

PINE CANYON

HOMEOWNER'S ASSOCIATION

DEVELOPMENT STANDARDS & DESIGN GUIDELINES

Updated March 2023

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PINE CANYON PHILOSOPHY & COMMUNITY INTRODUCTION

Pine Canyon is a residential community conceived and designed for the outdoor lifestyle of its residents within a traditional, natural forest community. The community goals, dedicated to achieving a high-quality residential environment, are:

- *Creative design, of Mountain Alpine character and style, climatically responsive to the Coconino National Forest, and respectful of the mountain terrain and wildlife*
- *Visual continuity between residences by careful attention to the compatibility of architecture and nature*
- *Preservation of existing topography*
- *Preservation of existing native vegetation and wildlife*
- *Preservation of open space and views*
- *Preservation of a dark nighttime sky*
- *Preservation of natural forest settings by participating as a Firewise community*
- *To assist the lot owner in developing appropriate plans and completing construction within the Development Standards & Design Guidelines.*

In order to protect your investment, to preserve the natural beauty that enriches Pine Canyon and to foster the mountain charm that characterizes the overall theme of Pine Canyon, residences are to be designed in accordance with these Development Standards. While protecting the distinct environment of Pine Canyon, these standards provide for ample opportunity for individual and architectural creativity. Please familiarize yourself with these standards so that you understand the design parameters for all construction in Pine Canyon before planning a new residence.

Homes in Pine Canyon should be custom in design, responding to the unique feature of your lot and the standards of the Development Standards to insure that your residence will harmonize with the Community. ***Acceptable design styles for Pine Canyon are: Alpine, Mountain Ranch, Log Cabin, Adirondack, or similar architecture.***

Certain architectural styles will also **not** be permitted in Pine Canyon; *Santa Fe, Spanish, Victorian, Tudor, Tuscan, Mediterranean, Contemporary and/or Modern, half-timber designs, A-frame construction, New England Salt Box, Old English or Colonial.* Other styles will be reviewed by the Architectural Review Committee (ARC) in order to determine if that style is compatible with the Pine Canyon character and mountain spirit.

The Association understands that many home owners may wish to explore and ultimately install some form of alternative energy to alleviate the ever increasing energy costs required to support a modern home. Therefore, Pine Canyon does support the installation of alternative energy sources that do not adversely affect the character of the neighborhoods, nor detract from their neighbor's enjoyment of our beautiful natural surroundings.

In order to maintain the integrity of the mountain environment and ensure harmony within Community – No exterior improvements, construction, site work, modification or changes may occur until written approval has been received by the ARC.

The following Development Standards & Design Guidelines are intended to maintain the highest standards in order to safeguard the beauty of the community, to protect your investment, and to help achieve the community goals.

1.0 INTRODUCTION

1.1 SITE DESCRIPTION

Pine Canyon consists of approximately 425 acres of ponderosa pine forest at nearly 7,000 feet of elevation on the top of the Mogollon Rim surrounded by the Coconino National Forest.

1.2 AUTHORITY

These Development Standards have been promulgated pursuant to Section 9.2 of the Declaration of Covenants, Conditions, Restrictions and Easements for Pine Canyon, first recorded on September 9, 1998, at docket 2146, PAGE 834 of the official records of Coconino County, Arizona, and as thereafter amended from time to time (the "Declaration").

1.3 ENFORCEMENT

These Development Standards are binding upon all Persons who at any time construct, reconstruct, refinish, alter or maintain any Improvements upon the Property, or make any change in the natural or existing surface, drainage, or plant life. It is the responsibility of each Owner or his or her representative to obtain and review a copy of the most recently revised Development Standards. These Development Standards will be administered and enforced by the Architectural Review Committee ("ARC") of the Association in accordance with the Declaration and the procedures herein and therein set forth and may be amended from time to time. HOAMCO will provide courtesy notification to property owners concerning potential construction related violations prior to formally reporting a violation in the monthly ARC report. Members of the ARC will be provided info copies of courtesy notifications as well as any follow-up communication concerning a violation. If any conflict should arise between the Development Standards, the Declaration and the requirements of the County Zoning Ordinance, the most restrictive requirement shall be deemed to apply.

1.4 ARCHITCTURAL REVIEW COMMITTEE

These Development Standards & Design Guidelines have been adopted by the Architectural Review Committee (the "ARC"), as established by the Board of Directors, pursuant to the Declaration for Pine Canyon. The Committee shall consist of not less than three (3), nor more than five (5) persons, with at least one (1) Board member serving on the ARC, and functioning as the Chairperson. Committee Members shall be elected by Association members, and need not be Members of the Association.

1.5 APPROVAL AND CONFORMITY OF PLANS

No building, fence, wall or other structure or improvement of whatever type shall be commenced, erected or maintained upon the Property, nor shall there be any clearing or tree cutting prior to complete approval, nor shall there be any addition to or change-to the exterior of any residence or other structure or improvement upon a lot or the grading or drainage thereof, except in compliance with plans and specifications therefor which have been submitted to and approved by the Architectural Review Committee in accordance with the Development Standards as to harmony of -external design and location in relation to surrounding structures, landscape and topography. Note: Modification requests are NOT required when repainting/restaining with previously approved colors or for routine maintenance where existing materials are repaired or replaced with matching materials.

The ARC will include previously approved variation requests as a factor in considering new requests for variations to the Development Standards.

In accordance with the Declaration, the Committee may fix a fine of up to \$10,000 for failure to obtain required approval from the Architectural Review Committee. Please see section 8.14 for further clarification and details.

2.0 DEFINITIONS

A capitalized term within these Development Standards shall have the same definition as in the Declaration. For convenience, some of those definitions along with other useful definitions are set forth below.

2.1 "Association" means and refers to the Pine Canyon Homeowners' Association and its successors and assigns, or successor-in-title who has or takes title to the property or any portion thereof for the purpose of development and/or sale in the ordinary course of business and who is designated as declarant in a recorded assignment instrument executed by the Pine Canyon Homeowners' Association.

"Association Land" means all land, together with all improvements situated thereon, which the Association at any time owns in fee or in which the Association has a leasehold interest, easement or license for as long as the Association is the owner of the fee or holds such leasehold interest, easement or license.

2.2 "Board" means the Board of Directors of the Association, OR ITS DESIGNEE.

2.3 "Building Envelope" means the legal unit established for each Lot and/or Parcel and designates the area within which ALL construction activities (excluding private access roads or driveways) must occur, ALL Improvements must be made and any alterations to the existing landscape must occur. The Building Envelope for each Lot shall be within the setback requirements set forth below in Section 6.2.

2.4 "Committee" means the Architectural Review Committee provided for in Article 9 of the Declaration.

2.5 "Common Area" or "Common Areas" means all Association Land or any other real property or interests therein (including, but not limited to, easement interests), any improvements, equipment, fixtures, appurtenances and apparatus from time to time located thereon or used on connection therewith, whether designated as Common Area on the Plat or otherwise specified in the Declaration as Common Area, and held, operated or maintained (whether owned in fee, leased or held pursuant to an easement or license) by the Association for the common use and enjoyment of the Owners, including but not limited to the Common Roads.

2.6 "Common Roads" means the private access roadways and public utility easements for Pine Canyon as shown on the Plat, which were reserved in favor of the Declarant and assigned to the Association for the common use and benefit of all Lots, but which shall not be expressly dedicated to public use.

2.7 "County" means Coconino County, Arizona.

2.8 "Declaration" means this instrument and all covenants, conditions, restrictions, liens, easements, privileges and rights contained herein as from time to time amended.

2.9 "Development Standards" means the rules, regulations, architectural standards, design guidelines and development and landscaping standards from time to time adopted by the Committee pursuant to Section 9.2 of the Declaration.

2.10 "Dwelling Unit" means any improvement placed within the confines of any Lot and designed and intended for human residence, including any attached garage for motor vehicles, but excluding detached storage sheds or buildings.

2.11 "Lot" means any of the two hundred forty-five (245) subdivided lots, as shown on the Preliminary Plat. A "Lot" includes the land and any dwelling Unit, and any garage, structure or other improvement constructed or to be constructed thereon.

2.12 "Native Plant" means any tree, shrub or plant described in these Development Standards or any other trees, shrubs or plants hereafter approved by the Committee for Pine Canyon.

2.13 "Native Plant List" means the list of trees, shrubs and plants described in these Development Standards,

or any other trees, shrubs or plants hereafter approved by the Board for Pine Canyon.

2.14 "Occupant" means any Person, other than the Owner, in rightful possession of a Lot, whether as guest, tenant or otherwise.

2.15 "Parcel" means the parcel of real property located in Coconino County, Arizona, more fully described on the Preliminary Plat.

2.16 "Preliminary Plat" means the plat of subdivision of the Parcel prepared by Woodson Engineering and Surveying, Inc., dated October 15, 1997 and as thereafter from time to time amended or supplemented.

2.17 "Project" means the residential community known as Pine Canyon.

2.18 "Property" means the Parcel, together with all buildings, improvements and other permanent fixtures of whatever kind now or hereafter located thereon, and all easements, rights, appurtenances and privileges now or hereafter belonging or in any way pertaining thereto.

2.19 "Utility Companies" means Arizona Public Service, TDS Telcom, Starlight Water Company or any other company providing utilities to the area and their respective successors or assigns.

3.0 EASEMENTS

For your information the following easements have been established in favor of the Association:

3.1 *an easement* (which the Association may further assign in favor of the Utility Companies and others) upon, across, over, under and through the Common Area, Lots, and other portions of the Property for reasonable ingress and egress, installation, construction, replacement, repair maintenance and operation of all utilities, including but not limited to water, gas (which is currently neither available nor anticipated), telephone, electricity, television cable, security systems, and communication lines and systems, and in addition thereto for the use of emergence vehicles of all types;

3.2 *an easement* for Common Roads over, under, upon, across and through portions of all of the Lots;

3.3 *an easement* for existing natural drainage across all portions of the Property;

3.4 *such easements* over, under, upon, and across the Property as necessary to perform the duties and obligations of the Association and the Committee as are set forth in this Declaration, the Development Standards or the Rules promulgated by the Association or the Committee;

3.5 *an easement* over, upon, across, through and under a portion of Lots 6, 7, 165, and 255 of sufficient dimensions to allow the Association to construct, install, operate, maintain, repair and replace gates or other Controlled Roads, together with such pillars, anchors, and mechanical equipment as are reasonably necessary to secure and operate the gates of other controlled access devices, and to connect the same to public utilities for power and illumination;

3.6 *an easement* over, upon, across, through and under all Lots, Tracts, and streets adjacent to the perimeter boundaries of the Property for purposes of installation, replacement, maintenance, and repair of a perimeter fence located along such boundaries, including access to and from the location of such perimeter fences.

4.0 USE RESTRICTIONS

The following use restrictions are set forth in the Declaration and repeated here so that Owners will not plan site-

work, improvements or landscaping which will be inconsistent with these requirements.

4.1 RESIDENTIAL USE

All Lots and Dwelling Units shall be used improved and devoted exclusively to residential use by a single family. No trade or business may be conducted on any Lot or Parcel or in or from any Dwelling Unit except that an Owner or Occupant may conduct a business activity in a Dwelling Unit so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Dwelling Unit; (b) the business activity conforms to all applicable zoning ordinances or requirements; (c) the business activity does not involve the door-to-door solicitation for Owners or other Occupants in the Project; (d) the use of the Dwelling Unit for trade or business shall in no way destroy or be incompatible with the residential character of the Dwelling Unit or the surrounding neighborhood; (e) the trade or business shall be conducted only inside the Dwelling Unit or inside an accessory building or garage, shall not involve the viewing, purchase or taking delivery of goods or merchandise at, to, from or in any Dwelling Unit, and no signs evidencing the trade or business shall be allowed; (f) the trade or business shall be conducted by the Occupant of the Dwelling Unit with no more than one (1) employee working in or from such Dwelling Unit who is not an Occupant thereof; (g) no more than twenty percent (20%) of the total floor area of the Dwelling Unit shall be used for trade or business; (h) the Dwelling Unit used for trade or business shall not be used as a storage facility for a business conducted elsewhere; (i) the volume of vehicular or pedestrian traffic or parking generated by such trade or business shall not result in congestion or be in excess of what is customary in a residential neighborhood; (j) the trade or business shall not utilize flammable liquids or hazardous materials in quantities not customary to a residential use; and (k) the trade or business shall not utilize large vehicles not customary to a residential use. The terms “business” and “trade” shall be construed to have ordinary, generally accepted meanings, and shall include, without limitations, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider’s family and for which the provider receives a fee, compensation or other form of consideration, regardless of whether: (i) such activity is engaged in full or part time; (ii) such activity is intended to or does generate a profit; (iii) a license is required for such activity. The leasing of a Dwelling Unit by the Owner thereof shall not be considered a trade or business. The maintenance of a Recreation Center/Clubhouse by the Association shall be exempt for the provisions of this Section 4.1.

4.2 VIOLATION OF LAW OR INSURANCE

No Owner shall permit anything to be done or kept in his or her Lot which will result in the cancellation of insurance thereon or which would be in violation of any law.

4.3 FENCING

No Owner shall erect or construct any perimeter or other fencing or walls on any portion of a Lot except as set forth in these Development Standards (see Section 6.12) and submitted to and approved by the Committee; provided, however that the owners of Lots adjacent to the Coconino National Forest and Highway 87 shall be entitled to maintain a three-strand barbed wire fence along the boundary between their respective Lots and the adjoining Coconino National Forest and Highway 87.

4.4 SIGNS

No sign of any kind shall be displayed to the public view or from any Lot without the approval of the Committee, except: (a) such signs as may be required by legal proceedings, or the prohibition of which is precluded by law; and (b) a reasonable number of “no trespassing” signs facing the Coconino National Forest and Highway 87 must be maintained on the perimeter fence referred to in Section 4.3 above by the Owners of Lots adjacent to the Coconino National Forest and Highway 87. Subject to review by the Committee, one Owner’s name sign and one lot identification sign specified by the Blue Ridge Fire Department will be permitted on a Lot. Further, nothing herein shall be deemed to prohibit installation and maintenance of

directional signs, subdivision identification signs, street signs or similar signs as may be approved by the Committee for installation or maintenance by the Association. One owner's "For Sale" and/or "security" sign may be placed on a lot. No off-site signs are allowed. Any such sign must be removed upon completion of the sale or termination of security agreement. No sign of any kind shall be affixed in any way to any tree or natural vegetation. No sign may exceed 18" X 24" and all signs shall be of quality construction and mounted on a post; paper or plastic signs are not acceptable. One (1) construction sign may be allowed on each lot during the construction phase of the dwelling unit with said sign meeting all requirements in this section. Any construction sign shall be removed immediately upon issuance of a Certificate of Occupancy by the county.

4.5 TANKS

No tanks of any kind (including tanks for the storage of fuel) shall be erected, placed or maintained on any Lot unless such tanks are appropriately screened in accordance with the Development Standards and such screening has been submitted to and approved by the Committee. Preferred materials for use in screening propane or other type of above ground tanks are: *a wall structure with colors/materials matching the existing residence, vinyl or polyresin lattice (with maximum 1 1/2" openings) installed on non-flammable support posts.* If Notwithstanding the foregoing, an above-ground propane or similar fuel tank with a capacity of ten (10) gallons or less which is used in connection with a normal residential gas barbeque, grill or fireplace or a spa or "hot tub" shall not require screening. While not required by these Development Standards, it is desirable for both aesthetic and fire safety reasons that propane or similar tanks of a capacity greater than ten (10) gallons be buried according to Coconino County, Arizona Guidelines. It is further desirable that above-ground tanks be of a color fitting into the surroundings.

4.6 ANIMALS

No animals may be kept, bred or maintained on any Lot, except a reasonable number, up to four (4), of commonly accepted household pets in accordance with the Development Standards may be kept, so long as such pets are not and do not become a nuisance, threat or otherwise reasonably objectionable to any other Owner. No animals shall be kept, bred or raised within the Pine Canyon community for commercial purposes. In no event shall any domestic pet be allowed to run free away from its Owner's Lot or so as to create a nuisance. All animals shall be kept on a leash when off of private property, and any waste is to be cleaned up from any trail, roadway or community use areas.

4.7 NUISANCES

No Owner shall permit or suffer anything to be done or kept about or within his or her Lot which will obstruct or interfere with the rights of any other Owners or annoy them by unreasonable noises or otherwise, not commit or permit any nuisance or commit or suffer any illegal act to be committed therein. Each Owner shall comply with the requirements of all health authorities and other governmental authorities having jurisdiction over the Property.

4.8 BOATS, TRAILERS AND MOTOR VEHICLES

Driveways and other approved parking areas are intended for parking cars, SUV's, light trucks, motorcycles, ATV's and UTV's that are street legal and have current state registration. These vehicles must be parked where they do not encroach on building setback lines. No boats, trailers (except as noted below), horse trailers, travel trailers, buses, motor homes, recreational vehicles (RVs), campers, commercial trucks or other similar vehicles shall be parked or stored in or upon a Lot, other than on a temporary basis, unless they are appropriately screened in accordance with these Development Standards and such screening has been submitted to and approved by the Committee. No vehicle shall be repaired or rebuilt upon or within any Lot. The Association may remove, or cause to be removed, any unauthorized vehicle at the expense of the Owner thereof in any manner consistent with law.

One ATV or UTV Trailer may be stored on a Lot, not encroaching building setback lines, as long as it is maintained in good working condition and is currently registered with a non-expired license plate clearly displayed. The Lot must contain a completed home with occupancy permit in order for allowance of trailer storage. An ATV or UTV trailer shall be constructed with a bed length no more than 16', bed width no more than 8', single or dual-axle, plank or steel bed (plywood bed is not allowed) containing rail, steel, or steel mesh sides (wood sides are not allowed) no higher than 2' from bed and a tailgate ramp no more than 5'. This definition excludes other trailers such as, but not limited to; boat trailers, enclosed trailers, landscape trailers, dump trailers, and pickup bed trailers.

Unless otherwise specified, setbacks as promulgated in para 6.2 of these guidelines are 35 feet from each side and 50 feet from the front and back of a lot.

4.9 TEMPORARY OCCUPANCY

No boat, truck, mobile home, trailer, camper, recreational vehicle (RV), or any vehicle of any kind, or tent, shack, barn or similar thing and no temporary building or structure of any kind may be erected, placed or maintained on any Lot or used at any time for a residence, whether temporarily or permanently, on any portion of the Property of a Lot, except as expressly permitted by, and in compliance with the Association's Rules or these Development Standards. No portion of a Lot shall at any time be used for camping (whether in tents, trailers or otherwise).

4.10 REFLECTIVE MATERIALS

No machinery, fixtures or equipment of any type may be installed on any Lot which are visible from the exterior of any Lot, including but not limited to solar hot water heaters and electric generating devices, except in compliance with these Development Standards; and no reflective materials which would be visible from the exterior of any Lot shall be used on any roof or for any window, door or for other purpose, except in compliance with these Development Standards. Please reference section 6.8 for further details regarding installation of Solar applications.

4.11 FIRE REGULATIONS

Other than barbecues in properly constructed barbecue pits or grills, and fire pits in compliance with these Development Standards or as otherwise permitted in the Association's Rules, no open fire shall be permitted on the Lots nor shall any other similar activity or condition be permitted which would tend to increase the insurance rates for the Common Areas or for any other Owner.

Fire Pits: Plans for the construction of a permanent fire pit or an area to be used for a portable fire pit must be submitted to the Pine Canyon Architectural Review Committee as per Paragraph 1.5 Approval and Conformity of Plans. After completion, Fire pits must be inspected and approved by the Blue Ridge Fire Department prior to being used.

The outside edge of any constructed fire pit must be located a minimum of twenty five (25) feet from propane tanks and fifteen (15) feet from any structures (including but not limited to a house, deck, garage, or woodshed), as well as from combustible material such as trees and/or overhanging tree branches, pine needles, forest debris, and wood piles. Construction of a built-in fire pit must be of fire proof material, e.g. masonry, concrete, fire brick, but not loosely stacked rocks. Fire pits must be at least two (2) feet high from ground level and be no more than four (4) feet interior diameter. Fire pits must be surrounded by at least a three (3) foot radius apron of non-combustible ground cover, e.g. crushed granite or concrete. Fire pits must have a floor of fire brick (preferred) or poured concrete. Fire pits must meet all other guidelines of the local fire district. It is recommended fire pits be covered with a non-combustible screen material.

Portable fire pits must be constructed of metal and have a screen cover to suppress sparks. They shall be used

exclusively in an area with non-combustible ground cover (i.e. concrete, pavers, gravel), and meet all location and protection requirements listed above for permanent fire pits. This area must be inspected and approved by the Blue Ridge Fire Department prior to being used.

Fire extinguishing equipment such as buckets, shovels, garden hoses, or a fire extinguisher with a minimum 4-A rating shall be readily available to the fire pit. Such fires shall be constantly supervised and attended by a person knowledgeable in the use of the fire-extinguishing equipment available. Fire pits are inspected and approved for recreational use only. Flame heights should be kept at a reasonable height. Recreational Fire Pits are not intended for disposal of accumulated slash, lumber or forest type debris. The Blue Ridge Fire Department reserves the right to determine a fire unsafe at any time and/or to extinguish fires found in non-compliant fire pits or at times when fires are banned either by the Blue Ridge Fire District, Coconino County or the U.S. Forest Service.

Additional fire prevention suggestions include not storing firewood or other combustible material under decks or porches but rather at least thirty (30) feet away from any structure.

4.12 POWER TOOLS AND OTHER EQUIPMENT

No power tool, communication equipment or other device shall be used on the Property which causes interference with TV reception or other electronic devices without the prior written consent of the Committee.

4.13 LIGHTS

No spotlights, flood lights or other high intensity lighting shall be placed or utilized on any Lot or dwelling unit or structure which, in any manner, will allow light to be directed or reflected onto any other Lot. All exterior lights shall be of a non-glaring material with the light directed downward. Please refer to Section 6.14 for further details regarding installation of exterior lighting.

4.14 ANTENNAS/SATELLITE DISHES

No radio, television or other antennas of any kind or nature, or device for the reception or transmission of radio, microwave, cellular phone, or other similar signals, NOT including satellite dishes twenty four (24) inches or smaller, shall be placed or maintained upon any Lot except as set forth in Section 6.19 or as approved by the Committee.

4.15 GARBAGE

No garbage or trash shall be kept, maintained or contained in any Lot so as to be visible from another Lot. No incinerators shall be kept or maintained in any Lot. No refuse pile, garbage or unsightly objects shall be allowed to be placed, accumulated or suffered to remain anywhere on a Lot. All rubbish, trash, and garbage shall be kept only in containers meeting applicable municipal sanitation requirements (and any applicable Rules of the Association) at trash locations designated on the Property; shall be regularly removed from the Property, and shall not be allowed to accumulate thereon.

4.16 MINING

No portion of the Property shall be used in any manner to explore or remove any oil or other hydrocarbons, minerals or any kind or earth substance of any kind.

4.17 SAFE CONDITION

Without limiting any other provision in these Development Standards, each Owner shall maintain and keep his, her or its Lot at all times in a safe, sound and sanitary condition and repair and shall correct any condition or refrain from an activity which might interfere with the reasonable enjoyment by other Owners or other Persons of their respective Lots.

4.18 SEWAGE SYSTEMS

Each Owner shall design, construct and install upon his, her or its Lot a septic or other sewage disposal system which complies in all respects with all applicable laws and shall at all times operate, maintain, repair and replace said system in compliance with said laws. The entire cost thereof shall be borne by the Owner of the respective Lot. See Section 6.21 for details regarding sewage system installation.

4.19 CLOTHES DRYING AREA

No unenclosed portion of any Lot shall be used as a drying or hanging area for laundry of any kind, it being the intention that all such facilities shall be provided within the buildings to be constructed on each Lot.

4.20 NO FURTHER SUBDIVISION; COMPOUNDS

No Lot shall be divided, subdivided or timeshared. An Owner may own more than one Lot which, if contiguous, may be combined into a single home site with the prior written approval of the County and the

Committee. Notwithstanding anything herein to the contrary, the Owners of two of more contiguous Lots may, with the approval of the County and the Committee, combine such Lots as a compound which may include and provide for the construction of common recreational facilities on such Lots including, for example, a tennis court or swimming pool, in accordance with these Development Standards.

4.21 NO OBSTRUCTIONS TO DRAINAGE

No Owner shall erect, construct, maintain, permit or allow any fence or other improvement or other obstruction which would interrupt the normal drainage of the land with any area designated on the Plat or other duly recorded instrument as a flood plain or "drainage easement," except that, with the prior written consent APPROVAL of the County and the Committee, certain structures may, in accordance with these Development Standards, be erected or constructed so long as such structures do not interfere with the drainage or other intended purpose or function of such areas.

4.22 RENTAL OF LOTS

An Owner who leases his or her Lot to any Person shall be responsible for assuring compliance by the lessee with all of the provisions of the Declaration and these Development Standards, all as amended and supplemented from time to time, and shall be jointly severally and personally responsible for any violation by the lessee.

Notwithstanding anything contained herein to the contrary, all leases of Lots shall be in writing and shall be for a period of not less than thirty (30) days. Owners shall provide a copy of the written lease agreement to the Association.

5.0 SITE PLANNING

5.1 DWELLING UNIT:

Before any site clearing or building takes place, approval of the proposed Dwelling Unit and site plan must be received from the Committee.

At the time of site clearing and during construction, access to the site shall be only on the designated roads and one properly prepared driveway per lot, that is, only one ingress and egress is allowed per lot. Circular driveways of any kind are not permitted. Clearing and site damage shall be minimized. Debris, or slash, from the pre-construction, preparation, and clearing shall be removed from the lot prior to the beginning of any construction, except the driveway.

Site development shall be sensitive to the natural topography. Existing vegetation shall be preserved to the greatest extent possible without endangering the dwelling in time of a forest fire.

All structures, site development and landscaping shall preserve mountain views and promote the privacy and aesthetic quality of neighboring structures and outdoor spaces.

Designs will emphasize the idea of a cohesive community. Abrupt transitions in building material and between lots shall be avoided. Existing natural landscape shall be preserved between Lots to the greatest extent possible so that common boundaries maintain visual continuity.

If any field changes are proposed subsequent to approval of the site plan by the Committee, updated site plans shall be submitted and construction of the changes shall not occur until the Committee shall have reviewed and approved such changes.

Lot coverage, building heights and setbacks shall be according to the County Zoning Code and the Pine Canyon Development Standards as set forth herein. The more restrictive regulation shall govern.

5.2 DRAINAGE

As noted in Section 4.21, natural drainage ways shall be preserved wherever possible; however, measures shall be taken by the Owners to prevent soil erosion on their respective Lots and adjoining lots.

The use of architectural elements (*i.e.*, retaining walls) is encouraged to support transitions in grade and earth berm retention basins and low rock check dams are encouraged to slow the flow of storm runoff and prevent erosion; however, drainage must not be diverted from natural pathways, and on-site retention of storm water run-off is not encouraged.

Any lining material shall be approved by the Committee.

Rip-rap must be hand-placed rock from the site or native to the Coconino National Forest, and shall not exceed 6 feet in height. In order to stabilize slopes in a flood plain, these limitations may be exceeded with the approval of the Committee.

5.3 GRADING

The unique character of Pine Canyon is due in part to the natural topography of the site, consequently, sensitive grading is extremely important.

Grading shall conform to the natural topography resulting in a harmonious transition with the existing terrain.

Cut-and-fill slopes shall not be steeper than 3:1 unless stabilized with riprap or retaining or terraced walls and shall not exceed 6-foot vertical height unless soils information requires a more restrictive treatment.

Cut slopes must have visually pleasing rounded transitions to the undisturbed grade.

All cut-and-fill slopes are subject to County Zoning Code and regulations.

All cut-and-fill slopes shall be landscaped and re-vegetated. A landscape plan showing the proposed re-vegetation must be submitted for review and approval.

Graded fill slopes shall not be steeper than 3:1 and shall not exceed 6-foot vertical height without prior approval of the Committee and fill slopes must have visually pleasing rounded transitions to the undisturbed grade.

Limestone deposits are common in Northern Arizona. Voids or cavities sometimes occur randomly throughout limestone deposits. During excavation for utilities, foundations or other structures to be built on

a Lot, Owner’s contactor is advised to watch for limestone voids. If encountered, the voids may need to be properly filled in order to assure proper structural integrity.

5.4 IRRIGATION

Permanent underground irrigation operated by automatic timers shall be installed for all landscaped areas that will not adapt to normal Pine Canyon precipitation. Drip irrigation techniques shall be utilized wherever feasible.

A minimum 3-month watering period of seed germination and plant establishment shall be planned for any areas re-vegetated by seeding.

5.5 RE-VEGETATION AND LANDSCAPING

Disruption and removal of existing vegetation including but not limited to all trees, shall be kept to a minimum and confined to approved construction areas.

All disturbed areas of the Lot shall be landscaped or re-vegetated back to a condition closely resembling the area as it naturally occurred prior to construction. Landscaping should be designed to maintain the natural forest appearance. A complete landscaping plan, including plant type/size/locations, is required for review and approval.

Only trees, shrubs and plants on the Native Plant List or vegetation approved by the Committee shall be used for re-vegetation to areas outside of private patios.

Native shrubs, trees and ground covers are found extensively at Pine Canyon. Recreating this natural vegetation on disturbed areas is encouraged so as to prevent erosion and other disruption of the land.

6.0 BUILDING DEVELOPMENT STANDARDS, DESIGN GUIDELINES & MATERIALS SPECIFICATIONS

6.1 CONSTRUCTION PERIOD

The construction of a dwelling unit from the commencement of clearing until final site inspection shall be completed in no longer than **twenty-four (24) months**.

6.2 SETBACKS

The Building Envelopes for Lots in Pine Canyon shall be defined as the area within the setbacks, as detailed in the chart below:

	Front Setback	Side Setbacks	Rear Setback
All Lots Except the Lots on the North Boundary of the Project	50 feet	35 feet	50 feet
Lots on the North Boundary of the Project	50 feet	35 feet	20 feet plus a 40 foot pedestrian & equestrian access easement for a total of 60 feet

The front setback shall be measured from the nearest portion of the street toward which the entryway of the dwelling unit faces, and the rear setback shall be measured from the rear of the house to the nearest lot line.

Any variance to the Setback and Building Envelope requirements listed herein must be approved by the Board of Directors. Adjacent effected neighbors shall be made aware of such variance prior to granting of any approval.

Except as delineated below, all structures and improvements, including but not limited to roof overhangs, patios, decks, walls, fences, parking areas, septic systems, equipment and facilities shall be contained within the Building Envelope.

Exceptions:

Driveways / turnarounds, as proposed on site plans and approved by the ARC.

Underground utilities (water, electric power, telephone, etc.).

Septic system drain fields when soil conditions, topography, location of trees and / or lot size and shape preclude location entirely within the building envelope. Such drain fields must be entirely underground with surface soil returned to its natural state (i.e. no part of the drain field shall be visible as such from the street or any adjacent property).

6.3 SIZE

Each Dwelling Unit shall not contain less than 1,500 square feet of livable, heated space, excluding garage space.

6.4 SITE BUILT

Homes are to be site built. No improvement or structure shall be moved or removed from other locations onto a lot. **Manufactured or modular homes are not permitted.**

6.5 BUILDING HEIGHTS

Maximum building height for a single story dwelling height is twenty three (23) feet. This is measured from the highest natural grade on the stem wall to the overall highest ridge point of the dwelling Unit.

Maximum building height for a two-story Dwelling Unit shall not exceed twenty six (26) feet from the highest grade on the stem wall to the highest ridge point of the Dwelling Unit. The second story living area shall not exceed 40% of the lower level living total square footage (excluding garage). Roof ridge lines must not exceed fifty (50) in length before a significant change in direction and/or elevation occurs.

No other structure or improvement upon any Lot shall exceed fifteen (15) feet in height.

All structures also shall conform to height requirements of the County Zoning Code (if applicable); however, the lowest height requirement shall prevail.

6.6 EXTERIOR WALLS

Any wall which measures greater than thirty-five (35) feet in length must contain a minimum 24" horizontal wall off-set, also expressed in the roof design.

Exposed standard or painted block are not acceptable materials for stem walls. Acceptable stem wall materials are: *split-face block, stone veneer, stucco, wood face (provide detail).*

Any columns shall have a minimum size of 8"x 8" or 8" round; Columns greater than 8 (eight) feet in height shall increase 1" in diameter per foot of height, for proper architectural scale.

6.7 BUILDING MATERIALS & COLORS

Exterior appearance, including all exterior surfaces, shall blend with the natural surroundings and the landscaping.

Exterior materials shall be continuous and consistent on all elevations.

Log and cedar/redwood, are the encouraged building materials for Pine Canyon.

Other acceptable exterior siding materials for Pine Canyon are as follows: $\frac{1}{2}$ " min. shiplap wood, $\frac{1}{2}$ " min. tongue & groove, board and bat, log siding, stone veneer, brick, and hardi-plank/shingle. Any natural wood siding material, with the exception of Log siding, shall be of Pine or Cedar only. Include a sample of the proposed material with your submittal. Aluminum siding, vinyl siding without wood backing, and T-111 are not acceptable siding materials. However, T-111 may be used for soffits. *Stone, stone veneer, brick and stucco are acceptable as accents only.*

Other approved building materials for stem walls, columns, and/or accent features include: *stucco over CMU or frame, split face concrete block, masonry (brick or stone).*

Prohibited building materials include but are not limited to: *plywood siding, reflective glazing, metal siding, corrugated metal roofing, exposed CMU or exposed frame construction, chain link fencing (except as noted in Section 6.12)*

Wood trim material should be complimentary in color and materials (either stained or painted) to the siding materials on the residence. Provide a paint chip or indicate that the color is the same as the siding, along with type and size that will be used, with your submittal.

Exterior colors shall be natural forest tones indigenous to the area and **shall have an LRV (light reflective value) between 10 and 40**. Actual color samples shall be submitted for approval at the time of Document Review. Actual color and material samples shall also be submitted for approval of any re-covering (painting, staining, or other covering) of any existing structure.

No exterior reflective materials (glass, roof surfaces, window mullions or garage doors) or colors will be allowed. All paint must be flat or low sheen. If you are using different colors on different portions of any structure, indicate the colors on your plans. If you are using the same color on the entire exterior, provide the required information along with a color sample.

Any exterior electrical boxes and conduits mounted on the home's exterior must be painted to match or harmonize with the part of the home to which they are attached.

6.8 ROOFS

All roof materials shall be non-reflective and in natural forest tones. **The following roofing materials are acceptable for use in Pine Canyon:** *architectural composite asphalt shingle minimum 300#, flat concrete tile, slate, and a standing seam metal roof.*

With written approval of the Committee, non-reflective metal roofing (other than corrugated metal) may be allowed.

Vent pipes, caps or metal chimneys and skylight housings must be painted to match the roofing color. Solar panels or roof-mounted cooling and heating units will be allowed only as permitted by existing law.

Overhangs: Roof overhangs are to be a minimum 24" from the face of exterior sheathing, to the backside of the sub-fascia, in a horizontal plane. Fascia's are to be double stacked, with a minimum 2"x 6" installed over 2"x 10", while soffits are to be enclosed, with no exposed truss tails visible.

Chimneys: If a chimney is present as a roof design element, they are to be faced with the same materials and textures as used on the residence to ensure a consistency in character and style. Wood or stone facings are

allowed. Spark arrestors are required and must be screened from view, using prefabricated metal shrouds (powder coated to match colors on the residence). Exposed metal chimneys are not allowed.

Solar: Pine Canyon encourages any homeowner contemplating the installation of solar devices to consult with the Architectural Review Committee (ARC) prior to entering into any contract. Consequently, all solar installations must be reviewed and approved by the ARC prior to installation. All material that supports the devices should be colored or anodized to match the roof color or the panel color. No reflective bright work will be permitted.

Arizona State statutes (A.R.S. §33-1816, A.R.S. §44-1761 and A.R.S. §44-1762) allow the installation of solar devices in communities that have restrictive covenants in their bylaws. However, the law permits those communities to require modifications that reduce the visual impact of the panels. These modifications must not significantly affect the efficiency of the devices. However, if like efficiencies can be obtained by the suggested modification, and if the modifications do not exceed certain dollar values specified within the law, then the modifications can be enforced.

6.9 DOORS & WINDOWS

Exterior door colors must be coordinated with the exterior finish of the home. Solid core wood doors with a stain finish are recommended. White or similar color is not acceptable. Provide picture or brochure, depicting the design, brand and color of the door.

Acceptable window materials are: *wood, aluminum clad, vinyl clad aluminum, anodized or powder-coated aluminum.* If aluminum is used, color must be bronze anodized. All windows must be recessed a minimum of 2", or trim must be installed to give the appearance of 2"x materials. No stainless steel, white, polished aluminum or other shiny metals may be used.

6.10 GARAGE DOORS

Pine Canyon requires metal raised panel, or wood veneer doors with raised panels, with or without window lights. Doors should be appropriately treated with decorative relief cuts or panels; no flat panel garage doors may be used. Galvanized or other metallic or high gloss surfaces will not be approved.

Colors must be coordinated with exterior house color or trim and must be approved; white is not an acceptable color. All garage doors are to be installed with a minimum recess of 6", and of an acceptable height (8' or 9'), with the exception of RV garages. Garage doors that are visible from the street must be of an industry standard size. Provide picture or brochure for review and approval.

6.11 GARAGES, DRIVEWAYS AND PARKING

A minimum one-car garage shall be provided for each Dwelling Unit, (side load preferred) and each Lot shall also provide adequate on-site parking for at least two other vehicles within the building setback lines.

Driveways shall be constructed with acceptable materials, *including red cinders, decomposed granite, crushed granite or granite filled interlocking pavers.* A suitable base course of ABC or other appropriate material shall be installed prior to construction. **Unacceptable** driveway materials are concrete, asphalt, gravel of any kind, and ABC.

Concrete aprons are restricted to extend no more than a length of 25' from the front of a garage and to extend no wider than the garage width. Color must be added to concrete to match driveway crushed rock. Aprons constructed of granite filled interlocking pavers can be any length. Concrete aprons must be entirely within the building envelope.

One single driveway per dwelling shall be used for construction access and to accommodate guest parking.

No circular driveways are allowed. No street parking is allowed.

Concrete walkways are prohibited. Walkways must be crushed rock or granite filled interlocking pavers, to match the driveway.

Pavers used for driveways, garage aprons or walkways must be earth tone in color vice any bright or contrasting color compared to adjacent ground.

6.12 FENCES, WALLS & SCREENING

Perimeter fencing of lots is not permitted. All Fencing/Enclosures/Screening must be submitted for ARC approval. All Fencing/Enclosures/Screening must be within the building envelope. White is not an approved material color. There shall be no obstructions to drainage per section 4.21. Please indicate the design, materials, height, and locations on your site plan. Any previously approved variances must be submitted at time of request for consideration of the same lot for review and consideration of approval for a future variance within that same lot only.

Acceptable construction materials could be of the following:

- Fencing that matches the home siding
- Wood slats
- Split rail
- Dowel rail & post
- Wrought iron in black or dark brown colors
- Welded wire fencing powder coated in black or dark brown colors with wood framing

All fences that extend a building shall be constructed of the same or coordinated materials as that building. Per section 6.6, "Any wall which measures greater than thirty five feet (35') must contain a minimum two feet (2') horizontal wall off-set" shall also pertain to the fencing attached to the building. Fencing may not be higher than six feet (6') in height

Self-standing unattached fencing for courtyard or dog run may not exceed six feet (6') in height and may be of these materials:

- Vinyl clad chain link fence in brown, black or green color
- Wood slats
- Split rail
- Dowel rail & post
- Wrought iron in black or brown color
- Vinyl in earth tone colors
- Welded wire fence powder coated in black or dark brown colors with wood framing

A member can have two enclosures not to exceed 750 sq ft in total between the two.

If a request is outside of these criteria affected adjoining neighbors will also be taken into consideration prior to approval.

Screening:

- Air conditioning units, home generators, propane tanks and trash enclosures must be screened if

visible from the street. Preferred materials for use in screening purposes are:

- Wall structure with colors/materials matching the existing residence
- Lattice in vinyl or polyresin with maximum one and a half inch (1 ½ ") openings

Fencing for the purpose of protecting young trees may be allowed:

- Trees must be on the approved planting list
- Trees must be spaced a minimum of thirty feet (30') from any structure
- Trees must be spaced a minimum of twenty five feet (25') apart
- Single piece welded wire fence is allowed with a minimum of six feet (6') and a maximum of eight feet (8') in fencing height
- Maximum diameter of tree enclosures is six feet (6')
- Metal or wooden posts are acceptable
- No vegetation other than the protected tree and natural grasses are permitted within the enclosure
- Maximum number of enclosed trees per lot is ten (10)
- Firewise regulations must be followed for placement of young trees
- Trees on the approved list, following the above guidelines, do not need ARC approval. If not able to follow above guidelines for planting young trees you must submit for ARC approval

6.13 PORCHES, PATIOS & DECKS

Outdoor living areas, such as porches, patios and decks are encouraged design elements for homes in Pine Canyon. These elements should be incorporated into the architectural design of the residence, and appear as an extension of the residence in form, materials and colors. Lattice may be used to conceal the area below any constructed decks, subject to ARC review, and must be notated on construction plans. Show complete construction details for any patios or decks on your building plans. Include information on how the outside will be finished, along with details on railing and column supports.

Enclosing porches or patios with screening, is not encouraged; however, it will be reviewed on an individual basis. Minimum requirements are framing made of natural materials, matching the house, and the screen fabric must be as translucent as possible.

Any balcony, porch, staircase or deck railings shall be constructed of wood, or wood composite with minimum 2"x materials; color to closely match the residence. Decorative wrought iron railing is also acceptable with ARC approval; minimum size to be 2"x posts with 1 ½ " top and bottom rails and ¾ " pickets.

Wheelchair ramps constructed of materials matching porches, staircases or decks are permitted.

Detached, backyard patios may be allowed if concealed from street side view and not obtrusive to neighbor's view. Concrete shall not be used. Pavers of earth tones may be used, as well as colored, crushed rock. Dimensions of not more than 144 square feet, or if circular in design, not more than 12 feet in diameter may be acceptable. Existing setbacks shall apply. All subject to review by the ARC.

6.14 EXTERIOR LIGHTING

Light pollution in the dark forests should be avoided. The design of all exterior lighting shall be approved by the Committee. All exterior lighting visible from the Common Roads or from other Lots or streets shall be solenoid operated and conform to all governmental lighting codes and shall not interfere with the use of other Lots. All exterior lighting shall be of a downward deflecting design and shall be "Dark Sky" compliant.

Security lighting (other than wall mounted photocell type lights) and lighting for night time recreation areas

will not be approved.

If you intend to use exterior lighting, other than normal wall-mounted entry and patio lighting mounted on the house, provide complete details. Photocell type security lighting must be angled or screened so that the lighted bulb itself isn't visible to neighbors. Any lighting not attached to the house must be indirect (reflected) or diffused by translucent glass. Again, no light bulbs may be directly visible, except for dim, ground level dim LED walkway bulbs of warm color. Indicate the type of lighting below and show the location of the light fixtures on the site plan. Lighting off the house must be mounted on stained wood posts, natural rock posts or dark colored metal posts that blend in with the forest. Provide picture or brochure of requested light fixtures, with your submittal, for review and approval by the ARC.

6.15 MECHANICAL EQUIPMENT

All mechanical control equipment, including but not limited to air conditioners, generators and propane tanks, and utility meters shall be within enclosures, landscaping or other screening (per Section 6.12 above) that shield them from view and buffer the sound.

6.16 RECREATION FACILITIES

Swimming pools, spas basketball standards, sports courts, tennis courts, and all other recreational facilities shall be located within the Building Envelope and may only be constructed or installed with the prior recommendation and written approval of the Committee .

6.17 GUEST FACILITIES

With the prior written approval of the Committee a single facility for guests may be constructed within the building Envelope of any Lot, provided, however, that they shall be visually consistent with the Dwelling Unit, shall be subject to all other Development Standards set forth herein (height, colors, construction period, etc.) and shall consist of not less than five hundred (500) square feet of livable, heated space. Any such guest structure shall be architecturally connected to the main residence.

6.18 UTILITY YARDS

No wood or equipment storage shall be permitted except behind walls, in enclosed yards, or screened by landscaping, subject to ARC approval.

6.19 ANTENNAE, SATELLITE DISHES

No satellite-type television, radio, microwave or cell phone antennae, radio transmitters or receivers dish, weather vanes, wind socks or similar projections above the roof eave shall be permitted, unless specific written permission is granted by the Committee. The Owner of each Lot and the Committee shall act in good faith so as to cause no unreasonable delay in the reception of air waves; provided, however, that only one (1) satellite dish measuring not more than twenty four (24) inches in diameter may be installed upon any Lot. An additional twenty four (24) inch dish, or smaller, may be allowed as needed for internet access. For aesthetic reasons owners are requested to indicate location of satellite dishes on plans submitted for approval. Federal Communications Commission rules shall have precedence over any association rule.

6.20 YARD DISPLAY

Yard decorations and displays, including fountains, gazebos, whirligigs, carvings, etc., should be placed out of sight in the back yard unless they are obviously appropriate to a natural forest setting (a log bench for example). Wagons or other such antiques or reproductions may be used sparingly, but only if approved in advance by the ARC. The ARC must approve any permanent ornamental yard decorations visible from the street. Exterior ornamental objects such as, but not limited to, metal or ceramic sculptures, statues, plastic animals, pink flamingos, etc. will not be permitted. Placing, erecting, constructing, or allowing any permanent unnatural or man-made ornaments, signs, statuary, relics, machinery, equipment, or other such

items that are unattached to approved structures may be allowed as long as the same are included and made part of the landscape plan, or otherwise submitted to and approved by the ARC. Flagpoles may be installed in accordance with current statutes, after review and approval from the ARC. "Unnatural" shall mean anything not naturally growing upon, or indigenous to, a home site in its undeveloped state. Such displays may not be installed within the setback areas.

6.21 SEWAGE SYSTEM INSTALLATION

The size, location and type of septic or sewage disposal systems shall comply with the rules, regulations and requirements of the Coconino County and Arizona Departments of Health Services. Septic systems may be installed prior to the onset of the twenty four (24) month construction period, upon ARC approval of a required building site plan, including driveway and topographical information, a \$150.00 fee for a sewage system plan review and site inspections, and a \$1500.00 construction deposit.

A separate application is attached as "Exhibit I" and is required for this process. Such septic system installation, lot clean-up and re-vegetation shall be completed within sixty (60) days of the start of the ground-breaking for the septic construction. When septic construction is completed, lot clean-up and re-vegetation must be made within sixty (60) days, such lot clean-up and re-vegetation must be acceptable to the ARC and, if not, the entire deposit shall be forfeited.

6.22 BRUSH AND FIRE HAZARD REDUCTION

Notwithstanding anything herein to the contrary, each Owner shall maintain trees, shrubs and other vegetation in compliance with any brush or fire hazard reduction guidelines, including Firewise requirements (see Section 7.0), from time to time promulgated by the local fire department, State, County, National Forest or by the Committee or Board. In keeping with current vegetation management codes, brush and trees within thirty (30) feet of a structure are to be thinned.

6.23 CULVERTS AND TEMPORARY DRIVEWAYS

No construction may be started on any Lot until the Owner has installed a driveway with a culvert (if required) and has installed a rock, cinder, gravel, or decomposed granite with a binder agent on the driveway for a minimum of fifty (50) feet onto the Lot. Failure to do so will cause serious problems: (i) if a culvert is not installed, the drainage ditch is blocked and the water overflows into the street when it rains; and (ii) when the ground is wet and there is no gravel drive installed, mud can be carried hundreds of feet up the road. The Owner is responsible for all clean up, or the Associations costs associated with the clean- up. Culvert sizing is determined by the County and a permit is required before installation. Culvert ends shall be finished in native rock or a flange appropriate to the culvert.

6.24 CLEARING OF LOTS

In order to protect the forest vegetation, prevent unnecessary scarring of Lots (either intentionally by other Owners or by animals), and to minimize fire risk, the Architectural Review Committee must approve the removal of all dead vegetation on a Lot and the clearing of a reasonable buffer around the improvements. Any clearing of a Lot by an Owner may not be done without first submitting a specific clearing plan and obtaining the written approval of the Architectural Review Committee. After the initial clearing, any subsequent clearing of a Lot by an Owner also requires the submission of a specific clearing plan and the written approval of the Committee. The Committee will not approve the clearing of a Lot or the construction of a driveway until it has received and approved a complete design submittal and a building permit has been obtained from the County. Please refer to section 7.0 regarding the Firewise program and requirements.

6.25 CERTIFICATE OF OCCUPANCY

Prior to a final inspection by the ARC, a certificate of occupancy must be obtained from Coconino County with

a copy of that certificate being submitted with the request for final inspection. No final inspection will be completed until such certificate is received by the ARC.

6.26 MISCELLANEOUS

No construction equipment or materials may be left in the road. This includes dumpsters and portable toilets. Please contain all construction materials and equipment on the site/Lot within the building envelope.

Above ground pools are not permitted. Above ground spas are acceptable provided they are screened and/or built into a landscaping component.

Metal sheds are not permitted.

Electrical connections and hook-ups are required prior to construction to prevent generator noise.

Portable generators shall not be used during construction, except during the first six (8) weeks when regular power is not available on the lot.

Water connections and hook-ups are required prior to construction for use in construction and for fire prevention assistance.

7.0 FIREWISE

Owners are accountable for maintaining their property in compliance with the National Fire Prevention Association (NFPA) "Firewise" standard. This policy includes all Pine Canyon property, both improved and unimproved. Requirements for maintaining Firewise compliance within Pine Canyon include:

- Remove all dead and down trees and brush on your property. (A limited amount of dead and down trees may be kept for decorative, erosion or habitat purposes and as long as they are cleared of possible fuel sources and achieve the desired result of fire prevention).
- Cut and remove branches on live trees to a minimum height of 6 feet from ground level. Small trees should have branches removed to half the height of the tree.
- Thin excessive trees from property. The suggested number of trees per acre is 100 to 200.
- Rake and remove dangerous fire fuel. This includes pine needles, leaves, grass, lumber, firewood, tall grass and other combustibles. If there are structures on your property, ensure at least a 30 foot "clean" radius around those structures.
- Yearly maintenance should include removal of any dead and or down trees. The removal of pine needles under large tree canopies should not be a yearly required removal. However, it should be understood that anything on the ground is subject to becoming fuel that could ladder up in a tree with the winds caused by fire. For other ideas follow the details on the Firewise web site listed below, which has a good interactive program providing the home owner more ideas.
- Questions relative to Firewise standards, the health of your lot or cleanup recommendations may be directed to the current Firewise community liaison or the Blue Ridge Fire Department.
- Check the clubhouse bulletin board and Firewise webpage often for updates.
- Learn more at <http://www.firewise.org/>

8.0 PROJECT REVIEW

8.1 PROCEDURES FOR DOCUMENT PREPARATION AND APPROVAL

Documents submitted for review are subjected to approval by both the Committee and the County. Each Owner shall be responsible for being fully acquainted and shall acquaint his or her architect and builder with

the Declaration, the most recent Development Standards and all applicable guidelines, rules, covenants, and plat restrictions. Each owner shall site his or her Dwelling Unit and all other improvements or structures on the Lot in accordance with the standards listed herein. The Owner shall be responsible for contacting the Committee with any questions concerning the aforesaid restrictions on the Lot.

8.2 REVIEW PROCESS

The stages of the review process are as follows:

- Pre-design meeting (see Section 8.3 below)
- Design Review & Approval
- Pre-Construction Inspection (review of site layout)
- Work in Progress Inspections
- Final Inspection

A preliminary opinion of the floor plan and elevation design may be obtained from the Committee by submitting a floor plan and elevation to the following for the Pine Canyon Architectural Review Committee:

HOAMCO
PO BOX 10000
PRESCOTT, AZ 86304

There is no fee for the preliminary opinion and it does not constitute a formal response from the Committee.

The Committee must review and approve all construction which takes place within Pine Canyon. This includes homes, other buildings, all grading, driveways, fences, walls, gates, antennas and other improvements placed on the Lot. **If construction commences without Committee approval, fines may be imposed as noted in Sec 8.15.** The Committee consists of members as indicated in the CC&RS or designated by the Board. The Committee may delegate its plan review responsibilities, except final review and recommendation, to one or more of its members or independent consultants retained by the Committee. All design review applications should be sent to the Pine Canyon Architectural Review Committee, c/o the HOAMCO ARC as indicated in above.

All required materials shall be submitted in duplicate, with one copy returned to the Owner and one retained by the Committee. The design review fee for each individual Lot shall be, from time to time, set by the board. The fee is to be paid at the same time as the initial submittal of the complete set of documents to be reviewed. The fee is to be made payable to Pine Canyon Homeowners' Association. A review of the plans or consideration of the construction materials will not begin until the submittal, together with all samples, plans, and payment of the required review fee are received by the Committee. If the submittal is complete, the design review will be accomplished as quickly as possible. However, sufficient time should be allocated for the Committee's review in the event the Committee's regular meeting times do not correspond with the submittal dates. Every attempt will be made to complete the review within thirty (30) days of receipt of the required completed materials and fee. In the event a written response is not received by the Owner within thirty (30) days, the Owner should contact the Committee for appropriate action. Should the Owner submit to the County for plan check prior to completing the plan review stages, the Owner assumes all risk and responsibility for whatever changes must be made or for any re-submittal required.

8.3 DESIGN REVIEW

The Design Review Application and Construction agreement attached as "Exhibit B" must be completed and submitted, following the process as follows:

PRE-DESIGN REVIEW MEETINGS

Prior to submitting preliminary plans for any proposed building or site improvement, the owner and/or agent may meet with a representative of the ARC to discuss overall design concepts, resolve questions regarding standards and procedures, and offer guidance prior to initiating preliminary design. Appointments of the pre-design meeting should be made at least one week in advance and can be held either at the project site or at the office of the committee representative.

DESIGN REVIEW SUBMITTALS

- Payment of the **\$3000** non-refundable Review/Inspection Fee
- Two Copies of the Site Plan (Lot Survey) on 24" x 36" paper (minimum scale, 1"=20'), reflecting the topography, existing trees and shrubs, drainage, the proposed Building Envelope, the front, side, and rear setbacks
- Two copies of Elevations (minimum scale, 1/8" = 1')
- Two Copies of Floor Plans (minimum scale, 1/8" = 1')
- Two Copies of Roof Plan (minimum scale, 1/8" = 1')
- Two Copies of a detailed Landscaping and Irrigation Plan (minimum scale, 1"=20')
- Roofing Material picture/brochure & information, plus sample (if required)
- Siding Material picture/brochure & information, plus sample (if required)
- Stain & Paint Color samples
- Garage Door Picture/Brochure & Information & color sample
- Window & Door Picture/Brochure & Color
- List of ALL project participants, including but not limited to the Owner, Architect, and Builder, with addresses, phone numbers, and contact persons, if any
- Any other material as may be required by the ARC

The plans submitted to the Committee must be complete plans and specifications of the proposed improvements sufficient in detail for County approval. All submittals, changes, and responses must be in writing. No member of the Committee or the Property Manager or the Board has the authority to approve any request verbally. No clearing, or grubbing, or brushing may occur on a Lot prior to receipt by the Owner of written approval by the Board of the Design Review Application and Construction Agreement, plans, and materials. After obtaining written approval from the Committee, the Owner may proceed to Coconino County Building Department for a construction permit.

DESIGN REVIEW MEETINGS

The ARC will review Preliminary and Final Plan Submittals and respond in writing within 30 days after receiving each complete Plan Submittal. Owner or Owner's Agent will be allowed to attend the meeting where the final decision is made on the approval of plans.

EXTERIOR MODIFICATIONS REVIEW SUBMITTALS

Prior to making any modifications or landscaping alterations to an existing home or improvements, a Review Application (see Exhibit "F") shall be submitted to the Architectural Review Committee (ARC) along with the required current Review Fee.

Depending on the scope of the modification, the Committee may require the Owner to follow the additional procedures as outlined above. For a simple modification, a less detailed description, such as simple plans, a written narrative, and material or color samples may only be necessary to demonstrate the proposed

modification. In all cases these Design Guidelines shall apply as the review standard used for consideration of the proposed modification. A refundable construction deposit, in an amount up to \$2,000 may be required for larger, major modification projects.

8.4 CONTRACTOR QUALIFICATIONS

Except as otherwise approved by the ARC, for new construction of the Dwelling Unit on a Lot or for rebuilds or major remodeling (as determined by the ARC) of the Dwelling Unit on a Lot, Owners must submit documentation that their proposed general contractor is licensed by the Arizona Registrar of Contractors, that the license is in good standing and appropriate for residential construction and that the contractor is insured for liability related to construction work.

8.5 CONSTRUCTION DEPOSIT

No construction of a Dwelling Unit may commence until the Owner has provided the required **\$3,000 refundable construction deposit**, or an amount which may be, from time to time, set by the Board of the Association. Deposit will be refundable to the Owner, in accordance with ARS §33-1817, less any fee determined by the Board, on completion of construction provided that the construction is per approved plan and Development Standards; damage to adjacent properties, non-building envelope areas, and the road have been repaired; construction debris have been removed; and re-vegetation has been made or definitive plans for re-vegetation have been approved by the Committee. If any damage is not repaired by the Owner within thirty (30) days after the repairs are requested, the Association may do so and use the deposit to pay for the work. If the deposit is inadequate to cover the cost of the work, the Owner shall immediately pay the shortage to the Association. The payment for the construction deposit should be made to Pine Canyon Homeowners Association.

8.6 FIELD COPY OF PLANS

A copy of the HOA and County approved plans and blueprints must be present and readily available and accessible to the HOA field representative and the ARC on the building site.

8.7 CONSTRUCTION TRAILER

An unoccupied construction trailer may be placed in the building envelope on a Lot during the construction period.

8.8 TRASH CONTAINER AND SANITATION FACILITIES

A trash container and portable sanitation facility must be available on each construction site and must be situated within the building envelope prior to the start of construction and remain thereon throughout the building process.

8.9 CONSTRUCTION ACCESS

A culvert must be installed (if required) and the base course of the driveway constructed onto the Lot with ABC or larger cinder material before construction of other improvements can begin. The Owner must obtain written approval of the site plan for the Lot from the Committee prior to commencing construction of access to the Lot or any other improvements.

8.10 PRE-CONSTRUCTION INSPECTION

Owner/builder must stake out the corners of the Dwelling Unit, building envelope and major points of the driveway, patio walls, setbacks, flood prone areas, conservation areas, and all other areas pertinent to the construction. Please notify the Committee at least ten (10) days before this inspection is required.

8.11 WORK IN PROGRESS INSPECTIONS

The ARC may provide periodic inspections of all work in progress and give notice of non-compliance if found. The ARC will provide at least two (2) on-site formal reviews during the construction process, for the purpose of determining compliance with the approved plans. Owner or Owner's agent will be provided the opportunity to attend these formal reviews. Within five (5) business days after the formal reviews, a written report will be provided to the owner or owner's agent, specifying any deficiencies, violations or unapproved variations from the approved plans, as amended, that have come to the attention of the Association.

Within thirty (30) business days after the second formal review, a copy of the written report shall be provided to the owner specifying any deficiencies, violations or unapproved variations from the approved plans, as amended that have come to the attention of the Association. If the written report does not specify any of the above issues, then the Association will promptly release the deposit monies to the owner. If the report identifies any of the above issues exist, the Association may hold the deposit for one hundred eighty (180) days or until receipt of a subsequent report of construction compliance, whichever is less. The Association shall promptly release the deposit monies to the owner if a report of construction compliance is received before the one hundred eightieth (180th) day. If a compliance report is not received within the one hundred eighty (180) days, the Association shall release the deposit monies promptly to the Association.

8.12 FINAL SITE INSPECTION

This inspection must be completed and approved prior to occupancy. Please notify the Committee at least ten (10) days before this inspection is required.

8.13 VARIANCES

If the owner/builder desires a deviation from these Development Standards, a request for variance must be made in writing to the Architectural Review Committee for decision, such decision to be conveyed in writing, such decision to be conveyed in writing.

8.14 APPEALS

Appeals of the architectural review committee's decisions may be made by the owner/builder to the Board. Such appeals must be made in writing and made available to the Board within thirty (30) days of the Committee's decision which is being appealed.

8.15 FINES

For any violation of these Guidelines, the Declaration or the Construction Rules & Regulations of Pine Canyon, fines may be imposed as noted below:

- Beginning Construction on new residence: **\$2,500**
- Beginning construction on major addition or modification: **\$500 - \$1,000**
- Constructing minor modification without approval: **\$250 - \$500**
- Any violation of the Construction Rules & Regulations: **\$250 up to \$750**

In accordance with the Declaration, the Committee may fix a fine of up to \$10,000 for failure to obtain required approval from the Architectural Review Committee. However, the fine schedule above has been approved by the Committee for enforcement at this time.

9.0 REQUIRED PLANS

9.1 SITE PLAN

Two (2) copies of a site plan to scale on 24" x 36" paper must be submitted as a part of your application. The

completed site plan should include the following details; *grading & contours, all limits of cut & fill, house location on lot & setbacks, driveways & all slabs, detached structures, satellite & communications equipment, boat & RV storage locations, A/C equipment, fencing &/or dog runs, recreational courts, sewer pump locations, pool &/or spa locations, retaining walls, electrical boxes & sub-boxes, utility trench locations.*

Details of the site grading must be shown. The Property Owner or developer is encouraged to keep all grading to a minimum. If a driveway is built across a slope, a cross section showing how cut-and-fill will be handled must be included.

9.2 ELEVATIONS

Renderings of all structures must be submitted with elevations of all four sides. The elevations must be to scale and be on minimum 24" x 36" paper. Submit two (2) copies. The completed elevations should include the following details: *all sides of building, all windows/doors/patios/projections, chimneys & rooflines, stem walls & patio supports, mechanical equipment, all exterior materials, roof turbines, garage doors, screening fences, storage buildings.*

9.3 FLOOR PLANS

Floor plans for each structure must be to scale and be provided on minimum 24" x 36" paper. Submit two (2) copies. The completed floor plans should include the following details: *roof locations and dimensions, exterior dimensions, mechanical/heating/cooling, window & door details, patios & decks, all interior materials.*

9.4 ROOF PLANS

Roof design plans provided on minimum 24" x 36" paper, at same scale as floor plans and elevations. Plans are to depict the layout of all sloped or flat roof surfaces, and should include the following details: *truss layout, overhang & fascia details, venting, any skylights or solar application.,*

9.5 LANDSCAPING PLANS

Two (2) copies of a Landscape plan at the same scale as the site plan and provided on minimum 24" x 36" paper. The completed plan should show the following: *house location on lot & setbacks; locations, size, and species of all trees and plantings to be added; all exterior walks, drives, patios and any additional concrete areas; other decorative features including exterior lighting; screening of any ancillary equipment; A legend using clear symbols and nomenclature, including proposed quantities, sizes of materials and colors.*

**“Exhibit A”
NATIVE PLANTS LIST FOR PINE CANYON**

TREESDeciduous

Birch Species
Capital Ornamental Peas
Crabapple
Flowering Dogwood
Green Ash
Maple Species
Quaking Aspen
Staghorn Sumac
Sunburst Honey Locust

Coniferous

Deodar Cedar
Juniper Species
Pine Species

SHRUBS

Apache Plume
Barberry
Beargrass
Blanket Flower Banana, Yucca
Butterfly Bush
Cinquefoil
Cliffrose
Cottoneaster (Creeping & Spreading)
Daylily
Iris
Juniper
Lilac, Common
Mock Orange

Oregon Grape
Pyracantha, Fire Thorns
Red-Hot-Poker, Torch
Redwig Dogwood
Rose
Rubber Rabbitbrush
Service Berry
Snowball Bush
Snowberry
Spirea
Spurge
Viburnum SP
Yucca, Blue

GOUND COVER

Virginia Creepers
Juniper
Cottoneaster
Creeping Thyme

**“Exhibit B”
DESIGN REVIEW APPLICATION & CONSTRUCTION AGREEMENT**

LOT _____ LOT ADDRESS _____ DATE _____

PROPERTY OWNER _____

ADDRESS _____

PHONE _____

FAX _____

E-MAIL _____

CONTRACTOR/BUILDER _____

LICENSE# _____

ADDRESS _____

CONTACT PERSON _____

PHONE _____

E-MAIL _____

ARCHITECT/DESIGNER _____

ADDRESS _____

PHONE _____

FAX _____

E-MAIL _____

This application will be considered complete only if all documents and submittals, as set forth in the Development Standards, are included. Two (2) sets of all documents are required. Include the ‘New Construction Submittal Checklist’ and ‘Color/ Materials Selection Form’ with this application as part of your New Construction submittal.

I hereby represent that I have read, understand and agree to all of the terms and conditions of the Development Standards and Construction Agreement. As the Owner of Lot #____, I represent that this is an accurate and complete description of all construction details and that construction will be completed as described herein. I agree to submit a written application for any changes and agree not to proceed with the changes until approval is obtained. I UNDERSTAND THAT FAILURE TO ADHERE TO THESE STANDARDS OR RECEIVE A WRITTEN VARIANCE TO THEM, MAY RESULT IN THE FORFEITURE OF ALL OR PART OF THE CONSTRUCTION DEPOSIT, AND THE DEPOSIT MUST BE REPLENISHED TO THE ORIGINAL AMOUNT, AND FAILURE TO DO SO MAY RESULT IN FURTHER PENALTIES, INCLUDING BUT NOT LIMITED TO FINES OR LIENS AGAINST THE PROPERTY. I ACCEPT FULL RESPONSIBILITY FOR SUCH PENALTIES.

SHOULD THE REVIEWING BODY (ARC OR HOA) OVERLOOK OR NOT BE AWARE OF ANY ITEM OF NON-COMPLIANCE AT ANY TIME DURING THE REVIEW PROCESS, THE OWNER IS IN NO WAY RELIEVED FROM COMPLIANCE WITH THESE DEVELOPMENT STANDARDS AND ALL OTHER APPLICABLE CODES, ORDINANCES, AND LAWS. REGARDLESS OF APPROVALS GIVEN IN WHOLE OR IN PART TO THIS CONSTRUCTION APPLICATION, IT REMAINS THE RESPONSIBILITY OF THE PROPERTY OWNER TO INSURE ALL CONSTRUCTION IS CONDUCTED AND COMPLETED IN COMPLIANCE WITH THESE DEVELOPMENT STANDARDS. ONLY A SPECIFIC VARIANCE REQUESTED IN WRITING BY THE OWNER AND GRANTED IN WRITING BY THE HOA OR ITS DESIGNATED REPRESENTATIVE CAN SUPERSEDE THESE DEVELOPMENT STANDARDS.

Lot Owner(S)

Date

“Exhibit C”
NEW CONSTRUCTION SUBMITTAL CHECKLIST

LOT _____ OWNER _____ DATE _____

A COMPLETE SUBMITTAL INCLUDES:

- COMPLETED DESIGN REVIEW APPLICATION & CONSTRUCTION AGREEMENT
- CHECK FOR REVIEW FEE
- TWO (2) COPIES OF SITE PLAN
- TWO (2) COPIES OF ELEVATIONS
- TWO (2) COPIES OF FLOOR PLANS
- TWO (2) COPIES OF ROOF PLAN
- TWO (2) COPIES OF LANDSCAPE PLAN (if available)
- COLOR / MATERIALS SELECTION FORM
- ROOFING MATERIAL SAMPLE IF REQUIRED
- SIDING SAMPLE IF REQUIRED
- STAIN & PAINT COLOR SAMPLES
- GARAGE DOOR PICTURE/BROCHURE & INFO
- WINDOW BROCHURE & COLOR
- DOOR PICTURE/BROCHURE & SPECIFICATIONS

Please send your completed application form together with all required plans and materials, plus payment for the review fee in the specified amount payable to Pine Canyon Homeowners’ Association to:

HOAMCO ARC
PO BOX 10000
PRESCOTT, AZ 86304

After receipt of the written approval, you may submit your plans and a copy of the written approval from the Committee to the County in order to obtain a building permit. In addition to the building permit, you will need to obtain a permit to install a culvert and construct a driveway. This work must be completed before you start construction of your home.

REQUIRED PRIOR TO COMMENCING CONSTRUCTION:

- CONSTRUCTION COMPLIANCE DEPOSIT
- CONSTRUCTION REQUIREMENTS FOR CONTRACTORS
- DRAINAGE ACKNOWLEDGEMENT FORM

After the county issues permits, the Owner must provide to the Architectural Control Committee a copy of all building and/or grading permits and emergency telephone numbers for the contractor and Owner.

“Exhibit D”
COLOR / MATERIALS SELECTION FORM

LOT _____	LOT ADDRESS _____	DATE _____
Driveway	Material/Size (if applicable) _____	<input type="checkbox"/> Physical Sample
	Color/Finish (if applicable) _____	<input type="checkbox"/> Physical Sample
Stemwalls	Material/Color _____	<input type="checkbox"/> Physical Sample
Fencing/Walls	Material/Color _____	<input type="checkbox"/> Physical Sample
Lighting	No Outdoor Lighting <input type="checkbox"/>	
	Manufacturer Specs/Color _____	<input type="checkbox"/> Physical Sample
Roofing	Manufacturer Specs & Color _____	<input type="checkbox"/> Physical Sample
Windows	Manufacturer Specs & Color _____	<input type="checkbox"/> Physical Sample
Entry Door	Manufacturer Specs/Color _____	<input type="checkbox"/> Cut Sheet/Picture
		<input type="checkbox"/> Paint/Stain Sample
Exterior Doors	Manufacturer Specs/Color _____	<input type="checkbox"/> Cut Sheet/Picture
Garage Door	Manufacturer Specs/Color _____	<input type="checkbox"/> Cut Sheet/Picture
Exterior Siding	Material/Location 1 _____ Color _____	<input type="checkbox"/> Physical Sample
	Material/Location 2 _____ Color _____	<input type="checkbox"/> Physical Sample
	Material/Location 3 _____ Color _____	<input type="checkbox"/> Physical Sample
	Trim Material _____ Color _____	<input type="checkbox"/> Physical Sample
Colors	Body Color (Location 1) _____ LRV _____	<input type="checkbox"/> Physical Sample
	Body Color (Location 2) _____ LRV _____	<input type="checkbox"/> Physical Sample
	Body Color (Location 3) _____ LRV _____	<input type="checkbox"/> Physical Sample
	Trim Color _____ LRV _____	<input type="checkbox"/> Physical Sample
	Gutter Color _____ Downspouts _____	<input type="checkbox"/> Physical Sample
Stone	Manufacturer Specs & Color _____	<input type="checkbox"/> Physical Sample
Other Buildings	Other Building #1 _____ Other Building #2 _____	

APPROVED By: _____ Date: _____
Architectural Review Committee Representative

"Exhibit E"
REQUEST FOR CHANGE TO DESIGN REVIEW APPLICATION

LOT _____ OWNER _____ DATE _____

ADDRESS _____

PHONE _____ EMAIL _____

CHANGES REQUESTED:

(Include list of items to be changed and samples of new items.)

1) _____

2) _____

3) _____

4) _____

Date _____

Date _____

Property Owner/s Signature/s

APPROVED:

By: _____ Date: _____

Architectural Administrator/Inspector

By: _____ Date: _____

Architectural Review Committee Representative

**“Exhibit F”
APPLICATION FOR EXTERIOR MODIFICATION TO EXISTING RESIDENCE
FAX SUBMITTAL TO 928-776-0050
MAIL TO PO BOX 10000, PRESCOTT, AZ. 86304**

LOT _____ OWNER _____ DATE _____

ADDRESS: _____

DESIGNER /CONTRACTOR: _____

EMAIL _____

REVIEW FEE: _____

PHONE: _____

PHONE: _____

MODIFICATION/IMPROVEMENT REQUEST: _____

**A plot plan or drawing of the lot/home showing locations, specific details & dimensions of any modifications to the exterior of the home or yard/lot is required.*

ATTACHMENTS/SUBMITTAL SAMPLES: _____

OWNER SIGNATURE (S): _____

Review Committee Comments: APPROVED NOT APPROVED Signature _____ Date _____

Comments/Conditions _____

Final Inspection Request: Please contact HOAMCO by phone, email or by returning this form, to request a final inspection.

- I ACKNOWLEDGE THAT THE ABOVE IMPROVEMENT IS COMPLETE AND READY FOR INSPECTION DATE _____ INITIALS: _____
- PLEASE CALL _____ TO SCHEDULE AN APPOINTMENT IT IS NOT NECESSARY TO SCHEDULE AN APPOINTMENT

RESULTS: APPROVED NOT APPROVED Representative Signature _____ Date _____

Comments: _____

BY CHECKING THIS BOX, OWNER REQUESTS A COPY OF THE COMPLETED INSPECTION

FAX SUBMITTAL TO 928-776-0050 or MAIL TO PO BOX 10000, PRESCOTT, AZ. 86304

**“Exhibit G”
DRAINAGE ACKNOWLEDGEMENT**

LOT _____ ADDRESS _____ OWNER _____

Surface drainage upon and across my property is my responsibility as the property owner through the implementation of sound construction and grading practices. Any improvement which creates an obstruction to surface flow, snow melt or groundwater discharge resulting in a back-up of storm waters, an increase of movement of predevelopment flow, or concentrating discharge onto neighboring properties or common area is strictly prohibited unless an agreement is reached with the affected adjacent property. The Architectural Review Committee reserves the authority to disapprove any exposed excavation or fill transition upon review.

I acknowledge the above requirement and sign below with full knowledge of its content and significance.

Signature of Primary Owner

Date

Signature of Secondary Owner (if applicable)

Date

“Exhibit H”
CONSTRUCTION RULES & REGULATIONS

Lot # _____ Address _____ Owner _____ Date _____

- 1) **Any violations of these or any other regulations stated in the Development Standards may result in a fine.**
- 2) A fine amount of **\$250** may be deducted from the construction deposit for the first violation of these requirements by the builder or any subcontractor. Deduction for a second violation may be **\$500**; third violation **\$750**. After a third violation, work must stop until additional deposits have been made to return the construction deposit to the original deposit amount. Any subsequent violations will continue to increase this deduction by **\$100** for each violation by the same builder/contractor at any job site in Pine Canyon.
- 3) **No construction of any sort may commence until the plans are approved by the ARC.**
- 4) Any changes in materials, colors, or design from the approved plans must be re-approved by the Architectural Review Committee.
- 5) Prior to start of construction, the Owner must post a **\$3,000** refundable deposit (or other amount for additions to existing homes if required) with the association to insure compliance with these rules and requirements.
- 6) **Construction work can only be performed Monday through Saturday between the hours of 7:00AM and 6:00PM. No construction work is allowed on Sunday.**
- 7) Construction of a dwelling unit shall be completed within (24) months of commencement of actual construction. Soil sampling in conjunction with septic system design is not considered to be construction.
- 8) No construction equipment or materials may be placed on, or left in, the street or on neighboring property. This includes dumpsters, overnight vehicles and portable toilets. Any construction materials and equipment left on the site must be contained within the building envelope or driveway. Contractor vehicles may at no time block neighbor’s driveways, and if workers cannot park on the lot, they may park only on one side of the street to avoid congestion.
- 9) *No open fire on construction sites and no smoking except inside a car, truck or closed- in (dried- in) house.*
- 10) Fire extinguishers must be conveniently located at the construction site. A minimum 5/8 diameter hose connected to a water supply shall be ready for immediate use to any area of the construction site.
- 11) Generators and gasoline powered compressors are not permitted beyond the first eight weeks of construction.
- 12) No music or other entertainments sounds may be played at a job site except where the source is inside a closed-in house, with the volume low enough so that it is not audible to any neighbors. Owners and contractors are responsible for policing the actions of their subs in this regard. Failure to do so will result in a ban on any music at this and other Pine Canyon job sites of this contractor.
- 13) A builder may at his/her option place a sign at the property during construction, but such sign must conform to the signage requirements in Sec. 4.4 above.
- 14) No thinning or clearing of trees and undergrowth may be done without the prior approval of the ARC.
- 15) No pet may be brought into Pine Canyon by contractors/workers (unless they are also Pine Canyon residents).
- 16) Any dirt, mud, oil, concrete, or other damage to any street caused by a contractor or any of his subcontractors must be cleaned up or repaired immediately by the contractor.
- 17) Concrete “washout” debris may not be dumped in ditches, streets, setback areas, natural landscape, or in any location other than the already-disturbed ground at the immediate building site. Any washout debris dumped on the lot during construction must be completely removed prior to final inspection.

Contractor/Owner-Builder certification: I hereby certify that I have read this entire document and these specific construction rules. I understand the rules and requirements listed herein. I understand that should I fail to abide by these rules the deposit may be at risk.

Pre-existing damage / other site notes: _____

Contractor/Owner-Builder Signature _____ Company _____ Date: _____

Inspector Name / Signature _____ / _____ Date _____

"Exhibit I"
SEWAGE SYSTEM INSTALLATION APPLICATION
(use only if system is to be installed separate from home construction)

LOT _____ LOT ADDRESS _____ DATE _____

PROPERTY OWNER _____

ADDRESS _____

PHONE _____

FAX _____

E-MAIL _____

CONTRACTOR/BUILDER _____

LICENSE# _____

ADDRESS _____

CONTACT PERSON _____

PHONE _____

FAX _____

SEWER CONTRACTOR _____

ADDRESS _____

PHONE _____

FAX _____

E-MAIL _____

*This application will be considered complete only if all documents and submittals, as set forth in the Development Standards, are included. Two (2) sets of all documents required. Include approved site plan, required **\$1500 construction deposit**, and **\$150 review fee**.*

APPROVED SITE PLAN & REVIEW FEE

CONSTRUCTION DEPOSIT

I hereby represent that I have read, understand and agree to all of the terms and conditions of Section 6.20 SEWAGE SYSTEM INSTALLATION, of the Development Standards. As the Owner of Lot #____, I represent that this is an accurate and complete description of all construction details for installation of said sewage system and that construction will be completed as described herein. I agree to submit a written application for any changes and agree not to proceed with the changes until approval is obtained. I UNDERSTAND THAT FAILURE TO ADHERE TO THESE STANDARDS OR RECEIVE A WRITTEN VARIANCE TO THEM, MAY RESULT IN THE FORFEITURE OF ALL OR PART OF THE CONSTRUCTION DEPOSIT, AND THE DEPOSIT MUST BE REPLENISHED TO THE ORIGINAL AMOUNT, AND FAILURE TO DO SO MAY RESULT IN FURTHER PENALTIES, INCLUDING BUT NOT LIMITED TO FINES OR LIENS AGAINST THE PROPERTY. I ACCEPT FULL RESPONSIBILITY FOR SUCH PENALTIES.

Lot Owner(S)

Date