STONEGATE COMMUNITY ASSOCIATION
ARCHITECTURAL GUIDELINES

Including revisions adopted by the Stonegate Board of Directors on April 24, 2025

Introduction

In accordance with Stonegate's Declaration of Covenants, Conditions and Restrictions (known as CC&Rs), the Board of Directors has adopted the following revised guidelines to be administered by the Architectural Committee. These rules shall apply to all lots located within Stonegate.

The Architectural Committee reserves the right to interpret the guidelines within reason, for the purpose of insuring aesthetic compatibility and enhancing the appearance within the community. The goal is to prevent features that dominate or sharply contrast with community harmonized standards.

The Architectural Guidelines supplement the CC&Rs and applicable provisions of the tract declaration on individual subdivisions. The Architectural Guidelines may be revised from time to time, subject to the Board of Directors' approval.

Stonegate is a master planned community with a strong commitment to protect and preserve its aesthetic qualities. The Stonegate Architectural Committee is specifically charged with the responsibility to review and approve all applications before building is initiated, or before any changes occur that affect the exterior appearance of a property. Prior to any construction, change, alteration, or addition being made, a formal application must be submitted for Architectural Committee review and approval. The decision of the Committee will be based on the approved guidelines. Requests that do not conform to existing guidelines require a variance approved by the Board of Directors.

Enforcement

The Executive Director, or other administrative staff member, shall conduct a periodic residential drive to ensure compliance with Stonegate governing documents. Any noted non-compliance by residents should be reported to the Stonegate office. Anonymous complaints may be disregarded. The Association will then determine if a violation exists and make a reasonable effort to communicate with the resident. Prior to receiving fines, notice(s) will be sent to the resident and in accordance with Arizona Revised Statue 33-1803; a ten (10) day notice letter will be sent requesting residents respond in writing to the Association. Once your written explanation is received, the Board will schedule a date and time for you to present your information, if requested. If no response is received, you waive your right to be heard and will be notified of the decision the Board has rendered in this matter. The decision may include fines, other actions, and/or legal action if necessary, in order to gain your compliance.

Per SCA's Enforcement Policy and Fine Schedule

Unapproved Architectural Change (unapproved permanent or semi-permanent alteration)*	1st Notice: $250.00 2nd Notice: $500.00 3rd Notice: $750.00 4th Notice: $1,000.00

To view enforcement policy and fine schedule in its entirety, click link https://stonegate-scottsdale.com/wp-content/uploads/8-24-2023-SCA-Fine-Policy-copy.pdf

1.0 Architectural Committee

1.1 Committee Members

The Committee shall consist of not less than five (5) members and not more than seven (7) members. Each member shall be appointed by the Board and serve a one (1) year term. Members may serve consecutive terms.

1.2 Meetings

The Committee shall schedule timely meetings to review applications submitted. Special meetings may be called by the Executive Director upon providing a two (2) day written notice to the Committee members. The Committee shall keep and maintain a record of all actions. The presence of three (3) members shall constitute a quorum.

1.3 Compensation

Unless authorized, members of the Committee shall not receive any compensation for services rendered. All members shall be entitled to reimbursement for Board pre-approved expenses incurred by them in connection with the Committee's performance of its' duty.

1.4 Professional Consultants

Professional consultants may be retained by the Committee with Board approval and shall be paid for rendering such services to the Community Association. The cost of providing such services may be passed onto the applicant.

1.5 Forms

The Committee shall adopt forms that members must complete for all requests prior to the Committee's review. All forms are available at the Stonegate Community Association business office located in the Community Center during

normal office hours. The forms indicate required information to be supplied by the applicant. It is important that the applicant submits clear and concise information so the Committee may render a decision. Incomplete application and /or unclear requests lacking information cannot be processed by the Committee until all necessary information is received.

1.6 Disclosure

The applicant, upon submittal to the Architectural Committee, is aware that the Community Association is required to provide written notice to the abutting property owners, of the application and its details. Disclosure of the application is for the benefit of the adjacent property owners. The Community Association must notify the adjacent owner in writing, with a return receipt requested. Therefore, the applicant must provide a reasonable time period to provide disclosure. **Disclosure does <u>not</u> constitute approval. It is only notification of the application by the adjacent property owner.** Disclosure is required for any structure that is visible, exceeds the heights of the neighboring walls, or exterior change in the landscaping or elevation.

1.7 Decision

The Committee shall review all applications submitted and shall furnish a written decision to the applicant, setting forth its reasons for the decision. In the event the Committee fails to take any action within thirty (30) days after an application is submitted, the application shall be deemed approved. All applications submitted are required to be acknowledged by the Community Association with a date stamp. It is the responsibility of the applicant to verify receipt of the application if it is not delivered in person to an administrative staff employee during normal business hours. It is the responsibility of the applicant to contact the Community Association and verify the decision of their application. The Committee may disapprove any application for lack of information. In all cases the Committee shall state its objections. In the event of a resubmitted application, the Committee must act within thirty (30) days, or the application shall be deemed approved.

1.8 Review Process

Prior to submitting an application, a meeting is encouraged between the applicant and a representative of the Community Association. The purpose of this meeting is to informally discuss the facts and information provided, and to give useful information as to expedite the review process.

1.9 Appeal to Board

Any applicant (owner, resident, or agent) aggrieved by the decision of the Architectural Committee may appeal the decision to the Board. Any owner, or other resident will not be considered aggrieved unless adversely affected. Such

appeal must be made within fifteen (15) days after the decision of the Architectural Committee is mailed to the applicant and to any other interested parties. If an appeal is requested, all interested parties will be notified.

The appeal must be based on one of the following criteria: (1) A decision made by the Architectural Committee in violation of its guidelines or procedures; (2) The inability of the applicant to perform (i.e., financial hardship or legal requirements). An SCA member cannot claim a financial hardship as reason for an architectural appeal when initially the member knowingly failed to comply with the Community Association documents. A subjective opinion or interpretation by an individual on aesthetic qualities also is not acceptable grounds for an appeal. In every case, an appeal to the SCA Board regarding a Committee decision must be submitted in writing. The details of this appeal must include the above stated criteria, all supporting facts and documentation, and be submitted within fourteen (14) days of the original request for appeal.

The submittal will be reviewed by the Board, and if appropriate, an appeal hearing date will be scheduled. At that time, the member or any other interested parties may make a formal oral presentation to the Board. The decision of the Board is final.

1.10 Non-Liability

Any approval of plans, specifications, or proposed construction given by the Architectural Committee, shall be only for the purpose of permitting construction of proposed improvements on Stonegate. Such approval shall not constitute an approval, ratification, or endorsement of the quality of architectural or engineering soundness of the proposed improvements, and neither the Committee nor the Board shall have any liability for any defects in the plans, specifications, or improvements.

1.11 Commencement of Construction

Upon receipt of written approval, the applicant shall commence construction, reconstruction, alterations, or other work pursuant to the approved drawings within ninety (90) days of the proposed start date, subject to obtaining all necessary permits required by governmental agencies. The project is to be completed within one (1) year after commencing construction. An extension may be granted due to just cause such as strikes, fires, national emergencies and/or natural calamities. If an owner fails to comply with this paragraph, any and all cost incurred by the Community Association in the enforcement or in the exterior completion to minimize any adverse impact to neighboring property, shall be reimbursed by the owner.

1.12 Variances

The Architectural Committee may at its discretion, grant a variance from the guidelines under extenuating circumstances, if the Architectural Committee determines that: (1) the guideline creates an unreasonable hardship or burden on the applicant; and (2) the variance does not create any substantial adverse effect on Stonegate residents, and is consistent with the high quality of life within the community.

1.13 Grandfather Clause

From time-to-time, these Architectural Guidelines may be amended, to create a restriction on an item previously permitted. When this occurs, the resident is permitted to continue under the previous guidelines, until such time as one of the following takes place: (1) the item is removed or requires replacement; or (2) property transfer if the item is not attached to the main residence.

1.14 Requirement to Prevent Nuisances During Construction Activities

Prior to any written approval by the Architectural Committee for improvements to be constructed or altered on a Lot or Parcel, the Owner shall be required to provide the committee with written affirmation that any such activity will not violate Section 3.5 of Stonegate's Covenants, Conditions and Restrictions. In the event a general contractor or other contractor is involved, the committee shall require such contractor to provide: (1) A written statement affirming that such Section 3.5 is understood and that such contractor and any subcontractors and materialmen will comply with it; and (2) A bond or other security reasonably satisfactory to the committee in an amount reasonably determined by it. If in the course of construction or alteration the committee determines that one or more violations have occurred, the Owner shall be served a Notice of Violation pursuant to Section 5.2 of the Bylaws and a daily fine, in an amount determined by the committee, may be levied against the Owner and any contractor until all violations have been corrected to the satisfaction of the committee. Any such fine may be deducted from any bond or other security, which may have been provided. In addition to or in lieu of such fine, and if all violations have not been corrected within two (2) days of the Notice of Violation, the contractor and any subcontractors and materialmen, individually or in the aggregate as determined by the committee, may be denied access into the Stonegate Community, except for the limited purpose of correcting the violation(s), until all violations have been fully corrected.

2.0 Architectural Guidelines:

2.1 General:

The architectural theme for Stonegate Community will have a distinctive identity within the City of Scottsdale, expressing a thoughtful integration of building

structures with the desert environment. The theme is based on a contemporary Southwest style shaped by cultural and climatic influences by the Scottsdale locale.

The architecture can be characterized by strong unifying elements such as low-pitched flat tile or barrel tile roofs, projecting eaves, simple stucco walls washed in a desert palette, stone and copper accents, uncluttering details and recessed openings conveying a sense of solidity and permanence. These forms and materials traditionally provide a response to the need to provide shelter from the sun with thick walls for insulation, light colors for reflection and recessed windows for shade. The result is a structure both visually and functionally enduring with respect to the climate and culture of the Arizona desert environment.

2.2 City of Scottsdale Code

All structures erected within Stonegate shall be in compliance with City of Scottsdale building codes, as well as the declarations and these rules.

2.3 Building Massing and Detailing

The architectural image of Stonegate is perceived primarily from public space such as streets, open spaces, and landscaped trails. Therefore, building massing, scale and roof forms as primary design components, require careful consideration in expressing architectural elements to these public spaces. Large expanses of flat wall planes vertically or horizontally are prohibited. Columns incorporated as a structural or aesthetic design element shall convey a solid, durable image as expressed through bold forms. Columns may be used as a free-standing form or as support for porch roofs and balconies. Exposed pipe columns and thin posts such as 4x4 wood or metal pipe columns are prohibited. As an architectural form, chimneys shall be simple in design, having the same material and texture as the building, or of stone to insure the consistency of character and style. Chimney caps should be simple, contemporary, and integrated with the trim color. Exposed flues and extravagant metal fireplace caps are prohibited. The use of balconies or porches is encouraged. Balconies should be incorporated into the building form to articulate and break up large wall masses. The shade producing qualities of balconies and porches is important in the desert setting. Garages are a more visual element in single- family housing. Orientation is encouraged as it relates to the architecture and provides visible variety along the streetscape. The design treatment includes color accents and architecture features such as small roofs, overhangs, and projections to the recessed garage door.

2.4 Building Heights and Setbacks

A unique identity is a major goal for the residential homes of Stonegate. To avoid a monotone street scene, it is encouraged that repetitive floor plans shall be alternately reversed, and the roof expressions varied. Consideration should be

given to rear elevations by providing variations in plans and/or roof forms which are viewed from roads, public spaces, or neighboring property. Residences should maintain low plate line, profiles at the street front and boundary edges. Garages should be one-story when set in front of the main building. Two-story residences at the internal street fronts should provide a second-story setback. To soften the architectural edge at boundary areas, building heights shall maintain a low profile through a combination of one and two-story elements and a variety of floor setbacks at the second story. In no case shall a structure be greater than thirty (30) feet in height as measured from the finished grade of the lot to the highest point of the structure; however, if there is a Tract Declaration for the subdivision in which the lot is located which establishes different height restrictions, the provisions of the Tract Declaration shall control.

2.5 Roofs

Since roof scapes will form an important part of the visual environment, they must be carefully designed. It is the intent that neither flat roofs nor pitched roofs predominate. Pitched roofs shall be hip or gable and may have a maximum slope of 6 to 12. Dominant roof colors such as white, black, and reflective roof surfaces are prohibited. Painting of roof tiles is prohibited. Roof- mounted mechanical equipment is prohibited. Sheds, gambrels, mansard “period” style, and barn roofs are prohibited. Non-continuous parapets are prohibited. Long unbroken sections of roof tile are prohibited. All pitched roof materials shall be barrel and flat clay or concrete tile, as approved by the Committee to ensure a continuity of textures and colors. Flat roof areas shall have a gravel surface or other approved roof material. Roof projections and overhangs are encouraged as a response to energy and climate concerns. All flat roof patio areas must have parapets integrated into the building form and character.

2.6 Materials and Colors

Exterior building materials shall be compatible with and reflect the elements of the surrounding desert environment. This includes wood, stone, masonry, adobe, concrete, plaster, or stucco. Cultured stone is acceptable with approval of the Committee. Exposed wood should have a minimum two (2) inch dimension and be protected from excessive moisture and sun exposure. Exposed wood sheathing shall be limited to the underside of roofs or patio decks. Exterior plaster or stucco will have a smooth, sand, or other light finish texture. Heavy textures such as Spanish lace, swirl, or heavy trowel are not encouraged and may be restricted, especially in custom subdivisions. Finish materials on all building walls must continue to finish grade, eliminating exposed unfinished foundation walls. Complimentary accent materials and colors are allowed and encouraged. Wood trim shall be stained with semi-transparent stain or paint as accent. Prohibited materials include vinyl or aluminum siding, wood or masonite siding.

Color is intended as a primary theme element reflecting the nuance of an indigenous element of the desert environment. The values should generally be light with darker or lighter hues encouraged to highlight the character of the structure and to differentiate wall planes. All accents must reflect the architectural form and character of the building. Flat roofs may contrast with the building walls or may be painted to match the building walls. Incidental projections such as roof vents and flues shall be colored to match the exterior surface they penetrate.

2.6.1 Stonegate Exterior Paint Color Palette

Architectural Committee Approval is not required when repainting your home the same color.

All exterior paint color changes require Architectural approval. When choosing a color from the exterior paint palette in Appendix D, neighbor Disclosure is not required, however an Architectural Application still must be submitted.

A paint sample must be submitted when a color is chosen that is not from Appendix D.

*Paint colors are listed at this link and also in **Appendix D** below.*
https://stonegate-scottsdale.com/wp-content/uploads/Approved-Exterior-Paint-Colors.pdf

2.7 Building Projections

All projections from a building including, but not limited to, chimney caps, vents, gutters, downspouts, utility boxes, porches, rails, and exterior stairways, shall match the color of the surface from which they project, unless otherwise approved by the committee.

2.8 Antennas

There shall be no antenna of any sort, either installed or maintained, visible to neighboring property or public view, except as permitted by the Architectural Committee.

2.9 Skylights and Windows

Skylights are not recommended because they are a source of heat gain and undesirable reflections. If used, they must be located so as to minimize their visibility from any other lot. They should not cause any objectionable glare. Gold windows or door frames and natural aluminum window and door frames are prohibited. Highly reflective glass is prohibited.

2.10 Patios and Courtyards

Patios and courtyards should be designed as an integral part of the residence so they can be shaded and protected from the sun by roofs and building masses. These open areas can take advantage of natural airflow to produce cooler temperatures.

2.11 Solar Applications

Passive solar applications, or the orientation and design of the residence for maximum winter sun gain will reduce the winter heating needs and will be encouraged. Solar collectors can cause excessive glare and reflections and can only be approved if they are integrated into the roof surface or back yard landscaping on a lot.

2.11 A Solar Submittals

Passed unanimously by the Stonegate Board of Directors February 23, 2023
Reference Arizona Statute 33-1816

https://www.azleg.gov/ars/33/01816.htm

Installation of solar requires Architectural application and completed disclosure form from abutting neighbors for Architectural Approval. The application is required to have detailed plans. For example, the type of solar, an aerial view of the house, the type and number of panels to be installed and the location of the equipment including location.

2.12 Screen Walls

Screen walls shall be a visual extension of the architectural design of the residence. They may be used to separate the private areas from the rest of the building envelope and as screening for parking and service areas.

2.13 Service Yards

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

2.14 Guesthouses and Guest Suites

Such structures must be designed as a single visual element with the residence and should be visually related to it by walls, courtyards, or major landscape elements. The guesthouse must comply with Scottsdale zoning regulations. A guesthouse can be constructed on any lot with approval from the committee. A guest suite may be incorporated into any residence. No guesthouse or guest suite

may be leased or rented separate and apart from the lease or rental of the main house.

2.15 No Visible Storage Tanks

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

2.16 Signs

Signs are generally prohibited by the Declaration. Security identification signs must be approved by the committee and may not violate the terms of the Declaration.

2.16 A Political Signs

Passed unanimously by the Stonegate Board of Directors February 23, 2023, to bring Stonegate into compliance with Arizona revised statute 33-1808 and the City of Scottsdale sign ordinance.

Reference ARS 33-1808 for allowable times and size of display for political sign(s) prior to and post elections.
https://www.azleg.gov/ars/33/01261.htm

Political sign(s) may be displayed either on the inside of the home or attached to the outside of a ground level front window only, or in the front door entry environment as to be visible from the street. Flag lots that are unable to comply may receive a variance to place a political sign adjacent to a party wall closest to the street as to be visible. Political signs are not permitted to be posted on Stonegate's common areas.

2.16 B Real Estate Signage.

Passed unanimously by the Stonegate Board of Directors February 23, 2023, to bring Stonegate into compliance with Arizona revised statute ARS 33-1261.

https://www.azleg.gov/ars/33/01261.htm

State Statute permits one for sale sign or for lease sign per property. No part of sign is to encroach on the sidewalk. Real estate open house signs are permitted on homeowner property only. Stonegate Community Association provides Stonegate open house signs to be used in the common areas. These signs are not permitted to be placed on sidewalks or to create a pedestrian nuisance or hazard.

- Standard industry size - 18" ×24". In addition, (1) 6" ×24" rider is permitted per sign.

- Signs must be four (4) feet from the sidewalk and four (4) feet from the driveway.
- Must be a professional white post, not to exceed five (5) feet, placed parallel to the street.
- Information boxes are considered to be riders, whether mounted on post or on the sign.
- Open Houses are permitted from 8:00 a.m. - 6:00 p.m. Monday through Sunday.
- Realtor or homeowner must be present at Open House.

2.17 Awnings & Exterior Shutters

No awnings, exterior shutters, shades, or grills will be permitted without committee approval. Window sunscreens are permitted subject to the color of the mesh screen.

2.18 Gates

No gate openings in any fences or walls may exceed four (4) feet in width. Variations may be considered on an individual basis by the Architectural Committee or the Executive Director. Gate materials shall be opaque in nature and approved by the committee.

2.19 Mailboxes

Mailboxes must conform to the pre-approved mailbox design for each individual subdivision. No individual mailboxes shall be permitted.

3.0 Site Plan

3.1 General

The following general limitations will apply:

a. No change in natural or existing drainage patterns for surface waters shall be made upon any lot that could adversely affect another owner.
b. No plant protected by law shall be damaged, destroyed, or removed from any lot although such plants may be relocated.
c. Retaining walls and other walls not directly supporting a building structure shall not exceed six (6) feet in height, measured from the lowest natural grade adjacent to the wall. If due to special circumstances the committee may permit a wall to exceed six (6) feet in height, the appearance of such walls over six (6) feet in height must be softened by landscaping with trees or large shrubs. Nothing herein shall prohibit the Committee from requiring screen walls or other walls to be less than six (6)

feet in height. Under special circumstances the Committee may approve a wall height under justifying exemptions.

3.2 Parking Spaces

Each residence shall contain parking space within the lot for at least two (2) automobiles in an enclosed garage attached to the main structure of the residence.

3.3 Site Drainage and Grading

a. Site drainage and grading must be done with a minimum disruption to the lot. Structures, roads, driveways, or any improvement should be designed to fit the existing site, minimizing excavation. Surface drainage shall not drain towards any lot except as established by natural drainage patterns, nor cause a condition that could lead to offsite soil erosion on open spaces.

b. Drainage from lots, including all landscape overflow, pool or spa backwashing and any other nuisance drainage, shall be discharged into existing drainage systems in an acceptable manner approved in writing by the Committee. Direct discharging of water into the street is not permitted without the Architectural Committee's written approval. Owner shall be responsible for any damage to, or increased maintenance costs incurred by the damaged properties, including floods, erosion, siltation, and nuisance flows caused by uncontrolled runoff from the lot.

3.4 Setbacks

All setbacks will be reviewed on the merits of the submitted site plans. Setbacks may exceed the minimum setbacks from lot lines as are set forth in the single-family residential property development standards established by the City of Scottsdale.

3.5 Entrance Driveways

Driveways shall be a maximum of twenty (20) feet wide except for front entry three-car garages at the property line and shall intersect the street in such a way as not to interfere with drainage in the street. Only one driveway entrance will be permitted for each lot except in special circumstances when the Committee may permit a second entrance. Bowmanite concrete, salt finished, exposed aggregate concrete, colored concrete or flagstone are all approved materials. Feature strips of a separate material and special aggregates in exposed aggregate concrete will be reviewed on a case-by-case basis.

3.6 Swimming Pools, Spas, Hot Tubs and Similar Structures

a. No swimming pool, spa, hot tub, or similar structure may be located or constructed without the prior written approval of the Committee.
b. Water discharged when pool filters are backwashed must be contained on the lot.
c. Pool equipment must not be visible from other lots or common areas and must be located and screened so as to minimize noise to adjoining lots.
d. *Pool equipment may not be attached to any common wall.*
e*. Upon submission of an application to SCA, a Compliance Bond in the amount of $1,000.00 shall be posted by the applicant in order for the application to be considered.*

3.7 Basketball Hoops

Neither permanent, nor portable basketball hoops and backboards shall be installed or placed on any lot unless approved in writing by the committee. The installation of such items may be subject to stipulations imposed by the committee. Structures may not be installed or placed on common property of the association, (e.g., sidewalks and streets) and are subject to all side-lot setback requirements. Portable basketball hoops and backboards must be stored out of sight, when no longer in regular use or when in disrepair.

3.8 Play Structure

When a play structure is installed, it is required to be painted one solid color that will blend with the existing surrounding structures. They shall not exceed 8 ft. in height, measured from finished floor, 18 ft. in length, only one platform 3 ft. from the ground, or be approved at the discretion of the Architectural Committee. Landscape material may be required to soften and screen the structure from neighboring adjacent properties. The location of the play structure is to be placed in a manner to have minimum impact to the adjacent adjoining property owners on a case-by-case basis. Canopy to be a solid neutral color to blend with surrounding area and not to exceed 25 sq. ft. in size.

3.9 Address Identification

Residence identification will be approved for each subdivision and each resident will conform to the pre-approved manner of the identification.

3.10 Tennis and Sports Courts

a. No tennis and sports court may be installed without the prior written approval of the Committee.
b. Courts may be allowed, providing their setting, visual appearance, lighting, noise generation, construction and landscaping do not detract from the enjoyment of a neighboring property, as determined by the Committee.

Each proposed installation will be judged on an individual case-by-case basis.

3.11 Lighting

All outside lighting, including changes or updates to existing lighting, must be submitted to the Architectural Committee for approval.

To ensure consistent lighting throughout the community, all exterior lighting must conform to a "Soft White" lighting temperature no greater than 3000 Kelvins. Cool White, Bright White or Daylight lighting is not permitted.

Site lighting means lighting mounted either on the ground, in trees or on sidewalls for the purpose of providing security or landscape accent lighting. **Building mounted lighting** means lighting built into or attached to buildings, whether on walls, ceilings, eaves, or facias, for the purpose of providing general illumination, area illumination or security illumination.

Security lighting means lighting intended to provide bright general illumination of the area adjacent to a residence. Security lighting will be permitted only with the understanding that it will be used in emergency situations.

a. Site lighting must be directed onto vegetation or prominent site features such as boulders and away from neighboring property.

b. Building mounted lighting, other than the two (2) garage mounted lights required by the Declaration, must be directed downward away from lots, streets, and open spaces, and may not be used to light walls or building elements for decorative purposes.

c. All exterior lighting must provide for significant shielding of light sources other than the two (2) garage mounted lights required by the Declaration. Motion sensors may also be required if necessary.

d. The (2) garage mounted lights required by the Declaration must be a minimum brightness of 800 lumens and a maximum of 1100 lumens and no greater than 3000 kelvins per fixture and include the two (2) photocell exterior lights to be located on the garage wall as required by the Declaration.

e. Landscape lighting must be indirect, low voltage or solar, and shall not become a nuisance to neighboring properties. Light should be no brighter than necessary. The maximum brightness is 400 lumens per

fixture. SCA reserves the right to require that the brightness be lowered and/or the fixture shielded if it adversely affects the neighboring properties or common areas.

f. Pathway lighting must be low voltage or solar and directed downward with a shield on top. The maximum brightness is 200 lumens per fixture.

g. Decorative string/party lights are only permitted in the backyard for use on occasion when the backyard is occupied, not for consistent use. String lights must be turned off by 11 p.m.

h. Colored lights may be used only for temporary holiday decorations.

i. Outdoor spotlights/floodlights, whether triggered by motion sensors or not, that are attached to homes must be focused downward, and shielded, from view from adjacent properties. The light element must not adversely affect neighboring properties.

3.11 A – Winter Holiday Lighting/Decorations

Holiday lights and decorations must be maintained in good repairs as to not cause a nuisance or encroach on neighboring properties. Coach lights are to remain white year-round.

Holiday lights and decorations must be taken down by January 31st each year.

3.12 Display of Flag(s)
Passed unanimously by the Stonegate Board of Directors February 23, 2023, to bring Stonegate into compliance with Arizona revised statute 33-1808. Reference ARS 33-1808 for allowable flags.

https://www.azleg.gov/ars/33/01261.htm

Flags, banners, or similar items may be displayed. However, the Architectural Committee may review and determine, on a case-by-case basis, the appropriateness of the flag, banner or similar item that is being displayed, based upon the reasonableness of its size, location, and the timeliness of its purpose.

An Owner desiring to install a flagpole, shall submit an application to the Architectural Committee for review of its location, size (not to exceed 20 feet in height) and the size of the flag that shall be displayed. The Architectural Committee shall consider the location of the flagpole and the potential noise produced by the halyard. In addition, to the method of illumination, if the flag is to be displayed after sunset, which might adversely affect other Owners in the

vicinity. The preferred method of display shall be customary flag bracket mounted on the Owner's residence. The flag is to be reasonably size proportionate to its surroundings.

The outdoor display of the American flag on an Owner's lot shall be done in a manner consistent with the Federal Flag Code and rules adopted by the Association. The Federal Flag Code requires the flag be kept in good condition at all times. If the flag is displayed during the hours of darkness, it must be properly illuminated, otherwise it must be removed nightly.

4.0 Landscape Guidelines

4.1 General

The Committee is requiring that all lot landscaping respect the integrity of existing conditions at Stonegate, with particular concern for the streetscape and how individual rear yards relate to the natural wash areas. Landscaping shall not be installed until the landscape plan has been approved by the Committee.

4.2 Landscaping Submittal and Maintenance

Two types of front yard landscaping are permitted in Stonegate. They are listed below with all information that must be included on any proposed re-landscaping plan prior to architectural review:

a. Architectural Committee requirements for all re-landscape plan requests:

(1) A carefully or professionally drawn plan showing the design is necessary to provide a natural flow of elements. These design elements include grade, plantings, and hardscape such as rock, boulders, and decomposed granite, in addition to constructed elements such as fountains and boundaries. Plants should reflect a variety of shades, textures, and colors.
(2) All proposed plant materials for front yard areas (i.e., trees, turf, bushes, ground cover, etc.) must be a live plant variety. Approved artificial turf is the exception.
(3) Indicate property line boundaries and easements.
(4) Include location and height of any proposed grading or mounding and retention areas. No adverse grade changes, directing water onto neighboring property, are permitted.
(5) Plant materials -- Name, size, and location.
(6) Irrigation method and control equipment location.
(7) Exterior lighting -- Location, type, and finish of materials for all landscape, walkway and building lighting.
(8) Maintenance requirements for all properties:

(a) All properties must be maintained in a manner consistent with the neighborhood, to avoid detracting from the overall aesthetics.
(b) Dead plants must be replaced.
(c) Non-compliance with architectural rules may result in a fine.
(d) Regular trimming of shrubs and trees to achieve a well-maintained appearance.

(e) ***Amended 8-22-16***
Homeowners are required to maintain annually, if not more, all palm trees on their property. Maintenance includes removal of dead fronds, fruit, and pods along with the trunk being skinned, if required. Different palm tree varieties include, but are not limited to, Date, Canary, Mexican, Queen and King palms. Due to their different growing cycles, time frames for trimming palms vary. It is the responsibility of each homeowner to monitor their palm trees and schedule the annual maintenance when needed, so each palm tree has a neat and trimmed appearance. All palm trees will be inspected and are to be neat and trimmed by June 30th of each year.

Suggested Maintenance Guide:

Date Palm: April 1st through May 15th
Canary Palm: May 1st through June 15th
Mexican Palm: May 1st through June 15th
King / Queen Palm: as needed

If the Association notices any of the above maintenance conditions throughout the year, the homeowner will be contacted by letter to schedule work within specified guidelines.

b. Conventional Stonegate Landscaping (Includes turf):

(1) *Each lot is required to have a minimum of one (1) tree in the front yard that will reach at least 6ft at maturity. If any existing tree dies, it must be removed and be replaced with a 15-gallon (or larger) tree within 60-days. The same type of tree may be planted in the same location without Architectural Approval. Otherwise prior to planting, the location and type of tree must be submitted to the Architectural Committee for approval. Variations may be considered on an individual basis by the Architectural Committee or Executive Director.*
(2) Trees are to be planted so that at maturity the canopy does not encroach onto neighboring property.

(3) *Each lot is to have and maintain a year-round green lawn area, or approved ground cover. Ground cover materials must be turf, artificial turf (see section 4.2c) or decomposed granite with 25% plant coverage. All granite is to be at least ½" screened. No minus size granite is permitted. Although SCA's documents require year-round green grass and winter overseeding for the front yard, the* ***City of Scottsdale Ordinance# 4567 passed in 2022 supersedes SCA's requirements.***

(4) Applicant must provide photos of the selected plants along with the common (nursery) name of each plant, size at time of planting, and expected size at maturity.

(5) Setbacks from common area walls or lots may be required. This is including front, side, and back yard plantings.

c. Artificial Turf Guidelines – *Adopted 8-9-17*

Conversion to artificial turf requires Architectural approval with a written certification from the contractor and/or supplier stating the artificial turf being installed meets or exceeds Stonegate's requirements. Installation of artificial turf has a minimum requirement of 25% of the total front yard landscape area and is not to exceed 60% of the total front yard landscape area.

Artificial turf is to be contained with one of the following: concrete header, brick header, grouted stone, or steel edging set flush with grade.

Artificial turf products must meet or exceed the following ***Stonegate requirements*** with a material sample and specifications for approval as listed below:

(1) 75 oz., 142 stitch rate/yard, a gauge of 1/4"
(2) Anti-aging properties
(3) UV resistant materials
(4) PE & PP monofilament yarn
(5) Minimum pile height of 1 1/2"
(6) Polyurethane backing
(7) 10-foot minimum backing roll
(8) Minimum 10-year prorated warranty on yarn and 12-year warranty on the back
(9) Annual maintenance as recommended by manufacturer or supplier required
(10) Replace artificial turf when required or at the end of useful life or change of appearance from installation

SCA's use of artificial turf would be to enhance the existing landscape plants, shrubs, trees, granite, boulders, and brick headers to create a lush and attractive

landscape with turf. Stonegate's objective is to blend aesthetics, water conservation and compatibility.

4.3 Plant Palette Guideline

Although the proposed plant palette may be in accordance with these guidelines, nevertheless, the proposed landscape plan and installation is subject to prior written approval of the Committee

Approved Plant List:

1. The Committee has identified the plants on the attached Appendix C, as being acceptable within the existing Stonegate landscape theme. Any proposed species identified on this list will most likely be approved.

2. Past experience has demonstrated that the following plant varieties are extremely frost-tender and are not recommended for use other than on southern exposures or in protected courtyard areas: Petite Pink Oleander, Thevetia, Ficus Nitida, all varieties of: Lantana, Natal Plum, Cape Honeysuckle, Bougainvillea, Asparagus Fern, and Hibiscus.

Front Yards:

All front yard plantings must include only those plant materials that have been previously approved as the project standard and found on the approved list (Appendix C). As noted in Section 4.2, all proposed plant materials for front yard areas (i.e., trees, turf, bushes, ground cover, etc.) must be a live plant variety. Approved artificial turf is the exception.

4.4 Turf-to-Desert Landscape Conversion – ***Amended 10-26-2023***

Desert landscaping must consist of 25% minimum plant coverage, with the exception of the (1) one required tree, in the front yard area and include plants of interest with design elements. This includes the use of mounding and depression along with boulders to create interest. The use of rumble rock, chunky rock and river rock is also considered a design element.

The minimum size of plants to be installed is 5 gallon or larger as specified in Appendix C below.

The architectural committee will inspect the desert landscape installation approximately 90 to 120 days after it is installed to determine if additional plantings will be required. All remaining desert landscape rules must be followed.

Upon submission of an application to modify front-yard landscaping to desert-style, a SCA Compliance Bond in the amount of $1000.00 shall be posted by the

applicant in order for the application to be considered. The Bond shall be retained for a period of at least six (6) months. At the conclusion of a four (4) month period, if in the opinion of the Executive Director and/or the committee the landscaping is not in compliance with the terms of the approval and applicable Architectural Guidelines, the Association may, but not be required to, enter onto the lot at any time thereafter to restore the landscaping to its original condition and may use, but not be limited to, the proceeds of the Bond. Any additional costs to the Association in execution of the restoration of the landscaping and costs of efforts to compel the Member to either bring the landscaping into compliance with the approval or restore the landscaping to its original condition shall be borne solely by the Member and assessed thereto. At the time of an application to convert front-yard landscaping to desert-style, the Member will execute their acknowledgement of the foregoing conditions by signing the architectural application.

5.0 Construction Guidelines

5.1 General

The following construction guidelines and regulations shall be made a part of the construction documents for all improvements on a lot.
The Association has determined that policing of building sites during construction will be done by members of the Committee, the Developer's agents and the project security guards, acting as roving inspectors on their regular rounds. Violations to the construction guidelines and regulations will be reported to the committee, who will send a letter to the builder involved. A copy of the letter will also be sent to the lot owner.

5.2 Builder's Bond

To guarantee that these construction guidelines and regulations are adhered to, each builder, before beginning any construction on any lot, shall post a cash bond in the amount of $1,000.00 per lot with the Association. Should it become necessary for the Association to remedy any violation of these Regulations, the cost of such remedy will be charged against the bond. The cash bond shall not bear interest for the benefit of builder and will be returned only after the final inspection and approval by the committee of any improvements, less any deductions for previous violations.

5.3 Pre-Construction Conference

Prior to commencing construction, the builder must meet with a representative of the Community Association to review construction procedures and to coordinate construction activities. The builder will be asked to fill out a form including a list of subcontractors and suppliers for access to the project.

5.4 Occupational Safety and Health Act Compliance (OSHA)

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

5.5 Construction Trailers, Portable Field Offices, Etc.

Any builder who desires to bring a construction trailer, field office, or the like to Stonegate, shall first apply and obtain written approval from the committee. To obtain such approval, the builder shall submit a copy of a site plan having proposed locations of the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction.

5.6 Debris and Trash Removal

Builders shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from each site weekly and shall not be permitted to accumulate. Lightweight material, packaging, and other items shall be covered or weighted down to prevent their being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere in Stonegate except as expressly permitted by the Committee. During the construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting other lots or any open space. Unsightly dirt, mud or debris resulting from activity on each construction site shall be promptly removed and the general area cleaned up.

The City of Scottsdale brush and bulk pick up begins at 5:00 a.m. Monday morning of the week of the scheduled pick-up. Items must be curbside by 5:00 a.m. Monday morning. Brush and bulk trash may not be set out before the Wednesday prior to the scheduled week of pick-up. Items must not block the sidewalk or street. Items must be removed by Saturday of the current brush and bulk week.

5.7 Sanitary Facilities

Each builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only in approved locations.

5.8 Vehicles, Parking Areas, and Speed Limits

Construction crews shall not park on, or otherwise use, other lots or any pen space. Private and construction vehicles and machinery shall be parked only within the site boundaries or in areas designated by the committee. All vehicles shall be parked so as not to inhibit traffic. Each builder shall be responsible for their subcontractors and suppliers, obeying the speed limits posted within the development. Fines will be imposed against the builder and/or his Builder's Bond

for repeated violations. Adhering to the speed limits and these construction guidelines and regulations shall be a condition included in the contract between the builder and his subcontractors/suppliers.

5.9 Excavation Materials

Excess excavation materials must be promptly hauled away from Stonegate.

5.10 Blasting

If any blasting is to occur, the committee must be informed far enough in advance to allow it to make such investigation as it deems necessary to confirm that all appropriate protective measures have been taken prior to the blasting. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Committee. Applicable governmental regulations concerning blasting must be observed.

5.11 Restoration, Repair or Other Property Damages

Damage and scarring to other property resulting from construction operations, including but not limited to, open space, other lots, roads, driveways, concrete curbs, and gutters, and/or other improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the builder.

5.12 Miscellaneous and General Practices

All owners will be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, suppliers, and sub-contractors while on the premises of Stonegate. The following practices are prohibited:

5.12.1 Changing oil on any vehicle or equipment on the site itself or at any other location within Stonegate, other than at a location designated for that purpose by the Committee.

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

5.12.3 Removing any rocks, plant materials, topsoil, or similar items from any property of others within Stonegate, including other construction sites.

5.12.4 Carrying any type of firearm or weapon within Stonegate.

5.12.5 Using disposal methods other than those approved by the committee.

5.12.6 Careless disposition of cigarettes and other flammable material. At least one ten (10) pound bag of ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.

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

5.12.8 No pets, particularly dogs, may be brought into Stonegate by construction personnel. In the event of any violations hereof, the committee, the Association, or Developer shall have the right to contact City or County authorities to impound the pets, to refuse to permit the builder or subcontractor involved to continue work on the project, or to take such other action as may be permitted by law, these
Design Guidelines, or the Declaration.

5.12.9 Radios and other audio equipment playing music on construction sites at Stonegate are not permitted.

5.12.10 Catering trucks will not be permitted to use their horns; their schedules are routine enough for workers to be aware of break times. Also, trash generated by the purchase of items from these trucks and from construction practices generally should be contained and disposed of properly. Repeated problems with these requirements could result in the trucks being denied admittance to the property.

5.13 Construction Access

The only approved construction access during the time a residence or other improvement is under construction will be over the approved driveway from the lot unless the committee approves an alternative access point. In no event shall more than one construction access be permitted onto any lot.

The location of the construction entrance into the development, along with the standard procedures and operations of the gate, will be determined from time to time and issued to each builder.

5.14 Dust and Noise

The builder shall be responsible for controlling dust and noise, including music, which is prohibited, from the construction site.

5.15 Construction Signage

In an effort to maintain the residential character of Stonegate and to minimize the visual clutter that unlimited construction signage can cause, the committee will require all construction and marketing signs to meet the following criteria:

a. Builders are allowed to have one (1) sign for each residence under construction or completed until the residence has been sold to an ultimate buyer.

b. The sign, which can be installed under Paragraph (a) above, must be approved by the Committee prior to installation, or builder can install the Stonegate standard approved builder's sign.

c. One (1) A-frame open house sign at the front, in addition to the builder's sign will be allowed from 10:00 a.m. until 5:00 p.m. provided the house is being held open by the builder or real estate broker. This sign must be removed when the open house is closed, and not laid down on the sidewalk. The open house sign must be Stonegate green, with white letters, unless another sign has been submitted and approved by the Committee.

d. If required, a directional A-frame sign can be used during open house, provided it is removed when the house is closed.

5.16. Daily Operation

Daily working hours for each construction site and for all vendors shall be from 7:00a.m. to 5:00p.m, Monday through Saturday (no Sundays) unless other hours are designated in writing by the Committee. No work shall be conducted on the following Holidays:
New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

APPENDIX A

DEFINITIONS

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

"Architect" means a person appropriately licensed to practice architecture or landscape architecture in the State of Arizona.

"Association" means the Stonegate Homeowners Association, as defined in the Declaration.

"Board" means the Board of Directors of the Association.

"Builder" means a person or entity engaged by an owner for the purposes of constructing any improvement on the owner's lot. The builder and the owner may be the same person or entity.

"Building Envelope" means that portion of a lot that encompasses the maximum allowable area of the lot that can be developed.

"City" means the City of Scottsdale, Arizona, a municipal corporation of the State of Arizona.

"Committee" means the Stonegate Architectural Committee established pursuant to the Declaration.

"Declaration" means the Declaration of Covenants, Conditions, Restrictions and Easements for Stonegate

"Design Guidelines" means the restrictions, procedures and regulations relating to Stonegate and set forth herein, as adopted and enforced by the Committee, and as amended from time to time by it.

"Developer" means MECI Arizona, Inc., an Arizona Corporation, as defined in the Declaration.

"Excavation" means any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching which results in the removal of earth, rock, or other substance from a depth of more than twelve (12) inches below the natural surface of the land, or any grading of the surface.

"Fill," means any addition of earth, rock, or other materials to the surface of the land, which increases the natural elevation of such surface.

Guest House" means a structure, separate from the main residence, having sleeping facilities for one (1) or more guests.

"Improvement" means any change, alteration, or addition to a lot, including any excavation, fill, residence or buildings, outbuildings, roads, driveways, parking area, walls, retaining walls, stairs, patios, courtyards, hedges, poles, signs, and any structure or improvement of any type or kind.

"Lot" means a subdivided lot or other building site as shown on the plat of record.

"Owner" means the owner (as defined in the Declaration) of a lot. For the purposes herein, the owner may act through his designated agent, provided that such agent is authorized in writing or by law to act in such capacity.

"Residence" means any building or buildings, including any garage or other accessory building used for residential purposes, constructed on a lot, and any improvements constructed in connection therewith. Unless otherwise defined, "residence" shall mean a single-family residence.

"Structure" means anything constructed or erected on a lot, the use of which required location on the ground or attachment to something having location on the ground.

APPENDIX B

APPROVED CHECKLIST

Pre-Design Meeting

Preliminary Submittal
- Site Plan
- Roof plan and floor plans
- Exterior elevations

Final Submittal
- Complete construction documents
- Time schedule for construction, utility hookup and landscaping
- Hydrology report
- Sample for all exterior materials, color, and glass specifications
- Exterior lighting plan and lighting fixture cuts

APPENDIX C

APPROVED PLANT LIST

(1) TREES

(Minimum *15-gallon tree required at planting)*

Acacia Varieties - Farnesiana, Salicina, Saligna, Smallii and Stenophylla
African Sumac
Arizona Sycamore
Australian Willow
Bottle Brush Tree
Bottle Tree (Rear Yards Only)
Brazilian Pepper
California Pepper
Citrus Varieties (Rear Yards Only)
Desert Museum Palo Verde
Eucalyptus Spathulata
Evergreen Elm
Evergreen Pear
Ironwood
Jacaranda
Lysiloma
Mimosa
Mesquite Varieties - Argentine, Chilean, Honey, Native, Screwbean
Oleander - Standard
Olive- Swan Hill
Olive- Wilsoni
Palm - California Fan
Palm - Date (Phoenix Dactylifera)
Palm - Mexican Fan
Palm - Queen (Not for Streets)
Palo Verde - Blue, Foothill and Palo Brea
Shamel Ash
Texas Ebony
Texas Mountain Laurel
Willow Pittosporum

(2) SHRUBS / GROUND COVER

(Minimum 5-gallon plant required unless otherwise noted below)

Arizona Rosewood
Arizona Yellow Bells
Brittle Bush
Bush Morning Glory
Cassia Varieties - Artemisioides, Nemophylla, Philodenia
Cat Claw

(2) SHRUBS / GROUND COVER (CONT'D)
(Minimum 5-gallon plant required unless otherwise noted below)

Cordia
Creosote Bush
Dalea Varieties - Gregii and Pulchra
Desert Marigold
Dodenea
Fairy Duster
Gazania - Clumping Varieties
Hopbush
Iceplant
Jasmine Varieties - Pink, Primrose, and Star
Jojoba 15g
Lady Bank's Rose
Lantana – Trailing
Mediterranean Fan Palm 15g
Mexican Bird of Paradise
Mexican Primrose
Myoporum
Oleander - Dwarf (Pink, Red and Salmon)
Pigmy Date Palm 7g
Pineapple Guava
Pyracantha
Raphiolepis
Ruellia
Salvia Gregii
Santolina
Sea Green Juniper
Texas Sage Varieties - Chihuahuan, Green Cloud and Texas Ranger
Verbena
Vinca Major
Yucca Gloriosa

(3) PROTECTED COURTYARD PLANTS
(Minimum 5-gallon plant required unless otherwise noted below)

Agapanthus
Asparagus Fern
Aucuba
Asiatic Jasmine
Bougainvillea
Cape Honeysuckle
Cape Plumbago
Carolina Cherry

(3) PROTECTED COURTYARD PLANTS (CONT'D)
(Minimum 5-gallon plant required unless otherwise noted below)

Cast Iron Plant
Coral Vine
Foxtail Fern
Gardenia
Hardenbergia
Hearts & Flowers
Heavenly Bamboo
Hibiscus
Lantana
Lilyturf
Loquat
Mandivillea
Myrtle
Natal Plum
Oleander Varieties - Petite and Pink Salmon
Passion Vine
Philodendron
Pittosporum
Privet
Sago Palm 15g
Tropical Bird of Paradise
Yucca Pendula

(4) SUCCULENTS / ACCENTS
(Minimum 5-gallon plant required unless otherwise noted below)

Aloe Saponaria
Aloe Barbadensis
Desert Spoon
Hesperaloe
Penstemon
Cacti (Below Height of Side Yard Wall)
Barrel
Cholla
Hedgehog
Prickly Pear