

**COPPER CREEK ASSOCIATION
DESIGN GUIDELINES
REVISED 9/01/2001**

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PHILOSOPHY OF DESIGN GUIDELINES

Copper Creek is a master planned community located northwest of Tucson in Oro Valley. It is surrounded on the north and east by the Tortolita Mountains and the Santa Catalina Mountains, affording exceptional views in all directions. These Guidelines were developed to maintain an aesthetic consistency, while providing an individualistic approach to the creation of each member's living areas.

The overall intent for Copper Creek is to create an individualistic yet harmonious community set graciously within the natural desert affording a wide open space. The community has been planned to respect and to blend in with the natural setting of this unique location. Because of this uniqueness, when viewed from a distance, no one home should stand out from the rest nor from the surrounding desert.

The purpose of these Design Guidelines is to provide an overall framework for development and creativity and to establish a cohesive community at Copper Creek. These Guidelines will provide standards for height, colors, exterior materials, advisability of screening, landscaping and even a recommended plant list, etc. They will also provide a process for approval for all common projects and construction regulations. It should be noted that the Design Guidelines seek solutions which are affordable to the greatest latitude of people. However, affordability must be achieved by way of imaginative design and not by eliminating the character which the land demands.

The Design Guidelines provide a foundation of criteria for member projects. Adherence to the guidelines does not guarantee approval of a project; nor does it imply a disapproval if a project does not meet the Design Guidelines. Members should submit all proposed projects to the ARC for review and approval. Each submittal is evaluated on a case-by case basis

APPLICATION PROCEDURES

A. INTRODUCTION

Whenever any action by or approval of the Architectural Review Committee (ARC) is required by these Design Guidelines, requests for such action or approvals shall be submitted in writing to the ARC, in accordance with the procedures set forth herein. Requests for approvals shall be reviewed and approved by the ARC in accordance with these Guidelines.

B. REVIEW FEES

The Board of Directors may adopt a fee schedule in connection with the association's review and appeal procedures, in regards to requirements for an outside architectural review source. These fees will be specified as a requirement in the individual project sections of these guidelines. Note: This is primarily for builders or major structural additions.

C. MEETINGS

The ARC meets on a monthly basis to review applications for recommendations. Meetings are open to all members, with participation as permitted by the ARC, limited to the member submitting the project. Meetings are currently scheduled for the second Wednesday of each month, with a deadline for submittal, the preceding Friday.

D. SUBMITTAL REQUIREMENTS

1. Prior to preparing preliminary plans for any proposal, the builder, Owner, or representative thereof should review the enclosed design guidelines to explore and resolve any questions regarding common projects as outlined. Any questions should be directed to the Management Company for assistance.

2. Prior to submitting plans to the Town of Oro Valley and/or beginning the project, approval should be obtained from the Copper Creek Association. In order for the ARC to review and process proposed plans for projects, the following are details that may be required to process the submittal:

- a. All submittals should include contact information (name, address, phone number).
- b. Site plan of property showing the location of buildings and/or structures, driveway, parking areas, and if applicable, any other site data required by the Town of Oro Valley. Unless required by the Town, the site plan can be hand drawn; there is no Requirement for professional architectural drawings. A major house expansion And/or builder models require a set of floor plans, elevation documents, and Landscaping plans, which present a visual layout for review and consideration.
- c. Descriptive narrative for the details of the project as required by the individual Design guidelines section.
- d. Actual photographs, if necessary and helpful, to visually see the area and how The project fits into the property
- e. Sample materials and/or color palettes for applicable projects
- f. If the project requires ingress/egress over common area and/or buffer zones, a Specific plan will be required that protects and replaces existing vegetation.

3. Submittals are due to the Management Company on the Friday preceding the ARC meeting.

E. RECOMMENDATION / APPROVAL

The ARC shall review all applications submitted to it. An affirmative vote of a majority number of members in attendance at the ARC meeting shall be necessary for approval of applications. The ARC may table an application if there is not sufficient information submitted for the ARC to exercise the judgment required by these Guidelines and a written request will be sent to the member. In the event the ARC disapproves the submittal, the member may appeal the decision to the ARC. Such appeal will be automatically processed by the Management Company to the ARC at the next ARC meeting. The member will be notified that they may attend that meeting to personally appeal the decision. Once the appeal is heard and the decision of the ARC is reached, that decision will be final.

F. WRITTEN RECORDS

The Management Company shall keep and safeguard complete written records of all applications for approval submitted to the Association. All approvals by the ARC, requests for additional information, and member appeals will be documented and sent to the member. A copy of this documentation will be part of the property lot's permanent records.

G. NATURE OF APPROVAL

Any approval of plans, specifications or proposed construction given by the ARC shall be only for the purpose of permitting construction of proposed improvements within Copper Creek and shall not constitute compliance with town, county and state laws. **SUCH APPROVAL SHALL NOT CONSTITUTE AN APPROVAL, RATIFICATION OR ENDORSEMENT OF THE QUALITY OR ARCHITECTURAL OR ENGINEERING SOUNDNESS OF THE PROPOSED IMPROVEMENT AND NEITHER THE ARC, ITS MEMBERS, THE BOARD, THE OFFICERS OF THE ASSOCIATION, NOR THE MANAGEMENT COMPANY SHALL HAVE ANY LIABILITY IN CONNECTION WITH OR RELATED TO APPROVED PLANS, SPECIFICATIONS OR IMPROVEMENTS.** Projects approved by the ARC effective with the date of this document, must begin within one year of project approval or the project must be resubmitted. Once a project begins, timely completion is required so there is no long-term negative impact on the surrounding community, except as noted with specific deadlines for completion in individual sections.

Unless otherwise noted in these Design Guidelines, all projects require prior written submission and written approval before beginning the project

H. REVISION TO DESIGN GUIDELINES

It is the intent of the Copper Creek Architectural Review Committee to maintain these Design Guidelines as a consistent tool for processing ARC submittals. Once any changes or revisions are made and approved by the ARC, they will be updated and may be distributed to the membership

I. CC & R AUTHORITY

Architectural XI, Section 1, Establishment. "The ARC shall promulgate architectural guidelines and standards to be used in rendering it's decisions."

BE IT RESOLVED, that the Architectural Review Committee hereby adopts these REVISED Design Guidelines on the _____ Day of September 1, 2001 to be effective 2001, which replaces in its entirety the Design Guidelines adopted on September 1, 2001.

A. LIGHTING

Section 1: Common Lighting Projects

1. Accent lighting
2. Security/motion lighting
3. Flood lighting
4. Pole mounted lamp/light
5. Wall/safety mounted lamp/light
6. Holiday lighting

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout shows placement/location of lights, direction and elevation of illumination, color of lights, wattage of each light, type of lighting, height of pole mounted fixture, duration of usage for each light, whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors). Holiday lighting does not require an ARC submittal.

Section 3: General Association Guidelines (expected approved uses)

In general, other than for reasons of safety, the Association advocates the use of lighting at a minimum level. Accent lighting can be used for landscape illumination, safety lighting of pathways, sidewalks, and pools. Security/motion, flood, pole/wall lamp/light can be used to highlight areas and create safety enhancements. Holiday lighting, as with holiday decorations are to be used in consistency with the timing and theme of the holiday. **NOTE: illumination of lighting should be directed on homeowner's own property and away from neighboring property. Actual wattage, bulb color, shielding of lighting, and illumination pattern to be reviewed and considered on a submittal basis, and may require post-installation inspection to determine if the intensity of the lighting meets the community standard of low intensity/low usage level.**

Section 4: Specific approval conditions, exclusions, etc

1. Accent malibu type lighting exceeding 18 watts per bulb, and a mixture of multi-colors are discouraged. Accent/mini lighting strung in/on and around patios, eaves, porches, trees, plants, shrubs, cactus are discouraged except for seasonal or singular events.
2. Security motion detectors are to be installed with illumination directed at owner's property and should shut off approximately 5 minutes after triggering.
3. Flood illumination is to be directed at owner's property (gazebos, ramadas, recreation areas, trees, cactus, ornamentation), actual wattage and quantity of flood lighting will be reviewed with submittal.
4. Pole mounted lamp/light with pole painted black or painted to match color of house, not to exceed 6' in height.
5. Holiday lighting can be installed 30 days prior to the recognized holiday and must be removed 30 days after the holiday associated with the lighting.
6. Mercury vapor/halogen/sodium/bulbs are generally not accepted and discouraged for installation in the community.

B. STRUCTURAL ADDITIONS

Section 1: Common Structural Addition Projects

1. Ramadas
2. Gazebos
3. Sheds
4. Detached Structures
5. Patio Additions
6. Patio Enclosure
7. House Expansion
8. Outdoor Fireplace

Section 2: Submittal Requirements (needed for ARC Submittal)

Design layout with structural specifications noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color of structure, lighting installation, relationship to existing house structure, location of structure on property, pictorial and/or photo of proposed structure, if available. House expansion require a set of floor plans and elevation drawings.

Section 3: General Association Guidelines (expected approved uses)

In general the Association reviews structural addition plans for architectural consistency within the community. The Association encourages members who are planning any of these projects to consider minimizing neighboring property interference (views, color selections, lighting). An approval from the Association does not imply an approval by any governmental organization or of any engineering specifications.

Section 4: Specific approval conditions, exclusions, etc

1. Carports are not a permitted structural addition.
2. Structures are permitted provided the material and color selection closely matches the architectural construction of the existing house structure.
3. For appropriate color selection, refer to Section F, Paint Colors.
4. For lighting specifications, see Section A, Lighting.
5. Plastic, rubbermaid storage sheds which measure in varying sizes require submittal and approval. Generally, if the unit can be seen above the height of the wall, the unit may need to be screened. Storage sheds are not permitted in front or side yards in front of the privacy wall.
6. Outdoor fireplaces:
 - the visible portion above any wall cannot exceed 3' in width or 30" in height
 - will be installed with a spark arrestor
 - preferred location for installation is no closer than 48" to a shared party wall
 - if installed against a wall, the fireplace will have a firebox as part of the structure
 - cannot be installed on a wall that runs parallel with a street
 - color to match adjacent structure or main exterior color of house

C. RECREATIONAL EQUIPMENT (Temporary or Permanent)

Section 1: Common Recreational Projects

1. Playhouses
2. Playgyms
3. Swingsets
4. Basketball Pole
5. Volleyball
6. Tetherball
7. Field Hockey/Loose Equipment

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout of area where recreational equipment is to be installed, with a description of equipment, proposed color, design, dimensions of equipment. Sample brochures, pictorial drawing, or photographs of similar equipment are helpful.

Section 3: General Association Guidelines (expected approved uses)

In general, the Association encourages the use of recreational equipment to promote leisure time activities for adults and children in the community. However, the Association discourages and does not endorse the installation of recreational equipment which forces users of such equipment onto the streets to use this equipment.

Section 4: Specific approval conditions, exclusions, etc

1. The only approved location for basketball poles will be in the rear yard areas, 10 feet from any property line. For clarification, the Association will not approve the front yard location, but does require that the pole be painted if you choose to place the pole in the front yard at your own risk.
2. For those who choose to place poles in driveway areas, will be doing so at their own liability and risk. Any poles installed in the driveway areas must be painted the color of the home or an alternative finish recommended by the ARC.
3. Portable basketball poles will have the same placement parameters as solid mounted poles and are required to be painted if they remain in front areas when not in active use.
4. Temporary and/or portable recreational equipment is to be stored away each day when the equipment is not in use.
5. When placing recreation equipment, such as playhouses, playgyms, etc., in the rear yard, consideration should be given to placing the equipment at least 48" from neighboring wall.

D. UTILITY EQUIPMENT

Section 1: Common Utility Equipment Projects

1. Curbside Boxes (TAP box, cable box, phone box)
2. On house Boxes (cable box, gas meter)

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout includes area to be screened and/or painted, designating what colors to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.

Section 3: General Association Guidelines (expected approved uses)

In general the Association neither encourages nor discourages members to paint or screen the utility boxes located on their property either near the sidewalk/curb area or mounted directly on the home. If the homeowner chooses to paint or screen the boxes, upkeep and maintenance must comply with the CC&R's (Encroachments, Building Repair).

Section 4: Specific approval conditions, exclusions, etc

1. For painting curbside boxes or on-house boxes, see Section F, Paint Colors for approved color choices.
2. The letters and numbers originally placed on the boxes must not be painted.
3. If screening curbside boxes with landscaping (plants, bushes, etc), consider placement of plantings near sidewalk, so that future growth of the plants do not block/encroach on sidewalk. Since utility workers will need access to these boxes, consider landscaping screening that will be easy to work around, that does not have any sharp, thorny branches or limbs.
4. **NOTE: If the utility company needs to work in the boxes, they have the right-of-way to displace any landscaping or screening (at homeowner's expense) to work on their equipment.**

E. MECHANICAL EQUIPMENT

Section 1: Common Mechanical Equipment Projects

1. Air Conditioning Units
2. Evaporative Coolers
3. Water Softeners/Conditioners
4. Solar Heaters/Panels

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout includes area to be screened and/or painted, designating what colors to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.

Section 3: General Association Guidelines (expected approved uses)

In general the Association encourages the placement of mechanical equipment in garages or behind privacy walls, to shield from neighboring views.

Section 4: Specific approval conditions, exclusions, etc

1. Mechanical equipment located inside and/or outside the privacy wall is to be shielded from view.
2. No mechanical equipment can be installed on mission tile roofing, and may only installed on Sanae Fe roofs with proper shielding.
3. For painting mechanical equipment or shielding, see Section F, Paint Colors, for appropriate color choices.

F. PAINT COLORS

Section 1: Common Painting Projects

1. Exterior House Walls/Trim/Facia/Garage/Patios
2. Wooden Accent Pieces (Santa Fe models)
3. Pools and Decking - Section G
4. Fence/Gates, Privacy Walls - Section K
5. Utility/Mechanical Equipment and Screening Structures - Section D & E
6. Structural Additions - Section B
7. Landscaping gravel/accent walls/fountains/trellis - Section H
8. Security Doors/Windows/Awnings/Gutters - Section M
9. Roof Mounted Devices - Section N
10. Roofing Material - Section O

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout showing what area is to be painted, type of paint, color of paint, reflectivity of paint color. Also include at a minimum 1"x2" sample of each color to be used at what location of the property. If a larger paint sample is available, the better the review process.

Section 3: General Association Guidelines (expected approved uses)

In general, the Association promotes color choices in harmony with the surrounding desert. Complementary colors which enhance the dominant color of the house paint may be used minimally.

Section 4: Specific approval conditions, exclusions, etc

1. Primary paint colors choices for the community must blend with the desert hues and range from light to medium shades in colors of sand, beige, brown, cream, pink, peach, and coral. Paint color choices would apply to all projects in the Design Guidelines unless noted below.
2. Paint color choices not permitted as a primary color, such as but not limited to, bright white, reds, dark brown, black, purple, green, blue, gray, yellow, and orange.
3. Use of alternative colors to complement the primary colors may be approved on a case-by-case basis. These colors need to be used minimally to complement the primary colors. Complementary colors need to be used in such a manner as to provide a subtle appearance. Very bright and dark colors are discouraged.
4. Exterior and adjoining perpendicular sides of wrought iron fencing are to be painted black.
5. Structures attached to house should be painted to match color of house.
6. Paint colors will be limited to those having a low reflectivity.

G. POOLS/SPAS/RELATED EQUIPMNET

Section 1: Common Pool Projects

1. Heaters (non-solar)
2. Filters
3. Pool Lighting
4. Diving Boards
5. Pool Slides
6. Pool Decking

Section 2: Submittal Requirements (needed for ARC Submittal)

Design layout with pool specifications noting the following (at a minimum): type of pool filtering system, wall up/down access to pool area during construction, lighting enhancement around pool area, location and height of pool equipment (filters, heaters, diving boards, slides). A pool contractor will usually provide a layout with specifications to meet the above requirements. If a pool/spa installation includes landscaping additions, refer to Section H - Yardscaping. If lighting is part of the pool installation, refer to Section A, Lighting. For solar heaters and panels, refer to Section D, Utility Equipment.

Section 3: General Association Guidelines (expected approved uses)

In general the Association reviews pool plans for specific safety considerations to be followed during pool construction, and to consider if the pool and recreational equipment installation provides minimal neighboring property interference (i.e. equipment noise, views).

Section 4: Specific approval conditions, exclusions, etc

1. Diving boards are restricted to springboard types, no platform types are permitted.
2. Slides not to exceed 10' in height in white, blue, or desert hues.
3. For pool decking colors, see Section F, Paint Color for acceptable colors.
4. A design layout which specifies backflushing into common areas or onto streets is prohibited.
Note: Diatomaceous earth or sand filters require backflushing which are subject to Regulation by Pima County. Please check with Pima county on the actual regulations For this installation.
5. A conditional approval granted for pool installation will regulate safety measures to be followed by the member and pool contractor during construction and must be signed by both prior to beginning of pool excavation.
6. Above ground pools will be handles on a case-by-case basis and must be approved by the Board prior to installation.
7. Mechanical equipment located outside the privacy wall, must be shielded from view.

July 30, 2001

Name
Address
Oro Valley, AZ 85737

REVISED 9/01/2001

RE: INSTALLATION OF POOL AT COPPER CREEK @ LOT #xxx

Dear Mr. & Mrs. xxx

Thank you for submitting your request for approval to install a swimming pool at your home within **Copper Creek**. Please be advised that the Copper Creek Association Architectural Review Committee has **conditionally** approved your submittal with the following stipulations:

1. The exterior wall must be rebuilt to match the existing wall in elevation, and stucco and painting needs to be completed within one week of installation of the swimming pool.
2. A temporary solid barrier **other than plastic fencing** must be in place at all times at the access site until the exterior wall has been replaced.
3. The buffer/sidewalk area, outside the wall, must be returned to its original state (prior to construction of said wall) to the Architectural Review Committee's satisfaction within one week of installation of the swimming pool.
4. Any damage to the curb or sidewalk that is **severe enough to create a safety hazzard** to the community must be repaired within **twenty-four (24) hours** of the damage. Any minor damage must be repaired within seventy-two (72) hours.
5. All construction material/debris must be contained within your back yard. Furthermore, the sidewalk must remain clear and **debris free at all times**.
6. The attachment contains additional conditions that you must adhere to with the installation of your swimming pool.

This letter must be signed by you and the Pool Company and returned to our office **by mail or fax prior to Architectural approval**. Should you have any questions please feel free to call **Rincon Realty** at 721-7711.

Sincerely,

Name & Signature of Homeowner

Name & Signature of Pool Representative

Anthony Arico
Association Manager
Copper Creek Assoc

Name of Pool Company

H. YARDSCAPING

Section 1: Common Yardscaping Projects

1. Vegetation (ground cover, shrubs, trees, cactus, vines, grass, flowers)
2. Gravel (rocks, boulders, wood chips)
3. Irrigation and Drainage
4. Accent walls/planter boxes
5. Trellis, Fencing, Staking, Shade Cloth Screening
6. Fountains
7. Flagstone, Brick/Pavers, Slate, Concrete, Steps
8. Driveway Expansions
9. Railroad Ties

Section 2: Submittal Requirements (needed for ARC Submittal)

A conceptual landscape layout plan identifies location of vegetation, common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples.

Section 3: General Association Guidelines (expected approved uses)

The Copper Creek landscape concept is based on a philosophy of compatibility with the existing Sonoran desert, a sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. To this end, existing natural features such as stands of saguaros, unique vegetative groups, rock outcroppings, and washes are preserved whenever possible. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants insuring minimal water usage and compatibility with the built and natural environments. The Association promotes the seven principles of "Xeriscape" which include:

1. Water conserving design
2. Low water use/drought tolerant plants
3. Reduction in turf
4. Water harvesting techniques
5. Appropriate irrigation methods
6. Soil improvements and use of mulches, and
7. Proper maintenance practices

Section 4: Specific approval conditions, exclusions, etc

1. No planting of grass vegetation is permitted in front of privacy walls, Grass vegetation in rear yard (behind privacy wall) is restricted to hybrid Bermuda or other non pollen producing grasses.
2. No tree, shrub, or plant of any kind on any Lot or Parcel may overhang or otherwise encroach on sidewalk or other pedestrian way or bikeway from ground level to a height of eight (8) feet.
3. All landscaping must be maintained within property lines.
4. Landscaping between sidewalks and street curbs are permitted with prior ARC approval

- and must not interfere with site triangle regulations. Non-prickly, non-thorny, and/or plants/trees/shrubs which may encroach upon sidewalk area, are not permitted in the area between the street and sidewalk. Large, jagged rocks or boulders are also discouraged.
5. Gravel ground cover is limited to earthtone colors as designated in Section F, Paint Colors. Bright colors and colors such as but not limited to white, orange, blue, green, purple, black are not permitted. No decomposed granite gravel ground cover will be permitted in front yard areas. Any new gravel ground cover will be crushed rock.
 6. Landscaping must be installed to prevent the appearance of a "hedge" or "wall height extensions". Specifically, no hedges will be permitted along property lines, sidewalks, as such non-random placement of landscaping will have the effect of raising sections of privacy walls, and/or creating a secluded front yard area. Short sections of aligned bushes are encouraged to shield utility boxes.
 7. Any species of tree should not exceed 50 feet.
 8. For recommended and prohibited plant selections, refer to the Pima County Landscape Manual, Official Plants List.*
 9. When installing landscaping and/or irrigation, care should be given to maintain proper grading on property lot to eliminate any undue drainage onto neighboring lots. Irrigation systems should not produce excessive watering on walls to cause damage to party walls.
 10. Accent walls shall not exceed 3' in height.
 11. Temporary fencing, staking, and shade cloths must be properly maintained when visible from neighboring property.
 12. For color selections on yardscaping materials, refer to Section F, Paint Colors.
 13. A minimum landscape package consisting of drainage control rocks and gravel ground cover is required and should be completed in a reasonable and timely manner.
 14. Theme Landscaping (ie, sculptured trees/bushes that reflect animals and/or other architectural designs) will be reviewed on a case-by-case basis.

***NOTE:** Appendix A to this Design Guidelines contain the Prohibited Plant List. For a copy to borrow and review of the complete Pima County Landscape Manual, contact the Management Company. Pima County will provide a copy for a small fee.

COUNTY OF PIMA

vs.

Instrument was filed for record
in Pima County, State of Arizona

Book 7245 Page 105-11

Witness my hand and Official Seal.

RICHARD J. KENNEDY

Date: MAR 22 '84 - 3 00 PM

County Recorder

Request of: CLERK BOARD OF SUPERVISORS

Indexed	Paged	Blotted

By [Signature]
Deputy

Fee: _____

APPENDIX A

ORDINANCE NO. 1984 - 29,
 AMENDING TITLE 23 OF THE PIMA COUNTY CODE, REGULATING
 THE MAINTENANCE, SALE AND PLANTING OF CERTAIN POLLEN
 PRODUCING PLANTS AND DECLARING SAME TO BE A NUISANCE
 AND PROVIDING FOR THE REMOVAL THEREOF

WHEREAS, the Pima County Board of Supervisors has found that common bermuda grass, mulberry trees and olive trees produce large amounts of allergenic, wind-borne pollens which are noxious and contribute to human disease; and

WHEREAS, the Pima County Board of Supervisors has determined that common bermuda grass should be maintained so as not to freely pollinate, and that failure to do so shall constitute a nuisance; and

WHEREAS the Pima County Board of Supervisors has determined that the planting and sale of mulberry and olive trees shall constitute a nuisance;

NOW THEREFORE, the Pima County Board of Supervisors ordains as follows, amending Title 23 of the Pima County Code by adding Chapter 23.44:

23.44.01 The following plants produce large amounts of allergenic, wind-borne pollens which are noxious and contribute to human disease:

1. Common bermuda grass
2. Mulberry tree
- *3. Olive tree **NOTE: "SWAN Hill" variety is permissible.*

23.44.02 Common bermuda grass control

.021 Any person maintaining lawn or open space planted in common bermuda grass shall mow that grass frequently enough to prevent pollination.

.022 Any person owning land on which common bermuda grass has become established shall cause that grass to be cut or removed.

.023 In no case shall bermuda grass be allowed to grow unchecked. Bermuda grass which is freely pollinating shall constitute a nuisance.

23.44.03 Mulberry tree and *olive tree control

.031 No mulberry trees or *olive trees shall be sold in Pima County

.032 The sale of mulberry trees or *olive trees in Pima County shall constitute a nuisance.

.033 No mulberry trees or *olive trees shall be planted in Pima County.

.034 The planting of mulberry trees or *olive trees in Pima County shall constitute a nuisance.

23.44.04 Abatement of nuisances

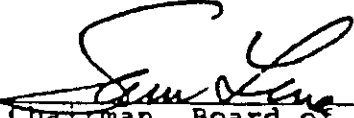
.041 When a nuisance exists on private property, the Health Director shall order the owner or occupant to remove said nuisance within twenty-four hours at his/her own expense. The order may be given to the owner or occupant in person or left at his usual place of abode. If the order is not complied with, the Health Director may cause such nuisance to be removed, and the expenses of removal shall be paid by the owner or occupant who caused the nuisance.

.042 When a nuisance exists on public property, the Health Director shall notify the responsible public official, who shall cause said nuisance to be removed within twenty-four hours.

23.44.05 Effective date

This ordinance shall take effect January 1, 1985.

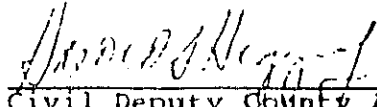
March 6, 1984
DATE


Chairman, Board of Supervisors

ATTEST:


Clerk of the Board of Supervisors

APPROVED AS TO FORM:


Civil Deputy County Attorney

72-15-1106

I. SIGNAGE

Section 1: Common Sign Projects

See list of signs in Section 3 and Section 4 of this project topic.

Section 2: Submittal Requirements (needed for ARC Submittal)

Signs requiring ARC Submittal, review, recommendation and Board approval must designate the number of signs to be placed, size of all signs, colors associated with each sign, design and message content of each sign, community location of each sign, and construction material type of each sign. Signs requiring Management Company approval only (as designated in Section 3) will not require an ARC submittal process.

Section 3: General Association Guidelines (expected approved uses)

Signs requiring Management Company approval only (verbal authorization) - temporary, one-time usage signs or permanent lot identification signs:

Property For Sale/Lease Signs: One (1), post-mounted, not to exceed 5' high "For Sale/Lease by Realtor/Owner" sign (professionally designed and mounted) is permitted per property lot and placed only on the specific home for sale. This sign for the lot is to be removed with the home is either sold or removed from the resell market listing. This sign is prohibited from being placed on Association common areas, nature trails/paths, buffer zones, walls, and/or builder construction lots (unless specific to that lot). An additional one (1) small, ground level bandit and/or A-frame realtor sign (similar in design and less than 24" in height) is permitted only in Association buffer zones from Saturday, 8:00 a.m. through Sunday 6:00 p.m. No other "For Sale/Lease Realtor/Owner" signs are permitted for posting. NO flyer-type (paper) "For Sale/Lease model homes, postal/mail units, Town of Oro Valley right-of-ways, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage or buffer walls/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content location, and type as directed by the ARC.

School Announcements, Garage Sale, Bake Sale: Signs (paper and professionally designed/mounted) are allowed on property lots, association common areas, and buffer zones for the short term duration of the event only. Once the event has been completed, all the signs are to be removed immediately. Signs are not allowed on model homes, postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, buffer walls/planting.

Open House: In conjunction with the "For Sale/Lease Realtor/Owner" sign a lot owner, may also have one (1) sign (professionally designed and mounted) announcing an open house event on the lot and one (1) small, ground level bandit and/or A-Frame realtor sign (similar in design and less than 24" in height) only in Association buffer zones for the duration of open house. No flyer-type (paper) signs for open houses are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, or buffer wall/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content, location, and type as directed by the ARC.

Lost/Found: Signs placed within the community by members notating lost pets, personal articles will be permitted for three (3) days. After three days, the Management Company will remove these signs.

Lot Identification Signs: Alarm/security identification signs are permitted without Board approval, providing signs are placed on lots within three (3) feet of structure, no more than 18" to top of sign, and not self-illumination.

Construction Signs: Temporary pool and construction signs as required by governmental agencies, and not self-illuminating, to be removed upon completion of the project.

Vehicular For Sale Signs: Vehicular For Sale signs are permitted on vehicles within the community, providing signs are placed in vehicle windows, made of quality construction material or store bought signs (no signage painted on vehicle and /or hand written on windows). No Vehicular For Sale signs are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal/mail units, regulatory poles/signs, utility boxes, Town of Oro Valley right-of-ways, fire hydrants, or buffer walls/plantings.

Section 4: Specific approval conditions, exclusions, etc

Other signs (as noted below) are not permitted in the community without proper authorization from the ARC. The Management Company for the Association is authorized to permit only those signs designated in Section 3 above without following the ARC approval process (unless the Management Company deems it necessary for a particular sign to be reviewed and approved by the ARC.

1. Promotional and advertising signs and flags of builders located on any Lot, Parcel, common area, buffer zones within the Association
2. Builder construction area signs, such as noting hard hat area, street identification.
3. During political seasons, sinage for elections, political events
4. Neighborhood watch signs
5. Identification signs for residential usage that number more than two (2) per lot or are larger than 72 square inches
6. Common area/trails sinage
7. Commercial/business identification signs by members
8. Regulatory sinage, home warning signs
9. Signs at entryway monuments, entrance medians.

J. ORNAMENTATION

Section 1: Common Ornamentation Projects

1. Yard Furniture
2. Exterior Wall Ornamentation
3. Flagpole (permanent, ground installation)
4. Yard Ornaments
5. Holiday Decorations
6. Roof Ornamentation
7. Statues
8. Hanging Ornamentation (flags, wind socks, banners)

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout of area where ornamentation is to be installed, with description of ornamentation, proposed color, design, dimensions of ornamentation. Sample brochures, pictorial drawing, or photographs are helpful. No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday. No submittal is required for lawn furniture or lawn ornaments placed in the rear yard area. House mounted flag pole bracket kits do require an ARC submittal (maximum height of these flagpoles is 6').

Section 3: General Association Guidelines (expected approved uses)

In general the Association promotes ornamentation in harmony with the surrounding southwestern desert theme in colors as designated in Section F, Paint Colors. Furniture, wall ornamentation, and yard ornamentation should be used in unobtrusive proportion to the size of the house and yard. Holiday and patriotic observances are encouraged by the Association, with appropriate colors and decorations. The primary function of a permanently installed ground mounted flag pole is to display patriotic flags.

Section 4: Specific approval conditions, exclusions, etc

1. Permanent placement of lawn/garden patio furniture or decorative wrought iron furniture/benches in front yard requires approval.
2. For specific color choices on ornamentation projects, refer to Section F, Paint Colors.
3. Holiday decorations - can be installed 30 days prior to the holiday and must be removed 30 days after the holiday associated with the decorations.
4. Permanent roof mounted ornamentation is discouraged.
5. Flagpoles cannot exceed 30' in height. The flag(s) must be displayed starting at the top of the pole and actual size of the flag(s) are used in proportion to the height of the flagpole. Proper flag etiquette shall be followed at all times.
6. Flags displaying advertising are not permitted.
7. Permanent placement of lawn/garden ornamentation in driveways is not permitted.
8. Wall murals/wall art with prior approval by the Architectural Review Committee.
 - *exterior wall murals are limited to entryway wall locations with limited street visibility
 - *exterior wall mural colors are limited to soft muted southwestern hues
 - *size and dimensions are limited to proportional spacing on the house exterior wall area
 - *the design feature should be in a southwestern or appropriate theme

K. WALLS, GATES, WROUGHT IRON/RAILINGS

Section 1: Common Enclosure Projects

1. Walls (privacy, party, buffer)
2. Gates/Gate Screening
3. Wrought Iron
4. Railings

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout of existing enclosures on property, noting height of existing walls, proposed height of additional courses of brick, gate/screening material. If submitting plans for screening, color of screen and/or sample of material would be helpful.

Section 3: General Association Guidelines (expected approved uses)

Walls and fences in Copper Creek have two functions. The most basic use of walls and fences relate to privacy and security, both of which are extremely important. The Design Guidelines, however, are concerned with the potential to provide handsome and unifying elements for the overall community.

Section 4: Specific approval conditions, exclusions, etc

1. If raising the height of a party wall between neighboring properties, the approval of all the owners of record of the wall(s) to be raised is required. For buffer zones and/or common areas, the neighboring property owner may be the Association.
2. All walls and fences shall be of masonry construction. Walls may be combined with open metal (wrought iron) to provide views.
3. Gates as part of the wall enclosure can be wooden and/or wrought iron material, the appearance of which must be properly maintained from structural disrepair and/or weathering conditions.
4. Screening material, once installed, must be properly maintained from structural disrepair and/or weathering conditions. For appropriate color selection, refer to Section F, Paint Colors.
5. Front privacy walls which enclose the front yard cannot be installed beyond the the furthest frontal point of the existing house structure.
6. Unless approved by the ARC exterior wall surfaces facing shared by the Association common areas, buffer zones are painted Dunn-Edwards Travertine.
7. Individual neighborhoods may have restrictions as imposed by the tract declarations.
8. Wrought iron walls installed on property line must be painted black. All other wrought iron installations will be considered on a case-by-case basis.

L. ANTENNAS

Section 1: Common Antenna Projects

1. Conventional
2. Dish/Microwave
3. Cabling/mounting hardware
4. Broadbands

Section 2: Submittal Requirements (needed for ARC Submittal)

Explanation of where antenna is to be installed on property (camouflaging if applicable) & FCC Ruling.

Section 3: General Association Guidelines (expected approved uses)

Antenna Definitions

1. Antennas are defined as any antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including related hardware, cables, brackets), that shall be erected, used, or maintained outdoors on any Lot or Parcel, whether attached to a building or structure or otherwise.
2. The definition of antenna is universal and pertains to all manufacturers and technologies.
3. In general, antenna installation will conform to the federal regulations as defined in FCC 96-328.

Section 4: Specific approval conditions

Conditions and Requirements

1. Antenna installation must be submitted to the Architectural Review committee (ARC). Any follow-up for non compliance will be conducted by an ARC memeber.
2. Antennas are allowed to be installed, however certain conditions need to be met.
 - a. Antennas must follow FCE quidelines for mast height and must be placed discretely so as to not unduly intrude upon views of the surrounding landscape or horizon.
 - b. Screening may be required, if so, it is to be completed within 14 days of antenna Installation.
3. Antenna installations in the community that do not have an ARC approval will be required to submit to the ARC such an approval within 14 days of being notified of the unauthorized antenna installation.

Installation Guidelines

An approved not-visible-from-neighboring-property placement of the reception device and/or adequate screening shall be a requirement of the installation provided that the restriction does not impair a viewer's ability to receive signals, as defined below:

- a. Unreasonable delays or prevents installation, maintenance, or use of a device
- b. Unreasonably increases the cost of installation, maintenance or use of such device
- c. Precludes reception of an acceptable quality signal

M. DOORS/WINDOWS/AWNINGS

Section 1: Common Door/Window/Awning Projects

1. Internal Window Treatment
2. Screen Doors
3. Security Doors
4. Gated Entry
5. Shade Structures (cloth, metal, window, bamboo)
6. Window Framing
7. Sunscreen (solar and film)
8. Gutters
9. Rolling Shutters

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout of house area where project is to be installed, with description, proposed color, design, dimensions. Sample brochures, pictorial drawing, or photographs are helpful.

Section 3: General Association Guidelines (expected approved uses)

In general the Association promotes installation exterior treatments in harmony with the surrounding southwestern desert theme in colors as designated in Section F, Paint Colors. Exterior additions and changes should be used in unobtrusive proportion to the size of the house and yard. Exterior treatments are subject to weathering conditions and will require periodic maintenance to remain in good condition.

Section 4: Specific approval conditions, exclusions, etc

1. Gutters and downspouts closely match and/or complement color of where the gutter/downspout is to be attached (high reflective aluminum is prohibited).
2. Sunscreen material in black, bronze, or match existing screen color (no white screening material).
3. For appropriate shade structure colors refer to Section F, Paint Colors. No bright colors such as orange, purple, green, yellow, blue, red or black. Plastic sheeting material, when visible from neighboring property is discouraged as an awning for patios and balconies.
4. Security doors painted black or the same color as the house or patina - as submitted and approved prior to installation, made of welded steel tube or wrought iron). It is suggested that the door be decorated in a southwestern motif.
5. No aluminum material or other high reflectivity material may be installed in windows or doors.
6. Exterior wrought iron window treatment is prohibited.
7. The storage area for rolling shutters needs to be incorporated into the window frame structure to be less obtrusive.

N. ROOF MOUNTED DEVICED

Section 1: Common Roof Mounted Projects

1. Solar Panels
2. Solar Heaters
3. Solartube
4. Skylights
5. Roof Ventilators
6. External Gable Ventilator

Section 2: Submittal Requirements (needed for ARC Submittal)

Layout or area where roof mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed.

Section 3: General Association Guidelines (expected qapproved uses)

The Association encourages the use of energy efficient devices, providing the devices, materials, colors, and screening are aesthetically acceptable to the community.

Section 4: Specific approval conditions, exclusions, etc

1. Roof mounted devices, such as solartube and skylights are painted to closely match roof tile material (except actual skylight, glass panels).
2. Solar panels/heaters installed on roofs/patios should be acceptably screened where at all possible, so as to be visually pleasing.



Solar

Installation Guidelines

- Solar collectors, whenever possible, should be installed on the plane of the roof material (flush mounted).
- Aluminum trim, if used and visible, should be anodized or otherwise color treated.
- All exterior plumbing lines should be painted in a color scheme which matches as closely as possible the color of the structure and materials adjacent to the pipes (i.e., pipes on walls should be painted the color of the walls while roof plumbing should be the color of the roof).
- Panel material should be dark in color.
- A sample or illustrated brochure of the proposed solar unit should be submitted with the application, which clearly depicts the unit and defines the materials to be used in the installation.
- Construction drawings for the proposed installation should be provided. They should be drawn to show the location and number of collectors, method of attachment to the roof structure, and location of any other exterior system components. A system approval, issued by an authorized rating organization (such as SRCC or FSEC) also should be provided.
- Solar units not mounted on the roof (ground mounted) should be installed according to the local jurisdiction's zoning "setback" requirements. Any such structure should be concealed from the neighbors' view when reasonably possible, and be free of all future likelihood of shading from fences, trees, shrubbery and other vegetation on the property and neighboring properties.

Arizona

Solar Rights Law

Arizona's greatest natural resource is the sun. In all areas of our state, from Flagstaff to Tucson, the sunshine that falls on our homes every day can provide more energy than we can use. In fact, today it is common to build homes far from the electrical grid using the sun to provide all of the home's energy needs.



There are many solar technologies that can cost effectively provide energy for the average homeowner. These technologies, which include solar thermal and solar electric applications, save money, reduce pollution, and provide significant benefits for Arizona's economy. In the Phoenix area, an average solar water heating system, in place of an electric water heater, can eliminate the production of 2800 pounds of pollution annually. When replacing a natural gas system, 1200 to 1600 pounds of pollution are eliminated each year.

swimming pool heating system can eliminate, on average, 10,000 pounds of pollutants annually. Solar systems that replace natural gas in the home have a direct impact on your neighborhood's air quality, particularly in the wintertime when our air quality is at its worst. Air quality benefits are even greater in other Arizona cities.

The use of solar energy benefits Arizona economically. In addition to creating jobs, solar energy lowers utility bills for commercial and residential energy consumers, resulting in increased profits and disposable income. The money saved with solar energy is spent locally to meet the everyday needs of Arizona families, providing direct economic benefits to local communities.

Because of the benefits that solar energy can provide, many states, including Arizona, have passed laws to protect a homeowner's right to use the sun.



Arizona Solar Right's Law (ARS 33-439):

Restrictions on installation or use of solar energy devices invalid; exception

A. Any covenant, restriction or condition contained in any deed, contract, security agreement or other instrument affecting the transfer or sale of, or any interest in, real property which effectively prohibits the installation or use of a solar energy device as defined in section 44-1761 is void and unenforceable.

B. A deed, contract, security agreement or other instrument affecting the transfer or sale of, or any interest in, real property entered into before April 17, 1980 shall not be subject to the provisions of this section.

Communities do have valid concerns regarding aesthetics and the protection of property values when installing solar energy systems. For that reason, standards have been developed to insure that solar energy systems are installed in a manner that is balanced between aesthetics and proper solar installation procedures. By recognizing the benefits to homeowners and the community and adopting standards for the installation of solar systems, solar energy can play a greater role in our everyday lives and our children will breathe much easier.

O. ROOFING

Section 1: Common Roofing Projects

1. Santa Fe
2. Mission Tile
3. Patios
4. Structural Additions (refer to Section B, Structural Additions)

Section 2: Submittal Requirements (needed for ARC Submittal)

For color changes, refer to Section F, Paint Colors for color choices. For roofing submittal, if possible, include actual sample roof tile material. If that is not possible, on the submittal, note if the roofing material exists on another home in the community. Refer to Section B, Structural Additions, for specific submittal requirements for roofing on patios and structural additions. If the roofing project is to replace broken/missing tiles that matches the existing color and material, no submittal is required.

Section 3: General Association Guidelines (expected approved uses)

In general, roofing material installed by the builders are reviewed and approved during the development review process with a submittal from the builder. Materials and colors of roof materials, currently part of the community are encouraged.

Section 4: Specific approval conditions, exclusions, etc

1. White, high reflectivity, high glaze color is not permitted.
2. On mission tile roofs, no more than one roof material design is permitted.
3. Structural addition roofing color/style materials are encouraged to be the same as the existing main house color/style.
4. Aluminum flashing material must be painted to match existing house color.

P. MISCELLANEOUS

Section 1: Miscellaneous Items

1. Refuse Containers
2. Maintenance Equipment (tools, ladders, hoses)

Section 2: Submittal Requirements (needed for ARC Submittal)

No ARC submittal is required.

Section 3: General Association Guidelines (expected approved uses)

Refuse containers and maintenance equipment shall be visible only on as needed/usage basis. Unless trash/recycling containers are out on pickup day, CC&R's require that members place trash containers out of view of neighboring property.

Section 4: Specific approval conditions, exclusions, etc

1. Except for garden hoses, refuse containers and maintenance equipment are not permitted for permanent storage in front of the privacy wall and during temporary usage should not be visible longer than 48 hours.
2. Containers, primarily designed for trash, placed on curb on pickup days shall be maintained in a clean, well-kept manner.
3. No changes to individual mailboxes shall be granted from original builder installed approved mailboxes.