

Monterra Ridge Architectural Guidelines

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Monterra Ridge Architectural Guidelines

1 Preamble

The Architectural Guidelines have been prepared and approved by the Architectural Review Committee (ARC). The purpose of the Guidelines is to assist Homeowners in planning improvements and alterations to their Property and also to establish a community environment which will protect property values, promote harmony, and benefit all Homeowners.

These Architectural Guidelines (or Rules) are a supplement to the Covenants, Conditions & Restrictions (CC&R's). **Please refer to Article 5 of the CC&Rs in its entirety.** Revisions to the Guidelines are based on the Committee's experience with Homeowner submittals and clarifications to the Guidelines are made from time to time. As the Guidelines evolve, the ARC will add to these contents and Homeowners will be kept advised of these additions through the newsletter and notifications available at www.monterraridge.org.

The CC&Rs require that **any and all improvements and alterations, which change the appearance of any Property**, must be approved by the ARC. It is important that any improvements and alterations to Property be made in harmony with and not be detrimental to the rest of the community.

2 Improvements and Alterations

Improvements and alterations requiring approval relate to all buildings, parking areas, lighting fixtures, fences, walls, landscaping including grading. **Any addition, alteration, repair, change or other work in front and/or backyards which in any way alters the exterior appearance, including but without limitation, the exterior color, of any Property shall not be made or done without the prior written approval of the ARC.** Homeowners shall not, in whole or in part, change the landscaping, party walls, retaining walls, or any other improvements located upon any portion of the Common Areas, by the addition or removal of any items thereon, without the prior written approval of the ARC except where permitted in paragraph [11.20](#) . A Homeowner shall not place any structure whatsoever upon the Common Areas.

3 Duties of the Architectural Review Committee

In reviewing requests for improvements and alterations, the ARC shall consider whether the proposed improvement or alteration will be consistent with the requirements of the CC&R's and these ARC Guidelines, and any other factors that the ARC deems appropriate. The ARC has the right to refuse to approve any improvements or alterations, which are not suitable or desirable, in its opinion, for aesthetic or other reasons.

4 Preparation and Submission of Requests for Approval

Submissions will be made on the [Architectural Improvement Application](#) (attach additional sheets if necessary). Please describe the following:

- (1) The proposed improvement or alteration.
- (2) Its purpose.
- (3) Building or landscaping materials to be used.
- (4) Anticipated start and completion dates of project.
- (5) Type and color of finishes.
- (6) If relevant, scaled plans showing:
 - (a) Dimensions.
 - (b) Location and identity of plants, trees and outer landscape features.
 - (c) Distances of proposed structures from Property boundaries and existing buildings.

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Mail the completed application form along with all supporting documents to:

Monterra Ridge Home Owners Association
Post Office Box 40790 Tucson, AZ 85705
or email to manager@monterraridge.org or fax to 520 822-8085

The ARC may reject applications that are incomplete or unclear.

5 Time and Approval

If the ARC fails to approve or disapprove any improvement or alteration, which does not contravene any section or clause on the CC&Rs, within thirty (30) days after the plans and specifications have been submitted per section 4 and received by the Management Company, approval will be deemed to have been given. The Management Company will date stamp each submittal on receipt and the Homeowner will verify with the Management Company that the thirty-day period has expired prior to proceeding with any alteration or improvement. Extra time may be required by the ARC to review requests in order to research materials, construction, and finishes for compliance. The Homeowner will be advised if extra time is needed.

6 Implementation

Upon receipt of approval from the ARC for any improvement or alteration, the Homeowner who requested such approval shall proceed to make such improvement or alteration as soon as practicable and shall diligently pursue such work so that the work is completed as soon as reasonably possible and within such time as may be prescribed by the ARC. The ARC may impose time limits for completion of work. Equipment and building materials shall be stored in back yards during construction unless not practical. Equipment and building materials shall not block streets, easements, or sidewalks.

7 Changes, Deletions and Additions

The ARC must approve any change, deletion or addition to plans approved by the ARC in writing. The ARC has the right to withhold any similar plan, drawing or specification or any matter subsequently submitted for approval.

8 No Waiver

The approval of the ARC of any plans, drawings or specification for any work done or proposed, or for any other matter require the approval of the ARC, shall not be deemed a waiver of any right to withhold approval of any similar plan, drawing or specification or any matter subsequently submitted for approval.

9 Appeals

A Homeowner may appeal a decision by the ARC to the Board of Directors in writing within 60 days of said decision. The Board may, at their discretion, grant a hearing or executive session to discuss the matter with the homeowner. The Board will respond in writing within 60 days of the request. The appeals process does not apply to ARC decisions made by the board.

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10 General Guidelines and Considerations

- 10.1 Any improvement or alteration proposed by a Homeowner must meet the codes established by [Pima County](#) and the [Town of Oro Valley](#) and be subject to all appropriate permits and inspections. Homeowners must inquire about the code and permit requirements prior to making a submission to the ARC. In addition to conforming with all code and permit requirements, any improvement or alteration to buildings and structures shall be compatible with architectural designs, color schemes and exterior finishes of existing buildings.
- 10.2 Improvements and alterations proposed for backyards, the highest part of which are less than five feet (5') in height above the base level of the Lot and will not be extended or, grow to exceed five feet (5') in height above the base level of the Lot and will not intrude upon neighbor's enjoyment of their own Properties do not have to be submitted for ARC review. See 11.20 for walls. All structures or trees greater than, or destined to be extended or to grow to, a height greater than five feet (5') in height above the base level of the Lot at any location around the home (i.e. in either front or back yards) must be approved by the ARC. Height notwithstanding, all structures and buildings must conform to the code, permit, architectural design, color and exterior finish provisions of 10.1 above.
- 10.3 Any alteration or improvement should not unreasonably interfere with the outlook from an adjacent or neighboring Property. Prior to preparing a submission to the ARC, the Homeowner must discuss any alterations or improvements that will be visible, from other properties, with those neighbors and obtain their signatures on the ARC request form. This signature is not an approval but an acknowledgement of the planned improvement.

11 Specific Guidelines and Considerations

11.1 Antennas, Satellite Dishes

All antennae or other devices used for the transmission of television or radio signals or other forms of electromagnetic radiation shall not be erected, used or maintained on any Property without the written approval of the ARC. Any device used for the reception of video programming services, including direct broadcast satellite (DBS), television broadcast, and multi point distribution service (MDS) which meet FCC video programming requirements may be installed without the prior written approval of the ARC providing the following provisions are met:

The Homeowner must notify the Association in writing within two weeks after the installation that a device has been installed giving the exact location of the antenna. The antenna must be situated in a location with the least visual impact to neighbors while providing optimum reception. If this is not the case the Association may determine that the antenna must be mounted elsewhere and the Homeowner will be responsible for all costs associated with moving the antenna.

- 11.1.1 A DBS antenna that is one meter or less in diameter (39 inches) may be installed without written approval of the ARC.
- 11.1.2 An MDS antenna one-meter or less in diameter may be installed without the written approval of the ARC.

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- 11.1.3 Antennas designed to receive television broadcast signals, regardless of size may be installed but must not extend more than 12 feet above the roofline.
- 11.1.4 All installations must meet FCC requirements and applicable State, County and Town requirements.
- 11.1.5 Antennas, masts and any visible wiring must be painted to match the surface on which they are mounted providing painting would not interfere with reception in which case the Homeowner must provide supporting documentation.
- 11.1.6 The ARC may require that the antennas be camouflaged at reasonable expense to the Homeowner.
- 11.1.7 Homeowners are responsible for the repair and maintenance of the antenna and shall not allow the devices to become a safety hazard or an eyesore.

11.2 Utility Service

No lines, wires or other devices for the communication or transmission of electrical current or power, including telephone, television, and radio signals, shall be erected, placed or maintained anywhere on or upon any Property unless contained in conduits, or cables installed and maintained underground or concealed in, under or on buildings or other structures. All such installations shall meet [Pima County](#) codes and permit requirements and be approved by the ARC.

11.3 House Painting

ARC approval is required for exterior painting of a home. ARC approval will take into consideration, but will not be limited to, the color and sheen of the paint, the architectural style, existing roofing and wall colors and the color of neighboring properties. This requirement is waived when, for any area or surface, the color and sheen of the paint to be applied is identical to that previously used.

11.4 Artifacts

Any and all artifacts (fountains, statuary, ornamental animals, large rocks and boulders etc.) including furniture (benches, chairs, etc.) placed in front yards must be of a complimentary, natural or stone color only and requires the prior written approval of the ARC. No plastic or similar composites are permitted in the front yards of homes. Homeowners may display a maximum of three yard ornaments not exceeding 18” in height that are not religious, political, racial or mythological in nature. Wall hangings must not exceed 24” in diameter and must not be racial, religious, political or mythological in nature. Only one wall hanging is permitted on a home. A maximum of four boulders not more than four (4) cubic feet each in size may be placed in a front yard.

11.5 Driveways/Walkways

Extension or expansion of driveways requires ARC approval. Any approved driveway expansion shall not be intended to promote the parking or storage of any vehicle off the original driveway. Altering original color of concrete requires prior written approval. However, epoxy coating a driveway to match the color of the concrete and has no design in it does not require the prior approval of the ARC.

11.6 Exterior Lighting

Exterior Lighting to be attached to buildings, walls and other structures will be complimentary in design and color and be as small in size as reasonably practical. Light fixtures must be

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appropriately shielded and the lighting must always be directed downwards so as not to illuminate adjacent properties, streets or common areas. All installations must meet [Pima County](#) and [Oro Valley outdoor lighting code](#) and inspection requirements. If these criteria are met they do not require approval of the ARC. Exterior lighting installations shall be maintained in safe, operating condition at all times.

11.7 Patio Lights

Patio (Malibu), low voltage lights may be installed providing they are no more than 18” above the ground and do not shine into a neighbor’s lot, the streets or a common area. Upward facing lights must be directed toward the house at an angle not greater than 45 degrees from horizontal. All installations must meet [Pima County](#) and [Oro Valley outdoor lighting code](#) and inspection requirements. If these criteria are met they do not require approval of the ARC.

11.8 Security Lights

Security lights must be set on a motion sensor and not allowed to burn at all times. The sensitivity of the sensor must be such as that activity on a neighboring lot, the streets, sidewalks, or a common area does not cause the lights to go on. The lights must be appropriately shielded and aimed so that they do not illuminate a neighboring lot, the streets or a common area. All installations must meet [Pima County](#) and [Oro Valley outdoor lighting code](#) and inspection requirements. The fixture must be painted to match the surface on which they are mounted and if these conditions are met approval of the ARC is not required.

11.9 Temporary Holiday Decorations and Lights

At appropriate times of the year, Homeowners may decorate their properties with temporary decorations provided they are tastefully arranged and are not specifically opposed by other residents of the subdivision. Decorations shall not constitute a hazard or danger of any kind and all lights, banners, etc. should be totally removed at the end of the customary holiday season. All December holiday decorations must be taken down before January 31st. Holiday decorations do not require the approval of the ARC.

11.10 Gate/Fence Coverings

In accordance with their needs (e.g. screening of trash containers as per these Guidelines; controlling the movement of small animals; preservation of privacy; aesthetic appearances, etc.), Homeowners may choose different gate designs and materials. Gate coverings may be either redwood or cedar sealed to protect its natural color or painted to match the gate or house. Gates may also be modified using metal screening provided it is painted to match the color of the gate. Homeowners may cover the back wrought iron fencing in the back yard to prevent animals from entering or leaving the yard providing the material is chicken wire and maintained in good repair. All gate and fence coverings must be well maintained at all times.

11.11 Flag Poles and Flags

Flagpoles that are removable and do not exceed six feet (6’) in length are permitted. Only an American flag or Branch of Military flag may be displayed on a lot and shall be displayed in accordance with proper [flag display protocol](#). Permanent flagpoles require written approval of the ARC. Temporary flagpoles that meet this standard do not require approval of the ARC.

11.12 Utility Boxes

Homeowners may paint the utility boxes located in the front yards provided the paint color

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matches the primary color of the house on the Property. Warning labels, notices and any identification numbers or letters on the utility boxes will not be obscured. Groups of utility boxes straddling Property lines will be painted using one color only and, consequently, neighbors should be consulted concerning the choice of house color. A decision to paint will carry a commitment on the part of the Homeowners to maintain the neat and tidy appearance of the utility boxes and if done in accordance with these standards does not require the approval of the ARC.

11.13 Trash Containers and Collection

All garbage or trash shall be placed or kept on any Property in covered containers. Except on collection days, these containers shall be stored so as not to be visible from neighboring Property, the streets or a common area. Trash containers will not be placed on the street for pickup until after 6 p.m. the evening before collection. Emptied containers will be retrieved and properly stored at the end of the [collection day](#).

11.14 Storage and Size of Trash Containers

In order to conform to the CC&R's and these Guidelines, Homeowners shall store trash containers either (a) in garages or (b) in side of back yards. Those who elect to store their trash containers in backyards shall conceal them from neighbor's view, from the streets, or common areas. The ARC will be pleased to review any proposed inside wall construction, vegetation planting or total gate screening in accordance with the CC&R's and these Guidelines. See section [11.10](#). Homeowners who do not have need for large (95-100 gallon) trash containers should exchange them for smaller containers available from the refuse removal contractor. Such downsizing of containers may alleviate problems relating to available storage space in garages or screening of trash containers in side or back yards.

11.15 Basketball Poles / Hockey Nets

Basketball poles or hockey nets must not be placed on sidewalk areas or in streets at any time.

11.16 Pools

Request for construction of pools must be submitted to the ARC for review before construction begins. Requests must show how the contractor will access the Property and proposed placement of pumps and other related equipment. Homeowners assume all responsibility and liability for damages to common areas or private property. Homeowners are to caution contractors not to discharge excess cement, clean vehicles anywhere in the community, or display any advertising on Property other than a small temporary sign.

11.17 Security Signs

Signs designating private home security systems must be positioned no more than one (1) foot from the foundation of the home and may not be more than two (2) feet high or one square foot in area. Only one such sign is permitted on a Lot and does not require the approval of the ARC if these standards are adhered to.

11.18 Security Screen Doors

Must be constructed of a security grade steel (no aluminum doors are permitted in the front of a home), painted to match the primary or trim color of the home. If there is a design on the door it must not be racial, political, religious, or mythological in nature. Doors meeting these criteria do not require the approval of the ARC.

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11.19 Rain Gutters

Must be painted to match the surface on which they are mounted. Discharge from the gutters must not be onto a neighbor's Property. Gutters meeting these criteria do not require the approval of the ARC.

11.20 Walls

The height of walls may be extended a maximum of one course. Neighbor's permission is required. The extension must match the existing wall in color, texture and shade. The mortar must be colored to match the existing mortar. A permit from [Pima County](#) may be required. This does not include walls that border a common area or a street, which require approval of the ARC. Increasing the height of walls meeting these criteria does not require approval of the ARC. Patio walls shall not be used as retaining walls. The grade along these walls shall not be altered without prior approval of the ARC. Any permanent structure or alteration placed near or against a party wall that violates the Building Code for pool barrier to the adjoining Property automatically gives the adjoining Property owner the right to raise the wall height as necessary to satisfy Building Code requirements. Permanent structures or improvements shall not be attached directly to a party wall or walls that border a common area without prior approval of the ARC.

11.21 Lattice

Lattice may be attached to the house for climbing vines and plants. Lattice must be constructed of natural redwood or cedar and must be properly maintained at all times. Lattice meeting these criteria does not require the approval of the ARC.

11.22 Hose Storage

These devices used for storage of hoses in the front of homes must be properly maintained and in harmony with the architectural integrity of the community. Hose storage devices meeting these criteria do not require the approval of the ARC

11.23 Exterior Bars

Bars installed on windows must be painted to match the primary (stucco) color of the home and mounted entirely within the frame of the window. If there is a design on the bars they may not be racial, religious, political or mythological in nature. Security bars that meet these criteria do not require approval of the ARC

11.24 Window Mounted Sunscreens

If visible by a neighbor, from the streets or from a common area must be charcoal color or match the primary color (stucco) of the home and must not be reflective. Sunscreens meeting these criteria do not require approval of the ARC.

11.25 Trees

Trees may be replaced in kind or with any of the following: Sweet Acacia, Sumac, Bottlebrush, Palo Verde, Mesquite, or Ironwood.. When reaching maturity a tree must not extend beyond the Property lines of the lot. Trees meeting these criteria do not require approval of the ARC.

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11.26 Castle Wall Type Bricks

May be used for landscaping front yards providing they do not exceed 16” in height, are set back a minimum of 3’- 0” from the sidewalk and the color is in harmony with the architectural integrity of the community. Wall of this nature and meeting these criteria do not require approval of the ARC.

11.27 Solar Collectors

The Architectural Committee shall have the express right and power to regulate, but not prohibit, the use of solar collector devices within the Property, in accordance with [Section 5.8](#) of the CC&Rs. Request for all installations must be submitted to the ARC for review before construction begins.

11.28 Roof Coatings

Desert Tan, Energy Tan, or White Elastomeric coatings may be applied to flat roof surfaces, and Desert Tan or Energy Tan Elastomeric coatings may be applied to patio roof surfaces. Coatings meeting these criteria do not require approval of the ARC.

12 Prohibited Plants and Trees

The following plants are prohibited:

Reason:

Fruit producing Olive Trees	Allergy producing pollen
Fountain Grass (<i>Pennisetum setaceum</i>)	Defined weed ¹ / Fire hazard
Pampas Grass	Defined weed ²
Common Bermuda Grass (<i>Cynodon dactylon</i>)	Defined weed ¹ / Allergy producing pollen
Desert Broom	Defined weed ¹
Oleanders (regular/petite/trees) ³	Invasive roots / Potential height
Fan Palm Trees ⁴	Potential height / Maintenance
All fruit producing Palm Trees	
Mexican Palo Verde (<i>Parkinsonia aculeata</i>) ⁵	Harbors pests / Potential to spread
Eucalyptus Trees	Allergy producing pollen
Mulberry Trees (<i>Morus</i>)	Noxious pollen

Any species with an expected mature height exceeding 25 feet except as listed in [11.25](#).

1. Defined by [Oro Valley prohibited plant list](#) as a weed with the potential to spread throughout the town.
2. Defined by Pima County as a nuisance weed.
3. Regular or petite Oleanders may be used in back yard landscaping but they must be kept trimmed below wall height.
4. Any variety that will grow to more than 10 feet in height. Other varieties still require ARC approval.
5. Defined by Oro Valley as a harbinger of pests and for its ability to spread throughout the Town thereby altering the present natural desert.