

# ***SUNFLOWER RESIDENTIAL DESIGN GUIDELINES***

***Revision “C”  
Dated 7-11-2012***

***This revision replaces and supercedes the Design Guidelines dated 9-30-05  
and Revision B dated 5-1-07***

# SUNFLOWER RESIDENTIAL DESIGN GUIDELINES

## REVISION “C” dated 7-11-2012

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## **I. INTRODUCTION**

Sunflower is an active adult community designed to respect the climate and regional character of its location, minimize environmental impacts and maximize water and energy conservation principles. The Design Guidelines have been established to maintain certain standards in order to implement and preserve these principles.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly and cohesive manner, implementing planning and design concepts which are required by regulatory agencies and desirable to its residents. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials and color of architecture and landscaping, and relevant criteria for the construction or modification of all improvements made by any party. They also establish a process for the judicious review of proposed improvements or alterations. However, the Design Guidelines are not the exclusive basis for decisions of the Reviewing Body, and compliance with the Design Guidelines does not guarantee approval of any application.

The Design Guidelines have been revised and adopted by the Sunflower Community Association, Inc. (the "Association"). All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions (**CC&R**) for the Association and any supplements or amendments thereto, unless the context requires otherwise. The Design Guidelines will be administered by the appropriate Reviewing Body pursuant to Article XI of the Declaration.

In the event of conflict between these Design Guidelines and any government ordinance, building code, regulation or the Master Declaration, the more restrictive standard shall prevail.

## **II. ORIGINAL CONSTRUCTION**

The term "original construction" shall include, without limitation, any construction, building, landscaping, walls and fences installed by the Declarant or on behalf of the Association.

## **III. MODIFICATIONS**

No exterior alteration, addition, or renovation to any Dwelling Unit, no modifications to the interior of covered patios or porches, and no landscaping, walls or fences will be allowed on any Lot, without application to, and written approval by, the Architectural Review Committee. Each Owner is responsible for removing or otherwise correcting, at its expense, non-complying and/or unapproved improvements. In the event of a resale, property shall be brought into conformance with Sunflower Design Guidelines.

### **A. Architectural Character**

1. The architectural design, as well as all materials used for any additions, alterations, maintenance or repair to the exterior of any dwelling unit will conform to the design of the original home in terms of style, detailing, color composition, type, and method of attachment. The Architectural Review Committee may allow substitute materials if such materials are deemed by the

Architectural Review Committee to be compatible with the theme of the community. When repainting a dwelling unit, colors must conform to the Color Palette established in the Sunflower Community's Exterior Color Schemes Booklet available at the Front Desk. The booklet determines which colors may be used for the House Body, Trim and Fascias, and Doors and Shutters. Garage Doors may be painted with only House Body Colors or some specific Trim and Fascia colors. The dark colors found in the Doors and Shutters Section are not allowed on Garage Doors.

2. The height of any addition to an existing Dwelling Unit will not be higher than the original roofline.
3. All additions to Dwelling Units will be built within the setback lines originally established for Sunflower, regardless of more lenient requirements of any local governmental authority. These setbacks are described in Appendix A.
4. All materials used in maintenance, repair, additions and alterations will match those used by the original builder (Del Webb/Pulte) as to color, composition, type, and method of attachment. The Architectural Review Committee may allow substitute materials if such materials are deemed by the Architectural Review Committee to be compatible with the theme of the community. Outside lights mounted on the garage and entryway walls are to match the original fixtures or be of southwest design. The lights must be 15 inches or less in length, no more than 11 inches wide, and cover no more than 150 square inches of wall space. An application must be submitted to the ARC to change the outside lights mounted on the garage or entryway walls.
5. When any additions, alterations, or renovations are performed to an existing Dwelling Unit, the established Lot drainage cannot be altered.
6. No alterations or improvements can be made that create a flat, non-draining roof surface. All new or altered roofs must drain to the ground solely within the deeded Lot area. No roof can drain directly onto a neighboring property.
7. Sunscreens for windows & patios enclosures shall be constructed as follows: Window screens shall have frame colors that match the window frame or stucco body color. Frames for patio screens shall match the existing color of patio structure itself or match screen material color. All screen material shall be brown or charcoal gray or tan.
8. Security - screen doors and security window covers
  - a. Security doors or screen doors must have metal frames and metal screens. Frames must be the same color as the exterior door, house or trim color or a color that reasonably blends with the house color. Screen color shall compliment the frame or be a dark color (brown, charcoal gray or tan).
  - b. Security window covers such as mechanical metal roll-up window covers will be allowed on the rear and side wall windows only and must be the body color of the house.

9. Patio covers must be of the same design, color and material as originally furnished with the structure or simulated wood aluminum.

10. Awnings on dwelling units are not allowed.



11. Homeowners are encouraged to repair mailboxes that become defective in order to maintain the design integrity established by Del Webb/Pulte. Mailboxes which cannot be readily repaired may be replaced by a traditional mailbox such as Solar Group Classic Standard Premium Steel, Model C1100W00 (available at Lowe's), provided that the mailbox is painted with Dunn-Edwards W704 Gallop HO-DE3205 (semi-gloss). Mailbox size: 8-3/4"H x 6-3/4"W x 19"D.

12. Driveway coatings must be of materials designed for that purpose and the base color must be a light color similar to the base color of the house. Any accent designs must be a complimentary color. No dark or contrasting colors and no messages will be allowed. The community sidewalk and the driveway between the sidewalk and street are not to be coated.

#### B. Landscaping Requirements and Guidelines

It is the responsibility of the individual homeowner to provide and maintain full landscaping in all front, side and back yards in accordance with the following requirements:

1. For purpose of interpreting these documents, the front yard and a street side yard are considered to be the area of view from the street that intersects the front driveway, and include exterior walls of the home, front patio, window shelf, masonry seat or accent walls, etc. The front entryway is treated separately in paragraph 20.
2. Plans for extensive modification or renovation of existing residential landscaping must be submitted to the ARC for approval prior to the start of work. Plans must contain the minimum number of plants called for in paragraph 5 of this section.
3. The use of native or compatible drought-tolerant species is recommended for all minimum yard landscaping. CITRUS TREES ARE PERMISSIBLE WITHIN THE CONFINES OF THE REAR YARD ONLY. A list of the disapproved plantings, accompanied by explanations and other pertinent information, is set forth in Appendix "E".
4. All landscape plantings shall be maintained by a fully automatic underground watering system unless a landscape plan is specifically designed not to require supplemental watering. Irrigation systems that use drip emitters, instead of spray heads or bubblers, are highly encouraged. When it is necessary to use sprinklers, care must be taken to avoid over spray on hardscape, structures, windows or adjoining property. It is a violation of these Design Guidelines to allow any watering system to encroach on or to drain

onto another adjoining property or under a Party Wall or a Common Wall. No landscape plantings or watering systems may be installed within twenty four inches (24") of the foundation of the Dwelling unit or eighteen inches (18") from a Party Wall or Common Wall.

5. Lots are classified into three (3) categories: (1) Interior, Cul-de-sac/Oversized lots, (2) Corner lots and (3) Narrow Front lots. Narrow front lots take precedence over corner lots. Minimum planting requirements for front yards in each category are as follows:

#### INTERIOR, CUL-DE-SAC and OVERSIZED LOTS

Front Yard. A total of 10 plants:  
(6) 1-gallon size shrubs, plus  
(3) 5-gallon size shrubs, plus  
(1) 24"-box size tree or approved substitute.

#### CORNER LOT

Front Yard. A total of 12 plants:  
(6) 1-gallon size shrub, plus  
(4) 5-gallon size shrubs, plus  
(1) 15-gallon size tree, plus  
(1) 24"-box size tree.

For corner lots only, any side yard area(s) will be included in the front yard area in applying minimum requirements.

#### NARROW FRONT LOT (45 feet or less street frontage)

Front Yard. A total of 6 plants:  
(3) 1-gallon size shrubs, plus  
(2) 5-gallon size shrubs, plus  
(1) 24"-box size tree.

Additional plants may be required to cover bare areas of large or irregular shaped lots. The Architectural Review Committee may require one (1) five-gallon plant per 500 sq. ft. or more plants if required to adequately cover the area in question.

Trees with shallow and/or invasive roots planted within five (5) feet from concrete walks, patios, driveways and other concrete features are to include root barriers.

A saguaro, organ pipe cactus or ocotillo, all a minimum of 5 feet tall, may be planted in lieu of a 24" boxed tree in the front yard.

Citrus trees shall be planted in the confines of the rear yard only.

6. The ground surfaces of all yards shall be covered with approved inert or living materials or a combination of both. Approved inert materials are described in Appendix D. Additions or variances may be approved by the Architectural Review Committee. For the purpose of these Design Guidelines, top soil or ¼ inch minus decomposed granite will not be considered inert material. No artificially colored rock will be permitted as

ground cover. Ground cover, inert material and any other landscaping (softscape or hardscape) shall not be used to spell out or form names, abbreviations, logos, nicknames, initials, names of states or cities, athletic teams, slogans, emblems, geometric patterns or any other word, image, symbol or communication.

7. Excessive use of concrete (as determined by the Architectural Review Committee) in front and street side yards will not be allowed. No concrete may be located in driveway areas other than that which is initially included with the home; however, additional concrete walking area(s) adjacent to the driveway which extends the overall total driveway width not more than four (4) feet may be considered for approval by the Architectural Review Committee.
8. If sod or turf is used, Common Bermuda Grass will not be allowed. If a warm season grass is used that will go dormant in winter, such as hybrid Bermuda, over seeding with Rye seed is required. No more than 20% of the Lot's net area will be sod or turf, and no more than 10% of the Lot's front yard net area or the Lot's back yard net area will be sod or turf. The net area is calculated by subtracting the "gross square footage" of the Dwelling from the total Lot Area (property line to property line).
9. Fountains shall be limited in height to four (4) feet above the natural grade of the Lot. Any fountain shall be of natural material, color and design, which are compatible with the overall architectural theme of Sunflower, as determined by the Architectural Review Committee. Fountains shall be permitted in the front yards, street side yards and rear yards of all Dwelling Units. The Architectural Review Committee may allow fountains exceeding four (4) feet in height if such height is deemed by the committee to be appropriate for the community.
10. Flowerpots will be allowed in front and street side yards provided the following conditions are met:
  - a. No pots may hang from front & side yard eaves.
  - b. A maximum of 6 pots is allowed in front and street side yards. Flowerpots must contain live plants with the exception of tall narrow-necked pots that may remain empty. Pots shall not exceed 36" in diameter.
  - c. Pots are to be earth tone in color (i.e., terra cotta, grays, tans, browns) and should complement the exterior color scheme of the home. Note: The exterior color of the home as used herein is defined to exclude the shutters, front door, or trim colors on the specific home. No accent colors or patterns will be allowed that fall outside these color ranges.
  - d. Pots shall not resemble figures of animals, people or statues, etc.
  - e. Wall mounted pots are not permitted.

- f. Hose pots are acceptable provided they conform to the requirements of this section.
11. House exterior wall hanging works of art will be allowed provided the following conditions are met:
  - a. Wall hanging artwork must have a southwestern theme.
  - b. A maximum of three (3) items, whether hung as a single group or hung separately shall cover no more than a combined surface of 48" x 48" or be 48" in diameter.
  - c. Approved materials for works of art are metals, glass or ceramic materials.
  - d. The artwork shall not be in the form of names, greetings, slogans, logos, or other commercial symbols.
12. Statues, topiary and artifacts are not allowed in the front or street side yards. As used herein, artifacts include items not of landscaping or planting material and/or statues and figurines and living things that have died;, i.e., dead plant material such as driftwood, saguaro ribs, cholla cactus, skeletons, steer skulls, tortoise shells, seashells, etc. Statues, topiaries and artifacts will be allowed in the rear yard. Bird feeders, which must be a minimum of 2 feet off the ground, are allowed in the back yard only. Wind socks, wind chimes and other types of wind-activated devices are prohibited in the front and side yards. Patio furniture that is specifically designed for outdoor use will be allowed on hard surface (concrete, flagstone, brick etc...) front patios or sitting areas. Patio furniture resting on loose ground cover will be considered an artifact and is not allowed.
13. Holiday decorations, including lighting, may be erected one (1) month prior to the date of the holiday and shall be removed within two (2) weeks after that date. No decoration of any kind shall be placed on another's property or any common areas without expressed written permission. Decorative lighting is limited to low ground-mounted landscape lighting. String lights are not allowed in front yards except during the holidays.
14. Homeowners may have one (1) stand-alone or eave/face mounted flagpole in the front and the back yard. Flag poles must be installed per industry standards, be of a professional quality, and meet Town of Marana codes and requirements. Owners must receive ARC approval prior to installation. Installation may not encroach on neighboring properties or pedestrian access. Property line setback shall be a minimum of fifteen (15) feet. Stand-alone flagpole height limit shall be no more than the height of the rooftop of the home. An eave or face mounted flagpole may not extend more than four (4) feet beyond any eave. Only a standard 3 foot x 5 foot American flag, Military Flag, POW/MIA Flag, Arizona State Flag, Gadsden Flag, and/or Arizona

Indian Nations Flag may be flown. A maximum of two (2) flags may be flown per flagpole. Proper flag etiquette shall be observed.

15. All landscaping shall be maintained in accordance with the community-wide standards set forth in these Design Guidelines and other governing documents. Tree supports shall be of commercial quality.
16. The use of solid plastic sheeting or polyethylene over ground areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Comparable materials may be used only with prior approval of the Architectural Review Committee.
17. No plant material and/or irrigation systems shall be installed in the boulevard easement located along individual homeowner lots. The boulevard easement is considered to be the area between the curb and the sidewalk. Homeowners are responsible for weed control in the boulevard area. Corner lot owners are also responsible for weeds in the boulevard area adjacent to their sidewalls, except when the sidewall abuts a common area (for example: corner lots on Sunflower Park Drive).
18. Planted material that conflicts with these Design Guidelines as of the approved effective date is grandfathered until the plant is removed or dies. Replacements must be in accordance with these Guidelines.
19. Items in the front entry way are exempted from the front yard rules. Front entryway is defined as the area covered by a roof, excluding the eaves, that surrounds the front door. Homes with slanted side entrances, such as the Santa Rita and Sonoita models, may utilize one (1) additional foot on either side of the entryway as part of the front entryway exemption. Further, a limited number of items are permitted in the entryway, which include:
  - (a) One additional sign no larger than 72 square inches which may contain only the house number, a simple name plate or a welcome sign.
  - (b) One artificial or real wreath or arista. No plastic is allowed.
  - (c) Additional pots which may contain live, dried, or artificial material or remain empty. No plastic is allowed.
  - (d) Accent colors may be used.

C. Walls and Fences

1. No alterations, changes, or additions will be allowed to walls and/or fences provided by Del Webb/Pulte for any Dwelling Unit or Common Area without the prior written approval of the Architectural Review Committee.

The Architectural Review Committee shall have the exclusive authority, subject to review by the Board of Directors upon appeal, to approve a party structure.

No Party Structure shall be approved by the Architectural Review Committee unless the adjoining Owner gives written approval to the construction of said structure on the boundary line between the two Lots. Approval by the adjoining Owner shall not be unreasonably withheld. The Owner building the Party Structure shall not require the adjoining Lot Owner to pay for part of the cost as a condition of approval.

If there is justification for a Party Structure not to be constructed on the boundary line between the two Lots, a variance from the ARC will be required to allow the Party Structure to be built in part or entirely, within the Owner's Lot.

The ARC will not approve two Party Structures adjacent to each other along an adjoining property line.

The ARC will only approve an attaching wall, fence or gate that is permanently attached to an existing Party Structure. If the Owner of an adjoining Lot wants to attach a wall, fence or gate to an existing Party Structure, he must get written approval from the Owner of the existing Party Structure. Such approval shall not be unreasonably withheld. If the Owner of an existing Party Structure will not allow the adjoining Owner to attach a wall or fence to the existing Party Structure, the dispute must be settled under the "Dispute Resolution" section of the CC&Rs or a similar form of binding arbitration.

All further disputes, once a Party Structure has been constructed, shall be resolved under the "Dispute Resolution" section of the CC&Rs or a similar form of binding arbitration.

2. The procedures for submittal are described in Article IV of these Design Guidelines. General minimum standards for walls and fences are described in Appendix C, but the Architectural Review Committee may impose additional requirements and restrictions on a case-by-case basis.
3. Any and all gates shall be painted the body or trim color of the house or the color of the wall or fence. Any other color must be approved by the Architectural Review Committee. The design, location and materials of any gate must be approved by the Architectural Review Committee (see Appendix C).

D. Ancillary Equipment

1. Roof-mounted equipment (including without limitation mechanical and air conditioning) will not be allowed. Solar energy devices are excluded from this limitation.
2. In addition to Architectural Review Committee approval, all pools, spas and Jacuzzis must be installed according to Town of Marana and Pima County ordinances and may require protective fencing and be subject to certain setbacks. The location and screening of, and sound insulating materials for,

pool pumps and other equipment shall be subject to prior approval of the Architectural Review Committee. Screening must completely hide all equipment so as not to be visible from neighboring properties. All screening shall match as closely as possible the color and materials of the Dwelling Unit, to give the appearance of being an integral part of the architecture of the Dwelling Unit.

3. An application is not required to be submitted to the ARC for installation of a TV satellite dish or an antenna receiving or transmitting fixed wireless signals other than via satellite (e.g., Internet services), less than one meter or 39.37 inches in diameter or diagonal measurement, as per Federal Communications Commission rules. However, as a courtesy to one's neighbor, and to the community with the following: TV satellite dishes should be placed in the following order of priority: (1) a location in the rear yard of a Lot, or (2) a location in the side yard of a Lot and should be screened from view from the street or neighboring properties to the maximum extent possible. When ground mounting prevents adequate reception, side and rear wall or eave mounting is permissible. All cables and conduit must be installed and maintained in a professional manner. Notification of such devices placed on a Lot shall be submitted to the ARC in writing within fourteen (14) days of installation. This guideline is not intended to delay the installation or use of a satellite dish nor cause any undue added installation expense. Any and all other exterior antennas will be restricted with regard to location and mounting to the maximum allowable under Federal Commission rules.
4. The installation of video cameras/surveillance equipment and motion lights is considered an alteration of the exterior of the buildings that will require written approval of the Architectural Review Committee before installation. Installation approval of video cameras, surveillance equipment and motion lights will only be given upon consideration of its effect on neighbors' right to privacy and quiet use and enjoyment of their property. Installations will not be permitted that the Committee determines will cause an unreasonable interference with neighboring residents' reasonable expectation of privacy.

Whenever possible the cameras and lights shall be placed in the least intrusive or visible location.

Applications for installation of cameras and lights are to include a plot plan showing the location of cameras and lights in relation to neighboring structures; specify the size, shape, angle of view; and include a photograph and/or drawing of the camera (s) and light(s) prepared by the manufacturer.

5. All solar energy devices shall be subject to Federal, State, and Local laws. Applications shall be submitted to the ARC in writing indicating the location of the solar panels on the roof as determined by the solar company's engineer. Care should be taken by the solar company as to placement of the solar panels, as much as possible, so as to not adversely affect a neighboring resident's view or impact the value of his home for resale purposes. This guideline is not intended to delay the installation or use of solar devices nor cause any undue added installation expense.

E. Trash Containers

Only containers for trash or recyclable materials furnished by the waste management company servicing the Properties will be permitted. No other trash containers will be allowed. The use of covered containers for recyclable materials is recommended.

F. Signage

Posting of signs of any kind (including posters, circulars and billboards) is prohibited except those required by law and the following:

1. No more than one (1) professionally lettered "For Sale" or "For Rent" sign shall be placed on any individual Lot within the community. Such sign will be located wholly within the Lot being advertised "for sale" or "for rent." The sign will be limited to a maximum area of four square feet and may be double-sided. The overall height from finished grade at the location of the sign to the top of the sign (including sign post) may not exceed four feet. The sign must be removed within two working days following the closing of the sale or lease of the property, or the termination of the listing agreement.
2. Owners will be permitted to post a reasonable number of professionally designed home protection/security signs from a security/alarm company providing services to such Owner of the Dwelling Unit. One single-sided security/alarm sign may be placed in the front yard, no further than five (5) feet from the home footprint, where it will be visible to persons approaching the house. The sign shall not exceed two (2) feet in overall height from finished grade and seventy-two (72) square inches in size (e.g., eight inches by nine inches) if placed in the ground. A sign may also be placed in a window of the home and the sign must not exceed sixteen (16) square inches in size (e.g., four inches by four inches).
3. "Open-House" signs that direct the public to and invite inspection of a house which is for sale or lease are not permitted in public Rights-of-Way.
4. One (1) home identification sign, identifying a Lot or Dwelling Unit by number, consistent with the Community-Wide Standard, not to exceed 72 square inches (12 inches wide x 6 inches high) in size, shall remain on the garage in the location installed. One additional sign is permitted in the front entryway. (See front entryway, section B, Paragraph 1(t)(i).
5. Notwithstanding the above, the Association shall be allowed to install any sign(s) necessary or desirable for purposes connected with Association activities.
6. Notwithstanding the foregoing, the Architectural Review Committee may require the removal of any sign that it determines is inconsistent with the Community-Wide Standard with respect to color, content, materials, location or otherwise.

#### **IV. ARCHITECTURAL REVIEW COMMITTEE AND RESIDENTIAL PROPERTY OWNER REQUIREMENTS**

The Architectural Review Committee has been established to maintain the integrity of the architectural and design character established by Del Webb at Sunflower. To this end, as part of its duties, the Architectural Review Committee will review all proposed additions, improvements or alterations on developed Lots and Common Areas, and all proposed landscaping, walls and fences on any Lot or Common Area after conveyance to an Owner or the Association. Article XI of the Declaration sets forth provisions with respect to the Architectural Review Committee, including appointments to the Committee.

##### **A. Residential Property Owners**

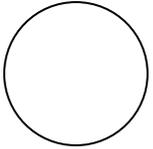
Lot Owners are required to submit Plans to and receive written approval from the Architectural Review Committee prior to performing or installing (1) additions, alterations, restorations or modifications to existing Dwelling Units, (2) exterior painting, unless painting is in accordance with the original color scheme, (3) landscaping, (4) pools, spas, Jacuzzi, walls and fences, (5) any concrete work, ancillary equipment, signage (except "For Sale", "For Rent", a home identification sign identifying a Lot or Dwelling Unit by number, or security/alarm signs which comply with these Design Guidelines), and (6) any and all other on-site improvements other than improvements or alterations to the interior of structures which are not visible from the outside of the structure. It shall be the responsibility of all Lot Owners to comply with all standards and requirements of these Design Guidelines, as well as all requirements of the Declaration or any governmental authority having jurisdiction.

##### **B. Submittal For Changes and Additions**

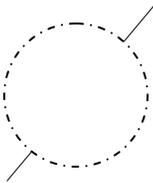
1. The Lot Owner shall submit to the Architectural Review Committee, by mail or personal delivery, an application form as provided in Appendix B showing the Plans for the proposed improvement as stated in Section 11.4 (a) and Section 11.4 (b) of the Declaration and as follows:



EXISTING



PROPOSED



TO BE  
DELETED

- a. For landscaping plan approval, or amendments to an approved landscaping plan, the Owner shall submit *three* copies of the landscaping plan for the Lot (no smaller than 8-1/2" x 11"), including a description of all varieties and sizes of trees and shrubs, with the location of each tree and shrub clearly delineated on the plan. To the extent the Owner can color code the trees and shrubs and provide a legend, it will facilitate review. If the submittal is for an amendment to a previously approved landscape plan, the existing trees and shrubs shall be marked on the landscape plan with a circle marked with a dashed line and a cross in the center indicating their location, and the proposed additions shall be marked on the landscape plan with a circle marked with a solid line and a dot in the center. All deleted landscape materials shall be described as part of the submittal. The initial submittal shall also describe the proposed irrigation system, the location of the timer box, the valves and each sprinkler head and emitter. All irrigation systems should have an automatic timer. In the event the Owner desires to install any hardscape, including but not limited to brick, masonry, railroad ties, wood trim, concrete, rocks or other inert material, such items shall be clearly marked on the landscape plan and a legend shall be provided so that the Architectural Review Committee can easily determine the location and type of material. Lots have been designed and graded to provide positive drainage from the Lot and to protect environmental resources. In the event the Owner's plan proposes to alter the grade of the Lot, the location of all drainage structures and direction and slope of flow must be indicated on the plan. The Architectural Review Committee's approval of any plan shall not be deemed to constitute an assurance that the grading or drainage change is properly engineered to avoid any undesirable impact.
- b. For changes or additions to the Dwelling Unit, the Owner shall submit three (3) copies of the plot plan and three (3) copies of the floor plan for the model and elevation. On such plans, the Owner shall draw the proposed changes or additions to the exterior elevation. If the owner has a photograph of another house, or picture out of a magazine that will assist the Architectural Review Committee committee, such photo should be submitted. The application shall contain a description of the materials to be used for all such changes or additions. If the change or addition affects the roof or roofline, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition.
- c. Owners are advised that the Town of Marana requires certain permits, depending on the proposed change, alteration or addition. It is the Owner's responsibility to comply with permit requirements. The Owner shall provide the Architectural Review Committee with copies of any such required permits if so requested. Owners should contact the Town of Marana Building Department for further information.
- d. Prior to or concurrently with submittal of a request for a permit to be issued by the Town of Marana, the Owner will obtain the approval of the Architectural Review Committee of any plans, changes, alterations or additions inclusive of, but not limited to, those items outlined above.

- e. Any permit issued or approval given by the Town of Marana will in no manner bind the Architectural Review Committee with respect to approval or denial of any application for items submitted for consideration; the Architectural Review Committee shall be fully independent and will have full authority for approval or denial of any such matters.
2. The Architectural Review Committee will review each submittal and respond within thirty (30) days after receipt of the subject submittal by returning one set of plans and a copy of the Application for Approval to the Owner (signed by at least two Committee Members) indicating the Committee's decision, in one of the following three forms:
    - a. "Approved" - The entire document submitted is approved in total.
    - b. "Approved As Noted" - The document submitted is partially approved. An Owner may proceed with the work to be performed; however, the Owner must comply with any and all notations on the submittal. The response will set forth the reasons for disapproval of items and suggestions for bringing disapproved items into conformity with the Declaration and these Design Guidelines.
    - c. "Not Approved" - The entire document submitted is not approved and no work may commence. The response will set forth the reasons for disapproval thereof and suggestions for bringing the document into conformity with the Declaration and these Design Guidelines. As per Sunflower's CC&Rs Article XI Section 11.2 "Architectural and Design Review": An appeal of an ARC action by an Owner to the Board, and an appeal of an ARC subcommittee action by an Owner to the ARC, must be filed by delivering a written request for appeal to the Board or the ARC, as applicable, within 10 days after the date on which notice was delivered to an Owner of the action taken on its application.

The homeowner is ultimately responsible for Design Guidelines compliance. If a non-compliance issue is not seen and/or recognized and inadvertently approved on the plans submitted to the ARC for approval, the homeowner has complete responsibility for correcting the non-compliance issue by bringing it into compliance.

3. In the event the Architectural Review Committee fails to respond within thirty days of the first Review Date, the document submitted will be deemed to have been approved, except as to the requirements which are otherwise imposed by or required under these Design Guidelines or other Governing Documents. The Architectural Review Committee may, but will not be required to, discuss a submittal with the submitting Owner at a regularly scheduled meeting of the Committee, in order to request and/or receive additional information or clarification regarding a submittal. However, Owners have no right to a hearing regarding a submittal, and Committee decisions may be based solely on the information contained in the submittal. The approval of the Architectural Review Committee may contain a deadline for commencement and/or completion of work for which Plans have been approved. If no deadline is specified in the approval, the deadline for completion of the approved work shall be deemed to be 90 days after approval. If construction is not timely commenced and/or completed, the Committee's approval will be deemed withdrawn

and such incomplete construction will be deemed to be in violation of the Design Guidelines.

The Architectural Review Committee, the Association and their designated agents shall have the right, but not the obligation, to enter any Lot to inspect any work requiring approval of the Architectural Review Committee, both during performance and after completion of such work. Any work which is required to be, but has not been, approved by the Committee, or which is not being performed in accordance with the Plans approved by the Committee, will be immediately removed by the Owner of the Lot at such Owner's sole cost and expense.

Please see Easements for Maintenance and Enforcement in Sunflower CC&R's Article XIII, Section 13.7 on page 53.

C. Fees

In accordance with Section 11.2 of the Declaration, the Architectural Review Committee may establish and charge reasonable fees for review of applications hereunder and may require such fees to be paid in full prior to review of any application.

D. Effect of Building Permit

If the plans submitted by an Owner require a building permit, the approval by the Architectural Review Committee is not a guarantee that such plans will be approved by the Town of Marana. If the Town of Marana requires modification to such plans, such modifications must also be approved by the Architectural Review Committee for the Owner to remain in compliance with these Guidelines.

V. **NON-LIABILITY FOR APPROVAL OF PLANS**

**PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW YOU SHOULD READ AND UNDERSTAND THE DISCLAIMER IN SECTION 11.7 OF THE DECLARATION. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE ARCHITECTURAL REVIEW COMMITTEE TO EXPLAIN IT.** Pursuant to Section 11.7 of the Declaration, the review and approval of any application is made on the basis of aesthetic considerations only and neither the Association, its officers, the Architectural Review Committee, the Board of Directors, the Association management agent, or any member of the foregoing, shall bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements. Neither the Association, its officers, the Architectural Review Committee, the Board of Directors, the Association management agent, nor any member of the foregoing shall be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction or modifications to any Lot. In all matters, the Architectural Review Committee and its members shall be defended and indemnified by the Association, as provided in the By-laws.

## **VI. CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES**

The Design Guidelines may be amended as follows:

- A. The Architectural Review Committee will periodically review the Design Guidelines and make recommendations to the appropriate Association management for possible amendments. Thereafter, the Architectural Review Committee shall have the authority to supplement and amend the Design Guidelines (by a two-thirds vote of the Committee members) with the consent of the Board.

There shall be no limitation on the scope of amendments to the Design Guidelines.

- B. Any amendment to the Design Guidelines upon approval by the Board will be made available to all residents. Copies will be available at the Association office. All amendments will become effective upon adoption by the Board, as applicable. Such amendments shall not be retroactive to previous work or approved work in progress.
- C. In no way will any amendment to the Design Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration or the Articles or Bylaws of the Association.

## **VII. ARCHITECTURAL REVIEW COMMITTEE SUBCOMMITTEES**

The Board may, as it deems necessary, establish and abolish subcommittees of the Architectural Review Committee relating to the performance of specific duties to assist the Architectural Review Committee. Any authorized agent of the Architectural Review Committee, or of any duly established subcommittee, will be authorized to perform the Plan review and inspection of Lots required pursuant to these Design Guidelines.

## **VIII. ASSOCIATION IMPROVEMENTS**

As part of the planning and evolution of the Sunflower Community, the Association may develop plans and provide or contemplate providing certain community amenities. These plans may affect the original architectural design of Community Structures, landscape design of Common Areas, location of future amenities, landscaping styles or plant materials. These Design Guidelines will apply to any and all improvements to Community Structures and Common Area made by or on behalf of the Association.

## **IX. AUTHORIZATIONS**

These Amended Design Guidelines have been adopted by the Board of Directors of Sunflower Community Association, Inc., an Arizona non-profit corporation, at a regular meeting on June 6, 2012. Revision C final draft was approved by the Board at a regular board meeting on June 6, 2012. The effective date of Revision B is July 11, 2012. They replace the ARC Design Guidelines dated 5-1-07.

**ATTESTED TO BY:**

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**Gene Wittmann, President**

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**Charlie Collins, Secretary**

**Corporate Seal**

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## **APPENDIX A**

### **BUILDING SETBACKS**

#### **RESIDENTIAL AREA**

The building setbacks described below are applicable to all residential modifications and additions in the Sunflower Community and are recognized by the Architectural Review Committee.

#### **Single Family Dwelling Units:**

- |                           |               |
|---------------------------|---------------|
| 1. Front Yard:            | 20'0" Minimum |
| 2. Side Yard:             | 5'0" Minimum  |
| 3. Side Yard Corner Lots: | 10'0" Minimum |
| 4. Rear Yards:            | 10'0" Minimum |

APPENDIX B  
SUNFLOWER ARCHITECTURAL REVIEW COMMITTEE APPLICATION

CAM # \_\_\_\_\_

Application for approval of Landscaping and dwelling unit modifications. Homeowners must submit three (3) copies of plans, minimum size of 8-1/2 by a 11.

Submittal Date \_\_\_\_\_ Date to be Reviewed \_\_\_\_\_ Lot #: \_\_\_\_\_  
Homeowner's Name \_\_\_\_\_ Phone \_\_\_\_\_  
Sunflower Address \_\_\_\_\_  
Other Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

Nature of Review/Approval Request: (check one or more of the following)

- 1. An addition to existing dwelling room addition/patio enclosure
- 2. Landscape plans
- 3. Concrete work (walkways, patios, etc.)
- 4. Walls/fences, gates
- 5. Patio covers, patio screening, window sun screens
- 6. Pool, spa or Jacuzzi
- 7. Antenna or dish
- 8. Re-submittal for approval regarding number \_\_\_\_\_ above.
- 9. Other \_\_\_\_\_

10. House Painting\*

House Body Color \_\_\_\_\_  
Trim & Fascias Color \_\_\_\_\_  
Pop outs Color \_\_\_\_\_  
Doors & Shutters Color \_\_\_\_\_  
Accent Color \_\_\_\_\_  
Garage Door Color \*\* \_\_\_\_\_

**\*\*SOME COLORS NOT ALLOWED ON GARAGE DOORS**

Contractor Name & Phone # \_\_\_\_\_

Estimated project start date \_\_\_\_\_ and completion date \_\_\_\_\_

In support of this application, the following are the required procedures and submittals: Landscaping, See Design guidelines, Article IV, Section B, 1, a; Dwelling Unit: See Article iv, Section B, 1.b; House Painting refer to paint book at the Center. **\*NO APPROVAL SHALL BE REQUIRED TO REPAINT THE EXTERIOR OF A STRUCTURE IN ACCORDANCE WITH THE ORIGINAL APPROVED COLOR SCHEME**

Submit three copies of the plans. The plans will show the following (where Applicable): site plan; floor plan; exterior elevations; roof design; exterior materials and finishes; landscaping plan; distances to walls, lot line or house foundation; photographs and such other items as may be needed to reflect the character and dimensions of the improvements.

THIS APPLICATION REQUIRES THE SIGNATURE OF THE HOMEOWNER. THE UNDERSIGNED ACKNOWLEDGES THAT IF ANY WORK HAS COMMENCED PRIOR TO THE APPROVAL OF THE ARC, HE/SHE WILL BE LIABLE FOR ALL COSTS NECESSARY TO BRING THE WORK INTO COMPLIANCE WITH THE CC&R'S (DECLARATION) OR DESIGN GUIDELINES. BY SIGNING THIS APPLICATION FORM, I, THE HOMEOWNER, GIVE AUTHORIZATION TO THE ARC TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTING ALL WORK IDENTIFIED ON THE APPLICATION AS BEING SATISFACTORILY COMPLETED.

**NOTE: ALL GOVERNING DOCUMENTS OF CONTINENTAL RANCH APPLY TO SUNFLOWER**

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

THIS APPROVAL DOES NOT RELIEVE THE HOMEOWNER FROM ALL CC&R AND SUNFLOWER DESIGN GUIDELINE REQUIREMENTS, NOR DOES IT CONSTITUTE APPROVAL AS TO COMPLIANCE WITH APPLICABLE ARIZONA LAW, PIMA COUNTY AND/OR TOWN OF MARANA BUILDING AND SAFETY REQUIREMENTS OR ZONING ORDINANCES.

STAMP AREA

ARC ACTION TAKEN \_\_\_\_\_

- Approved (the request submitted is approved as is)
- Approved as Noted (the document submitted is Conditionally approved subject to conditions)
- Document is held pending further information requested of applicant.
- DISAPPROVED. REASON: \_\_\_\_\_

Committee Member Signatures \_\_\_\_\_ Date \_\_\_\_\_

Conditions: \_\_\_\_\_

Homeowner copy must be picked up at the Community Center desk after action taken by ARC.  
Revised 5-01-07 – Revised 12-21-10 – Revised 5/17/11

## **APPENDIX C**

### **GENERAL CRITERIA FOR WALLS, FENCES AND GATES** *ARC Approval Required for New Construction, Modifications or Additions*

#### **A. WALL AND FENCE TREATMENTS**

##### **1. Rear and Side Walls:**

**Maximum Height**

As determined by, and originally constructed by Del Webb/Pulte. Side wall between neighbors not to exceed rear wall height constructed by Del Web/Pulte; however, if rear wall exceeds five feet (5') in height, then side wall may not exceed five feet (5').

**Minimum Height**

Shall be at least 32" in height (retaining walls excepted).

**Materials & Color/Finish**

4"x8"x16" tongue & groove block, color **shall be chocolate brown to match existing block**. Mortar color shall match block.

Ornamental iron or steel may be used but is not recommended due to high maintenance. Expanded metal may be applied to the fence construction, with ARC approval and adjoining homeowner approval. Expanded steel screen must match fence color.

**Location**

Side lot line and house to lot line enclosure walls. To enclose rear yard.

##### **2. Accent Wall:**

**Maximum Height:**

Three feet (3')

**Materials & Color/Finish**

Stucco or masonry to be color of house or natural stone.

**Location:**

Around private patio (front and rear) area, not to encroach on building setback area.

##### **3. Pool or Spa Fencing:**

**Height:**

See local building code

**Materials:**

Ornamental iron or metal

**Color/Finish:**

Chocolate brown, base color of the house, or a color approved by the Architectural Review Committee.

**B. GATE TREATMENTS**

**Maximum Height and Width:**

Not to exceed height of attaching wall.

Decorative metal work above gate not to exceed 1/3<sup>rd</sup> the width of the gate. Maximum width 48 inches.

**Material:**

Ornamental iron or steel frame. Expanded steel screen may be attached to a metal framed gate.

**Color/Finish:**

Chocolate brown, black, tan or base or trim color of house. Expanded steel screen color must match gate color.

**C. DISAPPROVED MATERIALS FOR WALLS, FENCES AND GATES**

- Wood
- Chain-link
- Split-rail
- Chicken Wire
- Plastic screening
- Hardware fabric
- All other materials as deemed "disapproved" in the discretion of the Architectural Review Committee

July 2012

## **APPENDIX D**

### **APPROVED INERT MATERIALS**

Approved inert materials shall include: rock and/or stone of naturally pigmented (i.e., as found in native form) color and other materials as may be approved by the Architectural Review Committee. Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the Architectural Review Committee and shall be in writing. Currently approved materials are as follows:

- River Cobble - for drainage/erosion control only
- Decomposed granite (no ¼ inch minus material permitted)
- Crushed granite
- Boulders (must be from the Tucson area & buried at least 1/3 of their depth)

Original document May 2003

## APPENDIX E

### LANDSCAPE PLANTS

The plant palette for the area is affected by a number of factors, including climate, topography, soils, existing riparian vegetation and plant tolerances to known pests and diseases. The following plant lists take into account important characteristics of plant performance, including salinity, smog and drought tolerance, soil depth requirements, root habit, and mature shape and size. When considering plantings, physical and natural limitations, specific conditions, and the overall design effect should be considered. Approval of plantings is at the sole discretion of the Architectural Review Committee.

The following planting materials are specifically prohibited on residential lots:

Trees:

<u>Common Name</u>	<u>Reason for prohibition</u>	
Olive Species	Olive (other than the Swan Hill variety)	dirty, allergenic, pest prone
Morus alba	Mulberry	size, allergenic, pest prone
Eucalyptus Species	Eucalyptus	dirty, size, pest prone
Pinus halepensis	Aleppo Pine	size
Tamarix aphylla	Tamarisk invasive	pest-prone, brittle, high water use
Cupressus sempervirens	Italian Cypress	size
<u>Palm Species</u>		
Washingtonia robusta	Mexican Fan Palm	size
Washingtonia filifera	California Fan Palm	size
Phoenix canariensis	Canary Island Date Palm	size
Phoenix dactylifera	Edible Date Palm	size

Shrubs:

Nerium Oleander	Oleander (other than petite varieties or Nerium Oleander trained as a tree)	size
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Ground Covers:

Cynodon dactylon	Common Bermuda Grass	invasive; not heat tolerant
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The foregoing list of prohibited planting materials is not intended to be exclusive, and additional plants may be disapproved by the Architectural Review Committee.