work done or proposed, or in connection with any other matter requiring such approval under these Design Guidelines or the Declaration, including a waiver by the Design Review Committee, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval.

2.13 RIGHT OF WAIVER

The Design Review Committee reserves the right to waive or vary any of the procedures or standards set forth herein at its direction, for good cause shown.

2.14 ESTOPPEL CERTIFICATE

Within 30 days after written demand therefore is delivered to the Design Review Committee by any Owner, and upon payment therewith to the Design Review Committee of reasonable fee from time to time to be fixed by it, the Design Review Committee shall record an estoppel certificate executed by a quorum of its members, certifying with respect to any Lot of said Owner that, as of the date thereof, either (a) all improvements and other work made or done upon or within said Lot by the owner, or otherwise, comply with the Design Guidelines and the Declaration, or (b) such improvements and/or work do not so comply, in which even the certificate shall also (1) identify the non-complying improvements and/or work and (2) set forth with particularity the cause or causes for such non-compliance. Any purchaser from the Owner or mortgagee or other encumbrancer shall be entitled to rely on said certificate with respect to the matters therein set forth, such matters being conclusive as between the Association, the Design Review Committee, and all Owners and other interested Persons, and such purchaser, mortgagee, or other encumbrancer.

2.15 COMMENCEMENT OF CONSTRUCTION

Upon receipt of approval from the Design Review Committee, the Owner shall satisfy all conditions thereof and commence the construction, reconstruction, refinishing, alterations, or other work pursuant to the approved drawings within two years from the date of such approval. If the owner shall fail to comply with this paragraph, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the Design Review Committee prior to the expiration of said two year period and upon a finding by the Design Review Committee that there has been no change in circumstances, the time for such commencement is extended in writing by the Design Review Committee. The Owner shall, in any event, complete the construction, reconstruction, refinishing, or alteration of the foundation and all exterior surfaces (including the roof, exterior walls, windows, and doors) of any improvement on his or her Lot within two years after commencing construction thereof except when, and for so long as, such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities. If the owner fails to comply with this paragraph, the Design Review Committee may notify the Association of such failure and the Association, at its option, shall either complete the exterior in accordance with the approved drawings or remove the improvement and the Owner shall reimburse the Association for all expenses incurred in connection therewith.

The Property Owner shall commence construction within six (6) months of the date of the Final Design Review Approval Letter. If construction is not commenced within this time period, the Property Owner shall arrange a meeting with the DRC to determine if any revisions have been made to the Design Guidelines since the date of the Property Owner's Final Design Review Approval Letter.

The Property Owner shall then be responsible to comply with the current edition of the Design Guidelines. Such additional compliance requirements will be outlined at this meeting by the Management Company. If construction does not commence within 12 months of the same date, the previous approval and fees become void and the Property Owner must re-apply for review and approval.

3. SITE DEVELOPMENT GUIDELINES

The upper Sonoran Desert landscape at Carefree Ranch Homesteads is fragile and may take years to naturally mitigate impacts to site or vegetation. To address these concerns, the City has also developed regulations intended to provide protection for the natural desert areas. Although an effort has been made to have these Design Guidelines be consistent with the City's regulations, each Owner, through his Architect, is responsible for reviewing applicable City regulations and making certain they are complied with. As outlined below, each Lot consists of the Natural Area and the Building Envelope, which includes a Transitional Area and a Private Area. The following site development standards deal with issues of siting, grading, excavation and landscaping.

3.1 BUILDING SITES

The Building Site is that area within each Lot at which a residence can be best located considering topography, views, and existing main road systems, access roads, and utility services. With the approval of the Design Review Committee and the City of Scottsdale, a Homestead may be split into no more than three Ranch Sites with none totaling fewer than five acres. A survey of the property must be provided to the DRC with the home sites located on a topographical map for review and approval prior to submission to the City of Scottsdale. Building Sites may be identified by the Owner taking into account lot lines, setbacks and maximizing natural views for the Owner and neighboring Owners, subject to the approval of the Design Review Committee. Sites should be on the most natural, buildable locations on the original Homestead and should be located so as to minimize both the excavation of the property and impact upon neighboring home sites.

3.2 BUILDING ENVELOPE

The Building Envelope is that area of each Building Site within which all improvements must be built and alterations to the existing landscaping may occur. A suitable Building Envelope, based on the natural features of the Lot, views, relationships to neighboring building sites and topography, will be established by each Ranch Owner and will be subject to approval by the Design Review Committee.

The Building Envelope acts as a limit beyond which no construction activity, including storage of materials or equipment, may take place and, once established, it may not be altered except with the approval of the Design Review Committee. Building Envelopes must conform to city and all other governmental regulations. Since the Building Envelope is a maximum conceptual allowable building area, screen walls, berms or other landscaping elements will not be permitted arbitrarily, or without relation to other elements of the residence, to define its borders.

Building envelope approvals do not expire and remain in effect forever unless modification is permitted by the Design Review Committee

3.3 NATURAL AREA

The Natural Area is that portion of the Lot which lies outside of the Building Envelope and must remain as natural desert in accordance with City regulations. Irrigation of the Natural Area is not permitted since the indigenous vegetation does not require additional water. Irrigation of the Natural Area can lead to disease and death of the native plants, particularly cactus, and can aid in the spread of undesirable plant species or weeds. After approval by the Design Review Committee, the Owner

will be required by the City to execute and record a Natural Area Easement in the form required by the City, to include a satisfactory legal description of the Natural area which may require the preparation of a survey of the Lot at his or her expense, and which can be amended after recording only with the approval of the Design Review Committee and the City. The Owner is responsible for preserving with the City the right to develop other Building Sites on the Lot.

3.4 TRANSITIONAL AREA

The Transitional Area is that part of the Building Envelope which lies between the Natural Area and the wall of a Residence or Improvement and is visible from adjacent properties, streets, or public spaces. Upon completion of construction, the disturbed portions of this area must be replanted to match the adjacent Natural Area in appearance. An irrigation system, carefully designed to avoid overspray or runoff onto the Natural Area, must be installed to maintain the transitional planting until it has become established (approximately 1 year). At that time, the system must be abandoned and all visible artifacts of the system must be removed.

3.5 PRIVATE AREA

The Private Area is that part of the Building Envelope which is hidden behind walls (minimum five (5) feet in height) or structures. The Private Area is the least restrictive in terms of what plants, shrubs, and trees can be planted therein. These include those plant materials listed in Appendix D (Approved Plants), and, if first approved in writing by the Design Review Committee, any other plant not included in Appendix E (Prohibited Plants). The Private Area includes, for example, a courtyard or atrium or the area behind a wall where non-indigenous plants would be appropriate despite their increased watering needs. The Private Area may be designed as a mini-oasis area which may be as lush and varied as desired by the Owner; however, all plants which are visible from a street or public area or from an adjacent Lot must be one of the plants listed in Appendix D or be approved by the Design Review Committee.

3.6 SKYLINING

Skylining will be discouraged whenever a reasonable alternative is available. When buildings are situated below ridge lines they become more a part of the land and the overall impression of privacy and undeveloped natural desert is enhanced. Frequently, the highest point with the broadest view achieves its ultimate value when used as a patio terrace or cookout area.

3.7 PROHIBITED PLANT LIST

The plant materials set forth in Appendix E include species with characteristics which are potentially destructive to the Natural Areas and to indigenous plants by reason of profuse and noxious pollen, excessive height, weed-like characteristics of excessive growth, high water demands, and similar traits. Under no circumstances is it permissible to plant any Prohibited Plant in Carefree Ranch Homesteads.

3.8 PROTECTED PLANTS

Protected Plants are those desert plants which must be protected pursuant to City regulations. Improvements should be sited to avoid these protected species if at all possible; however, they may be carefully transplanted. It is recommended that competent professionals be consulted prior to

transplanting any desert plant materials and the Design Review Committee may require replacement of any plant which dies during transplanting, with a plant of the same species and size.

3.9 SITE WORK

While the natural topography in Carefree Ranch Homesteads varies considerably from Lot to Lot, the following general limitations will apply in the absence of special circumstances justifying exceptions as may be approved by the Design Review Committee:

- a) The visual impact of cut and fill should be minimized following completion of construction;
- b) No change in natural or existing drainage patterns for surface waters shall be made upon any Lot that could adversely affect another owner;
- c) No Protected Plants shall be damaged, destroyed, or removed from any Lot, although such plants outside the Natural Area Easement may be relocated;
- d) Retaining walls and other walls not directly supporting a building structure, except screen walls, shall not be excessive in height, measured from the lowest natural grade adjacent to the wall. The appearance of such walls over six (6) feet in height must be softened by landscaping with trees or large shrubs. Screen walls may not exceed four (4) feet eight (8) inches in height measured from natural grade in the manner described above retaining walls.

In the event of any violation of (a) or (b) above, the Design Review Committee or the Association may cause the Lot to be restored to its state existing immediately prior to such violation; or, in the event of any violation of (c) above, cause to be replaced any Protected Plant which has been improperly removed or destroyed with either a similar plant in type and size or with such other plant as the Design Review Committee may deem appropriate. The Owner of such Lot shall reimburse the Design Review Committee and the Association for all expenses incurred by them under this paragraph provided however that, with respect to the replacement of any plant, the Owner shall not be obligated to pay an amount in excess of the expenses which would have been incurred by the Design Review Committee or the Association had they elected to have replaced the damaged, destroyed, or removed Protected Plant with a plant similar in type and size. In addition, certain fines might be imposed under the Native Plant Ordinance of the City. The Design Review Committee shall have the right to require complete or partial restoration of cut areas.

3.10 PARKING SPACES.

All parking areas are subject to approval by the DRC. Each Residence shall contain permanent parking space within the Lot for at least two automobiles in an enclosed garage either attached to or detached from the main structure of the Residence. A minimum of two (2) additional parking spaces should be provided to accommodate guest parking. No on-street parking will be permitted for resident's vehicles. Views of guest parking areas from adjacent Lots, streets, or public spaces must be mitigated and diffused by screen, walls or a combination of screen walls and landscaping. Walls shall be between 36" and 48" high. Landscaped berms may also be used. No exterior storage of recreational vehicles or boats will be-permitted.

3.11 SITE DRAINAGE AND GRADING

Site drainage and grading must be done with the minimum disruption to the Lot. Surface drainage shall not drain to adjoining Lots or open spaces except as established by natural drainage patterns, nor cause a condition that could lead to offsite soil erosion on open spaces. It is the intent of these Guidelines to discourage excessive cut and fill and no grading may be done outside the Building Envelope. Any alterations to washes carrying 50 cubic feet per second or more resulting from a 100-year storm may require special consideration for approval by the Design Review Committee.

3.12 SETBACKS

All setbacks will be reviewed on the merits of the submitted site plan design.

- A. Setbacks to the building envelope: 60 feet. This area shall remain in an undisturbed natural condition.
- B. Minimum distance between buildings on adjacent Lots: 300 feet
 - I. The Design Review Committee shall relax this requirement if enforcement thereof would render it impossible to establish 300' between buildings on adjacent lots.
 - II. The Design Review Committee shall have discretion to relax this requirement if enforcement would in the opinion of the Committee substantially impair the use and enjoyment of a lot.
- C. All proposed lot splits shall take into account this 300' setback requirement. Any application for a lot split which would cause a resulting lot to have difficulty complying with this requirement will not be looked upon favorably by the Committee.
- D. Minimum distance between main and accessory buildings on a lot: 10 feet

Distances in excess of these minimums may be required by the Committee.

There is no requirement that a lot's building envelope or any building located or planned thereon be set back 150' from the lot's property line. This provision shall have no effect on any other setback requirement contained in section 3.12 of the Design Guidelines or elsewhere.

3.13 ACCESS ROADS

An Access Road is a private road from a common road to a residence on a Homestead or Ranch Site. Each Building Site will have only one Access Road, designed so as to blend unobtrusively into the existing terrain and located so as not to be readily visible from main roads. A second Access Road may be approved by the DRC in cases of demonstrated need. Perpendicular crossing of ridge lines will be discouraged. Access Road locations must be approved by the Design Review Committee as a part of the Building Envelope approval process and no Access Roads or trails may be established without such approval. All Access Roads shall be constructed of materials approved by the Design Review Committee. Access Roads shall be a maximum of 16 feet wide and shall intersect main roads in such a way as not to interfere with drainage in the main road right-of-way.

3.14 WASHES AND DRAINAGE EASEMENT

These natural drainage ways occur frequently throughout Carefree Ranch Homesteads and should not be obstructed. Structures and other improvements should be sited to avoid washes, although they can

be sited at the edge of a wash. Bridging by buildings, and other improvements designed so as not to obstruct 100-year storm flows, is encouraged.

Drainage easements have been established encompassing some washes with projected 100-year storm flows greater than 50 cubic feet per second. These easements are areas of special consideration due to the potential for water flows of a high volume and must remain unaltered and unobstructed. As with any wash, improvements designed and constructed to bridge these easements are encouraged; however, in such cases, if required by the Design Review Committee, a backwater flood analysis prepared by a licensed civil engineer and ensuring the safety and feasibility of the design must be submitted, and will be subject to review, by a licensed civil engineer retained by the Design Review Committee.

3.15 SPORTS/TENNIS COURTS

Sports/tennis courts may be located on any Lot within Carefree Ranch Homesteads subject to DRC approval; however, they may not be artificially lighted for night play.

3.16 BASKETBALL HOOPS

Basketball hoops and backboards may be installed on any Residence, subject to approval by the Design Review Committee.

3.17 ADDRESS IDENTIFICATION

Individual address identification devices for each approved Residence may be installed by the Lot Owner after approval by the Design Review Committee. Such devices must utilize the same materials and colors as the residence and must reflect its design character. No “unique” identification devices will be permitted. No additional signage detached from the residence will be permitted, except temporary construction signs or other signs as permitted by the Declaration and approved by the Design Review Committee.

3.18 EXTERIOR LIGHTING

The goal of these Design Guidelines and the Design Review Committee is the creation of unified, natural effect which will not interfere or compete with the dramatic nighttime panorama of views of the desert, surrounding mountains and the valley below. Any exterior lighting on individual Lots must be approved by the Design Review Committee and will be approved only if it is limited to a small area within the Building Envelope, is of low intensity, and does not result in excessive glare. Special lighting regulations may also be established by the City and the Design Review Committee.

Holiday, festive, and special occasion lighting is considered as temporary lighting only. Such lighting should not be excessive, should be used for very limited duration, and should not unduly disrupt the views of neighbors.

All exterior building and site lighting shall have full solid surfaced “shields,” or be recessed so that no direct “bulb or ‘hot spot’ light” is visible from any street inside or outside of Carefree Ranch Homesteads, nor from any adjacent neighbor’s property. Exterior “porch” or covered patio ceiling lights must be recessed in “can type” fixtures or, if not recessed, have solid surfaced fully shielded lamps to eliminate the viewing of any and all direct light source or lamp “hot spots” from all streets

and adjacent properties. This restriction includes exterior ceiling fan light kits, and all exterior wall mounted or “sconce” lighting fixtures. If wall mounted solid surfaced fully shielded (or “bullet” type) flood lights are proposed to be used for security reasons, such light fixtures shall not only be pre-approved by the DRC, but shall be directed downward only and shall comply with the restrictions for viewing the light fixture’s “hot spots” noted herein.

3.19 UTILITY SERVICES

All utility lines serving a lot must be located underground and must be located below the driveway.

3.20 SEWAGE SYSTEMS

Each Lot owner shall provide his or her own sewage disposal system, in conformance with applicable regulations. The system must have no adverse effect on the quality of natural water supplies, plant life, or animal life.

4. ARCHITECTURAL DESIGN GUIDELINES

The following architectural standards have evolved in response to climatic and aesthetic considerations in Carefree Ranch Homesteads. During the summer months the intense sun creates a climate which should be moderated by various design devices, such as keeping buildings at or below grade, shading window openings and courtyards, and not using reflective exterior materials or colors which will increase glare.

4.1 NO REFLECTIVE FINISHES

No highly reflective finishes except glass, which may not be mirrored or opaque, and door hardware shall be used on any exterior surfaces.

4.2 BUILDING HEIGHTS

The terrain of Carefree Ranch Homesteads is varied and unique, with ridges, valleys and other changes in elevation, making absolutely uniform applicability of height restrictions for Residences inadvisable. These Design Guidelines are intended to encourage and/or prevent any Residence or other structure which would appear excessive in height when viewed from a street, public space, or other Lot, and/or which would appear out of character with other Residences because of height. Consequently, despite the maximum heights generally permitted as hereinafter specified in this paragraph 4.2, the Design Review Committee, even though a proposed Residence or other structure may comply with said maximum height restrictions, nevertheless may disapprove a proposed Residence or other structure if, in the opinion of the Design Review Committee, it would appear excessive in height when viewed from a street, public space, or other Lot, and/or would appear out of character with other Residences or undesirably prominent because of height (these considerations will be of particular importance as to Residences to be constructed on sites along tops of ridges and special attention should be paid to Section 3.6 "Skylining"). Without limiting the generality of the preceding sentence, in such circumstances the Design Review Committee could refuse to allow any portion of the Residence or other structure to exceed the 24 foot standard maximum height for a flat roof Residence or the 25 foot six (6) inch standard maximum height for residences with sloping roofs as hereinafter provided. Because the desert vegetation is low, scarcely ever exceeding 20 feet in height, and because the Carefree Ranch Homesteads philosophy envisions Residences that tend to blend with, rather than dominate the environment, single story multi-level buildings are encouraged. Residences may be sited partially below grade. The maximum height of any building mass of a Residence may not exceed 24 feet, measured to the tops of the surrounding parapets on flat roofs or 25 feet six (6) inches measured to the top of the ridge on sloping roofs; except that a maximum of one-third of the enclosed livable area of the Residence may exceed these limits to a maximum of 26 feet measured to the top of surrounding parapets on flat roofs or 27 feet six (6) inches measured to the top of the ridge on sloping roofs. Single slope or "shed" roofs shall conform to the height limitations for flat roofs. Unless otherwise approved by the Design Review Committee, each Residence shall be composed of at least three visual building masses of differing heights. No wall shall have an unbroken height of more than 20 feet. While it is anticipated that building masses will follow natural site contours, nothing in these guidelines shall prohibit Residences with a single floor level provided the building height limitations are met. One chimney on each roof may be constructed to a height not to exceed 6 feet above the roof line. All measurements are to be from original and undisturbed ground that existed prior to site preparation directly under the point being measured.

4.3 BUILDING SIZES

It is expected that Residences will contain at least 3500 square feet of living area; however, small residences may be approved by the Design Review Committee if, in its opinion, the design would not result in a Residence which would be out of character with the other Residences in Carefree Ranch Homesteads.

4.4 ROOFS

Since roofscapes will form an important part of the visual environment, they must be carefully designed. It is intended that neither flat roofs nor pitched roofs predominate. Pitched roofs shall be hipped and may have a maximum slope of 6 to 12. Mansard roofs are prohibited. However the Design Review Committee shall have the authority to approve partial gable or shed roofs when, in its judgment, they do not add to a residence's visual massiveness. Dominant roof colors such as white, black and red and reflective roof surfaces are prohibited. Roof mounted mechanical equipment is prohibited unless in the judgment of the Design Review Committee, it does not adversely affect views from streets, other Lots, or public spaces. When permitted, such equipment must be screened from view from streets, other Lots, or public spaces.

4.5 COLORS

Colors must be muted tones chosen to blend with the natural colors of the vegetation and mountains as seen from a distance. Colors must conform to the City of Scottsdale light reflective values. Since residences at Carefree Ranch Homesteads will be seen from above and from great distances, colors should be chosen to blend rather than to contrast with the Residence's surroundings. Darker, rather than lighter colors are preferred and may be required. Subdued accent colors may be used subject to Committee approval on an individual case basis. The Design Review Committee may prepare a list of approved colors for use within Carefree Ranch Homesteads. Flat roofs may be surfaced with a material whose color harmonizes with the natural desert but does not contrast with the building walls or may be painted to match the building walls.

4.6 MATERIALS — EXTERIOR SURFACES

Exterior surfaces must generally be of materials that harmonize with the natural landscape. Stone masonry, painted slump block, or stucco should be the predominant exterior surfaces. They provide an outer surface to withstand the climate extremes. Large expanses of wood will not weather well in desert conditions and might not be approved. Other durable materials may also be approved.

4.7 BUILDING PROJECTIONS

All projections from a building including, but not limited to, chimney caps, vents, gutters, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project, unless otherwise approved by the Design Review Committee. All building projections must be contained within the Building Envelope.

4.8 ANTENNAE

No antennas will be allowed except for those antennas or satellite dishes that are governed by 47 C.F.R. § 1.400 (Over-the-Air Reception Devices Rule). Any device governed by 47 C.F.R. § 1.400 must be mounted, to the extent reasonably possible, so as not to be visible from neighboring property. Furthermore, such device and all related equipment shall be painted to match the color of the home to the extent such painting does not void the manufacturer's warranty or interfere with the signal.

4.9 SKYLIGHTS AND WINDOWS

Skylights are not recommended because they are a source of heat gain and undesirable reflections. If used, they must be located so as to minimize their visibility from other Lots, particularly those above, and they should not cause any objectionable glare.

Windows should be located and sized so as to limit summer heat gain to the Residence's interior and not to cause any objectionable glare at any time.

4.10 PATIOS AND COURTYARDS

Patios and courtyards should be designed as an integral part of the Residence so they can be shaded and protected from the sun by roofs and building masses. By orienting these outdoor spaces inward, disturbance of the desert will be minimized.

4.11 SOLAR APPLICATIONS

Passive solar applications or the orientation and design of the Residence for maximum winter sun gain will reduce the winter heating needs, and will be encouraged. Solar collectors can cause excessive glare and reflection. Therefore, all solar collectors must be planned to integrate with the structures or landscaping on the lot and be the least visible that is possible to still obtain solar energy.

4.12 SCREEN WALLS

Screen walls should be a visual extension of the architectural design of the Residence. They may be used to separate the Private Areas from the rest of the Building Envelope and as screening for parking and service areas. They may not be used to delineate property lines or to arbitrarily delineate the Building Envelope. The colors of walls must conform to the same color standards described in Section 4.5 of these Design Guidelines.

Finish materials on all building walls and screen walls must be continued down to finish grade, thereby eliminating unfinished foundation walls.

4.13 SERVICE YARD

All above-ground garbage and trash containers, clotheslines, mechanical equipment, and other outdoor maintenance and service facilities must be screened by walls from other Lots, streets, or public spaces.

4.14 GUEST HOUSES AND GUEST SUITES

Such structures should be designed as a single visual element with the Residence, and should be visually related to it by walls, courtyards, or major landscape elements. The Guest House must comply with Scottsdale zoning regulations. A Guest House can be constructed on any Lot, with approval from the Design Review Committee. A Guest Suite may be incorporated into any Residence. No Guest House or Guest Suite may be leased or rented, separate and apart from the lease or rental of the main house.

4.15 NO VISIBLE STORAGE TANKS

All fuel tanks, water tanks, or similar storage facilities shall either be shielded from view by walls or structures or shall be located underground with all visible projections screened from view.

5. CONSTRUCTION REGULATIONS

In order to assure that the natural desert landscape of Carefree Ranch Homesteads is not unduly damaged during construction, the following Construction regulations should be made a part of the construction contract documents for each Residence or other Improvements on a Lot. All Builders and Owners shall be bound by these Regulations and any violation by a Builder shall be deemed to be a violation by the Owner of the Lot.

5.1 CONSTRUCTION DEPOSIT

To guarantee that these Regulations are adhered to, each Builder, before beginning any construction, shall post a construction deposit with the Design Review Committee. Should it become necessary for either the Design Review Committee or the Association to remedy any violation of these Regulations, the costs of such remedy will be charged against the construction deposit.

5.2 PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the Builder may be required to meet with a representative of the Design Review Committee to review construction procedures and to coordinate construction activities. Owners or their Builders must provide the DRC, the Ranch Homesteads Management Company, and the Pima security gate with a list of contractors and sub-contractors who will be working on the project so that these groups are aware of who will be entering the community and so that the security gate staff can allow those persons access to the site. It is the responsibility of the Owners and Builders to keep this list up to date. The Builder will sign a document stating the Builder has read and understood the Design Review Guidelines prior to being granted permission to proceed with construction. If circumstances warrant, the DRC may deny entrance to a contractor or sub-contractor. Also, please see the current Design Review Non-Compliance fine schedule which outlines substantial fines for failure to obtain or comply with DRC approvals.

5.3 OCCUPATIONAL SAFETY AND HEALTH ACT COMPLIANCE (OSHA)

All applicable OSHA regulations and guidelines must be strictly observed at all times.

5.4 CONSTRUCTION TRAILER, PORTABLE FIELD OFFICES, ETC.

Any Owner or Builder who desires to bring a construction trailer, field office, or the like to Carefree Ranch Homesteads shall first apply for and obtain written approval from the Design Review Committee. To obtain such approval he shall submit a copy of the architect's site plan with proposed locations for the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction. The Design Review Committee may place additional requirements on the Builder regarding placement of construction trailer or field office, including requiring the same to be painted to blend with surroundings or screened with landscaping.

5.5 FENCING

To protect the Natural Area of a Lot from damage due to construction operations, a chain link barrier shall be installed to completely enclose the Building Envelope. The chain link barrier shall follow the

alignment of the Natural Area Easement line or inside thereof. A chain link barrier will not be required along the Access Road, between the main road and the Building Site.

5.6 DEBRIS AND TRASH REMOVAL

Builders shall clean up all job related trash and debris on the construction site, Access Roads, and neighboring Common roads at the end of each day. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Lightweight material, packaging, and other items shall be covered or weighted down to prevent them from being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere on Carefree Ranch Homesteads except as expressly permitted by the Design Review Committee. During the construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots or any open space. Unsightly dirt, mud, or debris resulting from activity on each construction site shall be promptly removed and the general area cleaned up. See Section 5.4 for the required submittal. The Property Owner, through his/her General Contractor, shall be responsible to provide an on-site construction debris dumpster which shall be located within the Building Envelope and behind the required barrier fencing. Such dumpster shall be used for the storage and periodic removal of all site development and building construction debris and waste materials generated on the Project site throughout the duration of construction. Such dumpster(s) shall be the only area of the construction site within which excess debris is allowed to be stored or piled up until full. When full, the Contractor shall require the waste removal company to either replace the dumpster(s) with an empty one, or remove it completely from the construction site.

5.7 SANITARY FACILITIES

Each Builder shall be responsible for providing adequate sanitary facilities for his or her construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the Building Envelope or in areas approved by the Design Review Committee. See Section 5.4 for the required submittal.

5.8 VEHICLES AND PARKING AREAS

Construction crews shall not park on, or otherwise use, other Lots or any open space. Private and construction vehicles and machinery shall be parked only within the Building Envelope or in areas designated by the Design Review Committee. All vehicles shall be parked so as not to inhibit traffic.

5.9 CONSERVATION OF LANDSCAPING MATERIALS

Builders are advised that the Lots and open spaces of Carefree Ranch Homesteads contain valuable native plants and other natural features such as topsoil, rock outcroppings and boulders that should be absolutely protected during construction. The Carefree Ranch Homestead's philosophy of plant material conservation is based on the City's "Native Tree Preservation Regulations" (See Appendix F). The standards set forth therein shall be strictly followed.

5.10 EXCAVATION MATERIALS

Excess excavation materials must be hauled away from Carefree Ranch Homesteads.

5.11 BLASTING

Applicable governmental regulations concerning blasting must be observed.

5.12 RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGES

Damage and scarring to other property resulting from construction operations, including, but not limited to, open space, other Lots, roads, driveways, and/or other Improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored, promptly at the expense of the Builder. If construction will require damage to and blockage of Association maintained roadways, the Owner or his or her Builder must provide the Association with prior notification and receive approval for the timing and duration of the blockage.

5.13 FIRE SAFETY

Owners and their agents are responsible for maintaining a fire safe work area.

5.13.1 Immediately upon the start of work on any construction site, a fully operational 10 to 15 pound ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.

5.13.2 City of Scottsdale water service should be brought to the site as early in the construction process as possible and made available with hose bibs or other appropriate hose fittings and hoses so that water will be available in the event of an emergency.

5.13.3 All contractors, sub-contractors, and property owners should implement smoking regulations not only at the construction site but also while workers are in transit to and from the site.

5.13.4 If smoking is permitted on the construction site, “butt cans” filled with sand must be placed throughout the area and workers must be required to thoroughly extinguish all smoking materials and place them in the cans. If they do not, and discarded smoking materials are found on or around the site, the property owner can be fined. Construction sites will be monitored by representatives of the Association.

5.13.5 Inflammable materials must be stored and handled with care and concern for fire safety.

5.13.6 If the DRC finds evidence of failure to comply with fire safety requirements they may issue a written warning. If the situation is not remedied, the DRC may prohibit the General Contractor and all sub-contractors access within the Homesteads.

5.14 MISCELLANEOUS AND GENERAL PRACTICES

All Owners will be absolutely responsible for the conduct and behavior of their agents, representative, Builders, contractors, and sub-contractors while on the premises of Carefree Ranch Homesteads. The following practices are prohibited:

5.14.1 Changing oil on any vehicle or equipment on the site itself or at any other location within Carefree Ranch Homesteads other than at a location designated for that purpose by the Design Review Committee.

5.14.2 Allowing concrete suppliers, plasterers, painters, or any other sub-contractors to clean their equipment at locations other than those specifically designated for that purpose by the Design Review Committee.

5.14.3 Removing any rocks, plant material, topsoil, or similar items from any property of others within Carefree Ranch Homesteads, including other construction sites.

5.14.4 Carrying any type of firearms within Carefree Ranch Homesteads.

5.14.5 Using disposal methods or units other than those approved by the Design Review Committee.

5.14.6 Careless treatment or removal of any desert plant materials not previously approved for removal by the Design Review Committee.

5.14.7 Bringing pets, particularly dogs, into Carefree Ranch Homesteads by construction personnel. In the event of any violation hereof, the Design Review Committee, or the Association, shall have the right to contact City or Maricopa County authorities to impound the pets, to refuse to permit the Builder or sub-contractor involved to continue work on the project or to take other such action as may be permitted by law, or these Design Guidelines.

5.15 CONSTRUCTION ACCESS

The only approved construction access during the time a Residence or other Improvement is under construction will be over the approved Access Road for the Lot unless the Design Review Committee approves an alternative access point. In no event shall more than one construction access be permitted onto any Lot. Members of the Homesteads Design Review Committee shall have full access to the site during construction and until the Design Review Committee gives its final approval of the project, as constructed, to ensure compliance.

5.16 DUST AND NOISE

The Builder shall be responsible for controlling dust and noise, including without limitation music, from the construction site.

5.17 CONSTRUCTION SIGNAGE

Temporary construction signs shall be limited to one sign per site not to exceed six square feet of total surface area. The sign shall be free standing and its design within the Building Envelope and location shall be subject to approval by the Design Review Committee.

5.18 NOTIFICATION OF RULES AND REGULATIONS

The Owner or his/her Builder will be supplied with a packet of all rules and regulations by Carefree Ranch Homestead's management company at the time the construction deposit is received. The Owner or his/her Builder will acknowledge in writing receipt of the rules and regulations.

5.19 DAILY OPERATION

Daily working hours for each construction site shall be from 30 minutes before sunrise to 30 minutes after sunset; but not before 6:00 a.m. or after 6:00 p.m. in any case, unless other hours are designated in writing by the Design Review Committee. Construction will not be permitted on Sundays.

6. APPENDICES

APPENDIX A
DEFINITIONS

Unless the context otherwise specifies or requires, the following words or phrases when used in these Design Guidelines, shall have the following specific meanings. Terms used herein which are defined in the Declaration shall have the meanings specified therein.

1. “Architect” means a person appropriately licensed to practice architecture or landscape architecture in Arizona.
2. “Association” means The Ranch Homestead Owners Association, as defined in the Declaration.
3. “Board” means the Board of Directors of the Association.
4. “Builder” means a person or entity engaged by an Owner for the purposes of constructing any improvement on the Owner’s Lot. The Builder and Owner may be the same person or entity.
5. “Building Envelope” means that portion of a Lot, as described in Section 3.2, which encompasses the maximum allowable developable area of the Lot.
6. “City” means the City of Scottsdale, Arizona, a municipal corporation of the State of Arizona.
7. “Design Guidelines” means the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Carefree Ranch Homesteads, as amended from time to time.
8. “Declaration” means the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Carefree Ranch Homesteads, as amended from time to time.
9. “Design Review Committee” means the Design Review Committee established pursuant to the Declaration.
10. “Excavation” means any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching which results in the removal of earth, rock or other substance from a depth of more than 12 inches below the natural surface of the land, or any grading of the surface.
11. “Fill” means any addition of earth, rock or other materials to the surface of the land, which increases the natural elevation of such surface.
12. “Guest House” means sleeping facilities incorporated into the main Residence for the use of one or more guests.
13. “Guest Suite” means sleeping facilities incorporated into the main Residence for the use of one or more guests.

14. "Homestead" means a numbered parcel as shown on the Plat as defined in the Declaration.
15. "Improvement" means any changes, alterations, or additions to a Lot, including any excavation, fill, Residence or buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, hedges, poles, signs, landscaping, and any structure or other improvement of any type of kind.
16. "Lot" means any Homestead or Ranch Site.
17. "Natural Area" means that portion of the natural desert, which must remain undisturbed, lying within a Lot but outside of the Building Envelope.
18. "Natural Area Easement" means the easement required by the City to preserve the Natural Area of a Lot, as provided in Section 3.3 and Appendix "F".
19. "Owner" means the Owner (as defined in the Declaration) of a Lot. For the purposes herein, the Owner may act through his or her designated agent, provided that such agent is authorized in writing or by law to act in such capacity.
20. "Ranch Site" means any portion less than all, of a Homestead which is conveyed by an Owner to another person.
21. "Residence" means any building or buildings, including any garage or other accessory building used for residential purposes, constructed on a Lot, and any Improvements constructed in connection therewith. Unless otherwise defined, "Residence" shall mean a single-family residence.
22. "Structure" means anything constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.
23. "Visible from Neighboring Property" means that an object or activity on a Lot which is or would be in any line of sight originating from any point six feet above any other property, including other lots.

APPENDIX B DESIGN REVIEW COMMITTEE

1. DESIGN REVIEW COMMITTEE MEMBERSHIP ORGANIZATION

The Design Review Committee, herein called the Committee, shall consist of five members. Each member shall hold his or her office until such time as he or she has resigned or been removed or his or her successor has been appointed as set forth herein or in the Declaration.

2. APPOINTMENT OF MEMBERS

The Board shall have the sole right from time to time to appoint and remove members of the Committee.

3. RESIGNATION OF MEMBERS

Any member of the Committee may at any time resign from the Committee upon written notice delivered to the Board.

4. DUTIES

It shall be the duty of the Committee to consider and act upon such proposals or matters as, from time to time, are submitted to it pursuant to the Design Guidelines and to perform such other duties as from time to time are delegated to it by the Association.

5. PROFESSIONAL COUNSEL

The Committee shall have and use professional architectural counsel in the discharge of its duties. Such counsel shall be obtained by (a) having as members of the Committee one or more architects with experience in single family residential design and currently engaged in the active practice of architecture in Maricopa County, Arizona or (b) by engaging, as a consultant, an architect with experience in single family residential design and currently engaged in the active practice of architecture in Maricopa County, Arizona.

6. MEETINGS

The Committee shall meet from time to time as necessary to properly perform its duties hereunder. The vote or written consent of a majority of the members shall constitute an act by the Committee unless the unanimous decision of its members is otherwise required. Each Committee member shall have the opportunity to participate in all decision taken by the Committee unless they specifically decline or recuse themselves. The Committee should keep and maintain a written record of all actions taken by it at such meetings or otherwise. Meetings by telephone are permitted. Decisions may also be reached through email or other electronic means.

7. COMPENSATION

Unless authorized by the Association, members of the Committee shall not receive any compensation for services rendered. All members shall be entitled to reimbursement for reasonable expenses

incurred by them in connection with the performance of any Committee function or duty. Professional consultants retained by the Committee shall be paid such compensation as the Committee determines.

8. NON-LIABILITY

Neither the Committee nor any member thereof shall be liable to the Association or to any Owner or other person for any damage, loss, or prejudice suffered or claimed on account of (a) the approval or disapproval of any drawings or specifications, whether or not defective; (b) the construction or performance of any work, whether or not pursuant to approved drawings and specifications; (c) the development or manner of development of any property within Carefree Ranch Homesteads; or (d) the execution and filing of an estoppel certificate whether or not the facts therein are correct; provided, however, that such member has, with the actual knowledge possessed by him, acted in good faith. Without in any way limiting the generality of the foregoing, the Committee or any member thereof may, but is not required to, consult with or hear the Association or any Owner or other person with respect to any drawings or specifications or any other proposal submitted to it.

9. NON-LIABILITY OF THE DESIGN REVIEW COMMITTEE

Neither the Design Review Committee, any member of the Committee, or their respective successors or assigns, shall be liable in damages to anyone submitting drawings or specifications to them for approval, or to any Owner or other person by reason of mistake in judgment, negligence, or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve any drawings or specifications. Every Owner or other person who submits drawings or specifications for approval agrees, by submission of such drawings and specifications, that he will not bring any action or suit against the Design Review Committee, any member thereof, or the Developer to recover damages. Approval by the Committee, any member thereof, or the Developer shall not be deemed to be a representation or warranty that the Owner's drawings or specifications or the actual construction of a residence or other Improvement comply with applicable governmental ordinances or regulations. It shall be the sole responsibility of the Owner or other person submitting drawings or specifications to the Committee or performing any construction to comply therewith.

10. ENFORCEMENT

These Design Guidelines may be enforced by the Design Review Committee or the Association as provided herein, or in the Declaration.

APPENDIX C APPROVAL CHECKLIST

Pre-design Meeting

Preliminary Submittal

- Site Plan
- Survey of Lot
- Roof plan and floor plans
- Exterior elevations
- Study model
- Design Review Fee
- Posting Lot for other Owner inspection of submittals
- Preliminary approval from Design Review Committee

Final Submittal

- Complete construction documents
- Time schedule for construction, utility hook-up and landscaping
- Hydrology report
- Sample of all exterior materials, colors, and glass specifications
- Landscaping plan
- Exterior lighting plan and lighting fixture cuts
- Notarized original copy of Natural Area Easement including legal description of the Natural Area
- Tagging of any plants proposed for transplanting
- Final approval by Design Review Committee

Scottsdale Building Permit

Upon completion of above steps, a copy of working drawings approved by the Design Review Committee is one of the required submittals

Natural Area Easements

After final approval by the Design Review Committee, a fully executed and notarized original copy of the Natural Area Easement, including a legal description of the Natural Area, is to be recorded by the City on its official form

Construction Regulations

- Builder must, if required, meet with a representative of the Design Review Committee prior to commencement of construction
- Approval from the Design Review Committee must be obtained prior to bringing in any construction trailer, field office, etc.
- Natural area easement must be fenced with acceptable barrier
- Builder must post construction deposit
- Final Inspection by Design Review Committee

Final Inspection Certificate

Issued by the City upon completion of construction and all required inspections

APPENDIX D APPROVED PLANT LIST

The Design Review Committee has found the plants included in the following list to be inherently compatible with the natural desert existing at Carefree Ranch Homesteads and encourages their use. Any species not contained herein may not be planted or installed within Carefree Ranch Homesteads without written approval from the Design Review Committee. All indigenous species of cacti are acceptable for use within Carefree Ranch Homesteads, as are any species of trees or shrubs not listed below which have been found to be indigenous to the area.

Non-indigenous plant materials which normally reach a mature height greater than 18 feet may not be used in Carefree Ranch Homesteads.

TREES

Acacia abyssinica	Abyssinian Acacia
Acacia aneura	Mulfa
Acacia cavenia	
Acacia constricta	White Thorn Acacia
Acacia eburnia	Needle Acacia
Acacia farnesiana (smallii)	Sweet Acacia
Acacia greggii	Catclaw Acacia
Acacia pennatula	
Acacia schaffneri	
Acacia stenophylla	Shoestring Acacia
Acacia willardiana	White Bark Acacia
Caesalpinia Mexicana	Mexican Poinciana
Caesalpinia platyloba	Bird of Paradise
Caesalpinia pumila	Copper Bird of Paradise
Canotia holacantha	Crucifixion Thorn
Celtis pallida	Desert Hackberry
Celtis reticulata	Net Leaf Hackberry, Palo Blanco
Cercidium floridum	Blue Palo Verde
Cercidium Microphyllum	Littleleaf Palo Verde
Cercidium praecox	Palo Brea, Sonoran Palo Verde
Chilopsis linearis	Desert Willow, Desert Catalpa
Juniperus monosperma	One-Seed Juniper
Lysiloma candida	Palo Blanco
Lysiolma thornberi	Fern of the Desert
Nicotiana glauca	Tree Tobacco
Olneya tesota	Ironwood
Pithecollobium bervefolium	Apes Earring
Pithecollobium flexicaule	Texas Ebony
Pithecollobium Mexicana	Mexican Ebony
Pittosporum phylliraeoides	Willow Pittosporum
Prosopis alba	White Mesquite, Argentine Mesquite
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Honey Mesquite

Prosopis pubescens
Prosopis velutina
Rhus ovate
Zizyphus obtusifolius

Fremont Screwbean
Velvet Mesquite
Mountain Laurel
Grayhorn

SHRUBS

Abutilon incanum
Acacia angustissima
Acacia craspedocarpa
Acourtia wrightii
Agave Species
Ambrosia deltoidea
Ambrosia ambrosioides
Aristolochia watsoni
Artemesia ludoviciana
Asclepias subulata
Astragalus praelongus
Atriplex canescens
Atriplex hymenelytra
Atriplex lentiformis
Atriplex mulleri
Atriplex nummularia
Atriplex polycarpa
Atriplex rhagodioides
Atriplex torreyi
Baileya multiradiata
Baccharis sarathroides
Bebbia juncea
Berberis haematocarpa
Brickellia coulteri
Buddleia marrubifolia
Bursera microphylla
Bursera fagaroides
Caesalpinia gilliesii
Caesalpinia pulcherrima
Calliandra californica
Calliandra eriophylla
Calliandra penninsularis
Cassia artemisioides
Cassia biflora
Cassia candoleana
Cassia circinnata
Cassia goldmannii
Cassia leptophylla
Cassia nemophylla
Cassia philodinea
Cassia purpussiae

Indian Mallow
Fern Acacia
Leather Leaf Acacia

Century Plants
Bursage
Giant-leaf Bursage, Spanish Daggers
Arrow Root
Wormwood
Desert Milkweed
Locoweed
Four Wing Salt Bush
Desert Holly
Quail Bush

Old Man Salt Bush
Desert Salt Bush, Cattle Spinach

Nevada Salt Bush, (Atriplex lentiformis var. Torreyi)
Desert Marigold
Desert Broom (male plants only)
Chuckawalla's Delight
Barberry
Coulters Bricklebush
Wooly Butterfly Bush, Summer Lilac
Elephant Tree
Fragrant Bursera
Yellow Bird of Paradise
Mexican Bird of Paradise
Fairy Duster
Fairy Duster, False Mesquite
Fairy Duster
Feathery Cassia
Texas Cassia
New Zealand Cassia

Green Feathery Cassia
Silver Cassia

Gassia sturtii
Cassia wislizenii
Castilleja chromosa
Ceanothus greggi
Cercocarpus montanus
Cirsium neomexicanum
Clanthus formosus
Cordia parvifolia
Crossosoma bigelovii
Dalea bicolor
Dalea Formosa
Dalea pulchra
Dalea spinosa
Dalea wislizeni
Dasyllirion wheeleri
Delphinium scaposum
Dichelostemma pulchellum
Dysodia porophylloides
Dodonaea viscosa
Encelia farinosa
Ephedra species
Ericameria laricifolia
Erigeron species
Eriogonum fasciculatum
Eriogonum inflatum
Eriogonum wrightii
Eysenhardia polystachya
Fallugia paradoxa
Forestiera neomexicana
Fouquieria splendens
Galium (Relbunium) microphilum
Gutierrezia sarothrae
Hedeoma species
Heperaloe funifera
Hesperole parviflora
Holocantha emoryi
Hymenoclea monogyra
Hyptis emoryi
Isocoma acradenia
Jatropha cardiophylla
Jojoba simmondsia
Justicia candicans
Justicia californica
Justica ghiesbreghtiana
Keckiella antirrhinoides
Krameria grayi
Larrea tridentata
Leucaena retusa
Leucophyllum frutescens

Sturts Cassia
 Shrubby Cassia
 Indian Paint Brush
 Buckthorn
 Mountain Mahogany
 Thistle
 Sturts Desert Pea

 Bigelow Ragged Flower
 Indigo Bush
 Feather Dalea
 Gregg Dalea
 Smoke Tree
 Indigo Bush
 Desert Spoon
 Bare-stemmed Larkspur
 Blue-dick
 Dysoldia
 Hop Bush
 Brittle Bush
 Mormon Tea
 Turpentine Bush
 Fleabone Daisy
 Buckwheat
 Flat-topped Buckwheat
 Wrights Buckwheat
 Kidney Wood
 Apache Plume
 Desert Olive
 Ocotillo
 Bedstraw
 Snake Weed
 Mock Pennyroyal

 Coral Yucca
 Crucifixion Thorn
 Burro bush
 Desert Lavender
 Alkaline Bush
 Limber Bush
 Jojoba
 Firecracker Bush
 Chuparosa
 Desert Honeysuckle

 White Ratany
 Creosote Bush
 Gold Lead Ball Tree
 Texas Sage, Texas Ranger

Leucophyllum laevigatum
Lotus rigidus
Lycium andersonii
Lycium brevipes
Lycium fremontii
Machaeranthera species
Marah gilensis
Maytenus phyllanthioides
Melampodium leucanthum
Mentzelia species
Menodora scabra
Mimosa biuncifera
Mirabilis bigelovii
Mimosa dysocarpa
Nicotiana trigonophylla
Nolina bigelovii
Nolina microcarpa
Penstemon species
Phoradendron californicum
Porophyllum gracile
Psilostrophe cooperi (tagetina)
Quercus turbinella
Rhamnus californica
Rhamnus crocea
Rhus trilobata
Ruella californica
Ruella penninsularis
Rumex hymenosepalus
Salvia farinacea
Salvia chamyroides
Salvia greggii
Senna covesii
Senecio douglasii
Senecio salignus
Sophora arizonica
Sophora secundiflora
Sphaeralcea ambigua
Tecoma stans
Tetracoccus hallii
Trixis californica
Vauquelinia californica
Verbena (Glandularia)
Viquiera deltoidea
Yucca baccata
Yucca elata
Zauschneria latifolia
Zizyphus obtusifolia

Chihuahuan Sage
Desert Rock-Pea
Anderson Thornbush
Thorn bush
Wolfberry, Tomatillo
Aster
Marah
Gutta Percha Mayten
Blackfoot Daisy
Stickleaf
Menodora
Catclaw
Wishbone Bush
Velvet Pod Mimosa
Wild Tobacco
Bigelow Nolina
Bear Grass
Beard Tongue
Desert Mistletoe
Odora
Paperflower
Shrub Oak
Coffee Berry
Redberry Buckthorn
Lemonade Bush

Canagre, Wild Rhubarb
Mealy Cup Sage
Blue Sage
Texas Red Salvia
Desert Senna
Groundsel
Willow-Leaf Groundsel
Arizona Sophora
Mescal Bean, Texas Mountain Laurel
Globe Mallow
Arizona Yellow Bells

Trixis
Arizona Rosewood
Vervain
Golden Eye
Banana Yucca
Soap Tree Yucca
Hummingbird Flower, California Fuchsia
Graythorn

ANNUALS

Amsinckia intermedia	Fiddleneck
Amsinckia tessellata	Fiddleneck
Cryptantha	Cryptantha
Datura meteloides	Sacred Datura
Dimenanthus Penduliflora	Whispering Bells
Eriogonum deflexum	Buckwheat Sclertonweed
Erodium cicutarium	Filaree
Erodium texanum	Filaree
Eschscholtzia Mexicana	Mexican Poppy
Euphorbia species	Spurge
Gilia flavocincta	Gilia
Lysichiton concinnus	Lysichiton
Lysichiton sparsiflorus	Lysichiton
Oenothera species	Evening Primrose
Phlox tenuifolia	Phlox
Plantago species	Plantain
Rafinesquia species	Desert Chicory

LAWNS

Any grass except Common Bermuda Grass may be used in lawns. Lawns and irrigated ground covers will be limited in use to area confined by walls or structures and may not be visible from natural desert areas.

MINERAL LANDSCAPE FEATURES

Boulders, mineral ground covers, and similar features will be limited either to materials indigenous to Carefree Ranch Homesteads or to materials similar in color and appearance to indigenous materials.

APPENDIX E PROHIBITED PLANT LIST

The following may not be planted or maintained anywhere in Carefree Ranch Homesteads.

1. Any species of tree or shrub whose mature height may reasonably be expected to exceed 18 feet, with the exception of those species specifically listed as approved by the Design Review Committee.
2. All Palms (Palmae) whose mature height may reasonably be expected to exceed 6 feet will be prohibited for aesthetic reasons as well as their high maintenance requirements. Dwarf varieties whose mature height may reasonably be expected to be less than 6 feet will be allowed only within the confines of a private garden.
3. All Pines (Pinus), Cypress (Cupressus), False Cypress (Chamaecyparis), Juniper or Cedar (Juniperus) except those species specifically approved, whose mature height may reasonably be expected to exceed 6 feet will be prohibited for aesthetic reasons. Dwarf varieties, and those whose mature height may reasonably be expected to be less than 6 feet, may be used immediately adjacent to dwellings or connecting structures, or within the confines of a private garden.
4. Olive trees (Olea europaea) will be prohibited for reasons of their profuse production of allergy-producing pollen, as well as for aesthetic reasons.
5. Oleanders (Nerium oleander) and Thevetia (Thevetia species), will be prohibited for aesthetic reasons as well as for their profuse production of allergy-producing pollen. These poisonous plants will also be prohibited for their high maintenance requirements and excessive height. Dwarf varieties will be allowed within a private garden.
6. Fountain Grass (Pennisetum setaceum) will be prohibited as a defined weed with the potential to spread throughout the development and also as a fire hazard.
7. All varieties of Citrus will be prohibited for aesthetic reasons and for their profuse production of allergy-producing pollen. Dwarf varieties are permissible within the confines of a private garden.
8. Common Bermuda Grass (Cynodon dactylon) will be prohibited as a defined weed.
9. Mexican Palo Verde (Parkinsonia aculeata) will be prohibited as a harbinger of pests and because of its ability to spread throughout the development, thereby altering the present natural desert.

APPENDIX F
SCOTTSDALE NATIVE TREE PRESERVATION REGULATIONS

The latest edition of the Scottsdale Native Tree Preservation Regulations is hereby incorporated into these Design Guidelines by reference.

APPENDIX G
CAREFREE RANCH HOMESTEADS
DESIGN REVIEW FEE / CONSTRUCTION DEPOSIT SCHEDULE

Design Review Fees	
Pre-Design Meeting	\$0.00
Building Envelope Approval <ul style="list-style-type: none"> If submitted separately from Preliminary Submittal 	\$600.00
Lot Ties and Splits	\$500.00
Preliminary Submittal Includes: <ul style="list-style-type: none"> 1st Revised Field Change Submittal 2nd Revised Field Change Submittal 	\$5,000.00
Revised Field Changes <ul style="list-style-type: none"> Beyond the 2nd Field Change Fee charged per change submitted (multiple changes submitted at one time will be considered 1 Field Change) 	\$750.00
Additions/Improvements (Major) (New buildings over 500 SF substantial modifications)	\$2,500.00
Additions/Improvements (Minor) (Buildings under 500 SF, pools, landscape plans, patio modifications)	\$750.00
Construction Deposits	
Construction or Rebuild of Residence – Refundable	\$15,000.00
Improvements (Major)	\$10,000.00
Improvements (Minor)	\$5,000.00
Compliance Deposits	
Construction or Rebuild of Residence – Compliance – Refundable	\$10,000.00

***Any amount used from the Construction Deposit
due to penalties or fines must be replenished within 30 days.**

APPENDIX H
CAREFREE RANCH HOMESTEADS
DESIGN REVIEW
NON-COMPLIANCE FINE SCHEDULE

All violations are subject to immediate termination of construction until such time as compliance is met. Multiple offenses may result in additional fines, possible suspension of construction activity on a project in process, and prohibition of working on future projects within Carefree Ranch Homesteads.

Construction Starts without Approvals and/or Prior to Design Review Approval:

First Offense	<u>\$ 1,000.00</u>
Second Offense	<u>\$ 2,500.00</u>
Third Offense	<u>\$ 10,000.00</u>

Unapproved Field Changes (Major):

(Roof heights, architectural changes, NAOS violation, extensive construction damage, building additions/modifications and significant material changes).

First Offense	<u>\$ 1,000.00</u>
Fine Per Day Pending Compliance	<u>\$ 500.00</u>

Unapproved Field Changes (Minor):

(Window/door modifications, pool/landscape changes, landscape lighting modifications, material/color changes, timely completion of construction, landscape deviations and other miscellaneous items.)

First Offense	<u>\$ 500.00</u>
Fine Per Day Pending Compliance	<u>\$ 250.00</u>

***Fines may be deducted from the Construction Deposit**

Carefree Ranch Homesteads Design Review Application Form

Date Submitted: _____

Lot # _____

Owner

Name: _____
 Property Address: _____
 Phone: _____
 Email Address: _____

Architect / Designer

Firm: _____
 Contact: _____
 Mailing Address: _____
 City / State / Zip: _____
 Phone: _____
 Email Address: _____

Contractor / Builder:

Firm: _____
 Contact: _____
 Mailing Address: _____
 City / State / Zip: _____
 Phone: _____
 Email Address: _____

Civil Engineer:

Firm: _____
 Contact: _____
 Mailing Address: _____
 City / State / Zip: _____
 Phone: _____
 Email Address: _____

Landscape Architect / Designer:

Firm: _____
 Contact: _____
 Mailing Address: _____
 City / State / Zip: _____
 Phone: _____
 Email Address: _____

Landscape Contractor:

Firm: _____
 Contact: _____
 Mailing Address: _____
 City / State / Zip: _____
 Phone: _____
 Email Address: _____

Submittal Type (Check One)

- ☐ Pre – Design Meeting
- ☐ Conceptual Design Submittal
- ☐ Preliminary Design Submittal
- ☐ Building Envelope Submittal (Separate from Preliminary)
- ☐ Final Design Submittal
- ☐ Field Change Submittal
- ☐ Additions / Improvements (Major) Submittal
- ☐ Additions / Improvements (Minor) Submittal

Project Type (Check One)

- ☐ New Home Build
- ☐ Building Envelope
- ☐ Major Addition (over 500 sf)
- ☐ Minor Improvement (under 500 sf)
- ☐ Landscape Modification Only
- ☐ Solar
- ☐ Exterior Repainting

Description of Submittal: **attach all required items as outlined in the Design Guidelines, Appendix C**

As Owner, I acknowledge and understand the Design Review and Construction Process as outlined in the Design Guidelines and CC&R's.

Signature of Owner: _____ Printed Name: _____

Date Signed: _____

This submission will not be accepted for review without the homeowner's acknowledgement and signature.

ATTENTION

**ALL SUBMITTALS REQUIRE AN
APPOINTMENT WITH THE ASSOCIATION'S
DESIGN REVIEW CONSULTANT**

**PLEASE CONTACT
PREFERRED COMMUNITIES
TO SCHEDULE AN APPOINTMENT**

**(480) 649-2017
arch@gothoa.com**

THANK YOU

CAREFREE RANCH HOMESTEADS DECEMBER 2015

GUEST HOUSES AND ACCESSORY BUILDINGS

These structures are to be viewed and designed as a single visual element with the main residence and are to be related to it by massing, materials, walls, courtyards, and major landscape elements. Prefab or exposed metal structures will not be approved. Free standing accessory buildings shall not exceed 2000 SF unless specifically approved by the committee and must comply with all City zoning regulations and these Guidelines. All improvements must fall within the building envelope.