



# DESIGN GUIDELINES

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## ***INTRODUCTION AND OVERVIEW***

Cross Creek Ranch is an exclusive residential community located southwest of the City of Sedona, in Yavapai County. It is located in the vicinity of picturesque mountains affording exceptional privacy and visual buffering. One of the unique features of this site is its proximity to Oak Creek, which borders the property on three sides, yielding a one-of-a-kind relationship with one of Sedona's most significant natural features.

The overall intent for Cross Creek Ranch is to create a planned residential community that will complement the natural beauty of the high country of Arizona. Cross Creek Ranch has been planned as an upscale, gated community with 84 natural custom home-sites. Development plans for the community include a hiking/walking trail system that provides access for the residents to Oak Creek, Red Rock State Park and Coconino National Forest.

The purpose of these Design Guidelines is to provide an overall framework for residential design and to create a cohesive, aesthetically pleasing development. These guidelines are intended to prohibit certain practices but permit owners the opportunity to explore personal expression. These Design Guidelines will provide standards for architectural and landscape design, outline the process for design review and approval for all projects and describe the construction regulations. These Design Guidelines have been adopted and will be administered by an Architectural Review Committee ("ARC") pursuant to the Declaration of Covenants, Conditions and Restrictions for Cross Creek Ranch (the "Declaration"). Except as set forth in Section VII, these Design Guidelines shall apply to all Lots located within Cross Creek Ranch.

### ***SECTION I DEFINITIONS***

The following capitalized words or phrases when used in these Design Guidelines shall have meanings described below. Other capitalized words or phrases not defined below shall have the meaning set forth in the Declaration.

**"ARC"** means the Architectural Review Committee of the Association.

**"Builder"** means a person or entity engaged by an Owner for the purpose of constructing any Improvement within the Project. The Builder and Owner may be the same person or entity.

**"Building Envelope"** means that portion of a Lot that encompasses the maximum allowable developable area of the Lot, as initially determined by the ARC. Modifications to the Building Envelope can only be made with the approval of the ARC.

**"Construction Envelope"** means the area specified on a Lot within which all construction activity of ARC-approved structures, driveways, parking areas, non-native landscaping, water surfaces, decks, walks and improved recreational facilities must occur. This area must be contained within the Building Envelope and will be determined by the ARC upon approval of final plans and specifications for a Residential Unit. Underground utilities may be located outside the Construction Envelope.

**"Custom Lot Criteria"** means supplemental criteria to the Design Guidelines, as adopted by the ARC, illustrating Lot specific building limitations, setbacks and driveway locations. The Custom Lot Criteria can be obtained by an Owner from the Association.

**"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.

**"Four-sided Architecture"** means all elevations of a Residential Unit are given equal consideration with regard to massing, proportion and composition. Each will be reviewed as such by the ARC.

**"Indigenous Species"** means a species of plant, whether groundcover, shrub, cactus, or tree, which is found in and natural to the Sedona, Arizona area.

**"Light Reflective Value"** means the reflectivity of a surface measured by a calibrated light meter. The value represents the percentage of light reflected from a space-pure white. White has an LRV value equal to 100% while flat black has an LRV value equal to 0%.

**"Lot Survey"** means that information obtained through a surveyor depicting existing features, inventory, and Lot configuration.

**"Natural Area"** means that portion of the natural environment lying within a Lot, but outside of the Building Envelope, which must remain undisturbed.

**"Natural Grade"** means the existing contour of a homesite prior to the time any alterations, grading, or site work is done to the Lot.

**"Natural Lot"** means those Lots that remain in their undisturbed condition until commencement of ARC-approved Improvements.

**"Private Area"** means that part of the Building Envelope that is surrounded by walls and is not Visible from Neighboring Property.

**"Review Fee"** means the non-refundable fee charged by the ARC upon first submittal of preliminary plans for review. Additional fees also may be charged by the ARC if, in its sole discretion, significant changes occur to the scope of the proposed Residential Unit during the course of the review process.

**"Setback"** means the building setbacks, as indicated on the Cross Creek Ranch final plat, recorded in Yavapai County on July 1, 2003.

**"Specimen Plants"** means those indigenous species of trees, cacti and other plants of four-inch caliper or greater, as measured at a point one (1) foot above grade.

**"Structure"** means anything other than a Residential Unit constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.

**"Transition Area"** means that part of the Building Envelope that is adjacent to a Natural Area and Private Area and may or may not be enclosed by walls.

**"Walkout"** means that portion of a Residential Unit that is constructed partially underground and has at least one elevation that is visible from the downhill side of a Lot.

## ***SECTION II ARCHITECTURE***

### **Architectural Theme**

All Residential Units and other Structures that are constructed will be considered Four-sided Architecture. Equal attention to massing, proportion, composition, detailing, materials and colors for all elevations must be utilized and will be reviewed by the ARC.

Preliminary architectural designs for all Residential Units and Structures must be reviewed and approved by the ARC prior to the preparation of final plans to be submitted to Yavapai County and the ARC.

The ARC encourages residential design and use of materials and styles appropriate to the Southwest and the high desert of Arizona. Architectural design should be sensitive to and compatible with the natural environment and reflect appropriate solar orientation. **Architectural styles that are encouraged are as follows:**

- Arizona Territorial or Rancho
- Craftsman (reserved for gentle terrain)
- Bungalow (reserved for gentle terrain)
- Modern Rustic Hillside
- Pueblo (Santa Fe)
- Adirondack/Camp
- Log (modest cabin with small logs)

The ARC will require Owners/Builders to be sensitive to the adjacent home sites that are higher in elevation to the proposed Residential Unit by ensuring that the roof structure (or "fifth side") of the proposed Residential Unit complements the surrounding natural environment.

Although many specific details can be found to overlap in a variety of architectural styles, those that are **strictly prohibited** on all Lots due to their general non-compliance with these Design Guidelines are as follows and as may be further prohibited by the ARC:

- Classic Victorian
- Italian/Romanesque
- Renaissance
- Colonial
- Tudor
- Spanish Revival
- Greek/Gothic Revival
- Victorian Gothic
- Neoclassical
- Federal
- Georgian
- French Revival

The ARC encourages use of details that will soften and enhance the architectural design. These details include, but are not limited to:

- Detail and relief of recessed windows, entrances and doors
- Color scheme
- Breaks in the roofline with elevation changes and offsets
- Shade structures, canopies, and pedestrian circulation
- Attention to service spaces and orientation
- Use of native/natural stone that represents the stones of this region



Examples of such details are illustrated throughout these Design Guidelines.

### Building Orientation

The location and orientation of all buildings and Structures must be approved by the ARC prior to submittal to the County for construction permits.

### Building Envelope

Subject to the provisions of the Declaration, the Building Envelope is the portion of each Lot within which all Improvements must be built and alterations to the existing landscape may be permitted. The Building Envelope is depicted on the individual Custom Lot Criteria supplement given to each Owner upon acquiring a Lot from the Declarant or available from the Association. The most appropriate size and location of the Building Envelope for each Lot has been identified in the Custom Lot Criteria based on an analysis of the natural features of the Lot, view relationship to adjacent Building Envelopes, topography and setbacks. The Civil engineered revised topo shall match the recorded plat datum. **No improvements shall be constructed or installed and no disturbance to the natural area outside of the Building Envelope shall occur on a Lot, except those as described in Section 3.6 of the Declaration.**

Slight modifications to the Building Envelope may be made by the ARC upon application of an Owner as part of the design review process. The ARC may allow such modifications to the Building Envelope when, in the sole discretion of the ARC, such a modification does not affect the view corridors from surrounding Lots, privacy of neighboring homes, natural features and vegetation on the Lot and the overall character of the development. Modifications to Building Envelopes approved by the ARC are subject to final approval by the County. No shifting of entire envelope is permitted.

No Lot shall be further subdivided or separated into smaller lots or parcels by any Owner, and no portion less than all of any such Lot shall be conveyed or transferred by any Owner. Two or more Lots shall not be combined into fewer lots than originally shown on the Plat.

### Site Work

Owners are encouraged to alter as little of the site as possible from its original condition, protecting existing vegetation, top soil/top rock, watersheds and drainage ways wherever possible. Typically, Residential Units should be nestled into the land, remaining low, in order to be a part of the site rather than being perched on it, which may result in unnecessary height of the Residential Unit.

Residential Units and other Improvements should step following slopes, using split and multi-level solutions wherever possible to follow existing contours and achieve a balance of cut and fill. When the construction is finished, the earth around the Residential Unit and site wall should lie against the walls as nearly as possible to the original angle of slope. **No excavation, grading or tree removal work shall be performed on any lot without the prior written approval of the ARC.**

Once a preliminary plan is well defined, it is required, that the corners of the buildings be staked on the un-graded site and elevations taken at each corner with a transit. With this information, it is often possible to determine exactly how to adjust the design to minimize the height of the Residential Unit or other Structure and conform the buildings to the existing contours. The impact of the proposed Residential Unit on other properties and/or Common Areas with respect to privacy, view preservation, and ease of access must be considered. Except for Improvements for which the Owner has obtained ARC approval:

- No excavation or fill shall be created or stored upon any Lot;
- No change in the natural or existing drainage for surface waters shall be made upon any Lot;
- No Specimen Plants shall be damaged, destroyed, or removed from any Lot.

Subject to the provisions of the Declaration, in the event of any violation of the above, the Association may cause the Lot to be restored to its state existing immediately prior to such violation; or, the Association may cause to be replaced any Protected Plant which has been improperly removed or destroyed with such other plant that the ARC may deem appropriate. The Association also may exercise any other right or remedy available to it under the Declaration or applicable law.

### **Driveways**

The recommended location of entry driveways may be identified on the individual Custom Lot Criteria and are subject to review by the ARC. Driveways shall be a maximum of sixteen (16') feet wide at the curb and are permitted to widen within the Lot.

All driveways must flare at the intersection with a street. The width of the driveway shall not exceed twenty (20') wide, including flares. Where driveways cross drainage ways to enter a Lot, the Owner must provide a culvert with natural stone headwalls. Circular driveways are permitted so long as there is only one driveway approach no wider than sixteen (16) feet.

All driveway materials shall consist of the following materials: pavers, integrally-colored concrete, exposed colored aggregate concrete. Feature "bands" of separate materials may also be approved by the ARC. Other surfaces may be reviewed and considered by the ARC on a Lot-by-Lot basis. ***No industry-standard gray concrete, asphalt or gravel driveways will be allowed.***

### **Garage and Parking Spaces**

Each Lot shall contain parking space within an enclosed garage for at least two automobiles and additional parking space within the Lot to accommodate two guest vehicles. The location and surface material of such additional parking spaces is subject to review and approval by the ARC. Carports are not allowed. Garages shall contain enough storage for vehicles & equipment (including recreation vehicles, trailer, lawn & gardening equipment, etc.)

Main garage openings should be oriented away from views from the street and other Common Areas and/or screened. Garage doors must be integrated with the design of the Residential Unit in material and massing, and shall not exceed a height of twelve feet (12'). All garage doors must be recessed a minimum of one (1) foot from the front plane of the garage. Solid, non-transparent materials are preferred, with glass openings considered on a case by case basis. No full panel glass doors will be permitted.

Recreational Vehicle (RV) garages will be considered on a case by case basis. Garages may not be used or converted for living or recreational activities without the approval of the ARC. Detached garages must be visually integrated with the Residential Unit and are permitted in compliance with applicable building codes.

### **Size and Massing**

The Declaration requires a minimum livable area above grade of 2,500 square feet and a maximum livable area of 12,000 square feet, as further defined in the Declaration. Any second story shall not have a square footage of more than 35% of the square feet in the first floor, including the garage, and must be integrated into the design, not perched on top.

Massing is the arrangement of three-dimensional building solids that form the exterior of the home. Each Residential Unit must be composed of multiple masses with each mass distinguished by a vertical and horizontal offset.





Building massing shall be responsive to the architectural style in design and scale and as well as each custom lot. A composition of smaller elements has the ability to yield a more comfortable scale than one large element. Alternative methods of reducing the visual appearance of large massing should be thoughtfully considered. Large continuous vertical and/or horizontal wall planes should be avoided, wherein the Committee may require architectural relief.

Blank walls longer than 12' in length must be broken up with architectural relief, i.e. windows, planters or other architectural features approved by the Committee. Any foot print wall which measures greater than 35' in length, must contain a minimum of 24" horizontal wall offset, also expressed in the roofline. Vertical wall planes exceeding 18' height in height must contain a vertical offset, or approved architectural relief.

### **Columns and Support Posts**

Support columns of a deck must be of substantial size and material to proportionately complement the overall building mass. Any supporting columns that are 12' or less in height must be at least 16" x 16". Supporting piers that are 13' or more in height shall be a minimum of 24" x 24" or be larger in size than the upper columns. Minimum upper support post size shall be 10" x 10", with posts taller than 10' increasing in size 1" for each 1' in height.

### **Height of Residential Units and Structures**

The ARC intends to discourage, and has the right to prohibit, the construction of any Residential Unit or other Structure which would appear excessive in height when viewed from the street, other Lots in Cross Creek Ranch neighboring properties. In order to help preserve view corridors, respect the privacy of adjacent Lots and relate to the topography and landscape, low profile buildings are encouraged at Cross Creek Ranch. Portions of a Residential Unit, such as Walkouts, may be sited below grade subject to ARC review and approval.

The Cross Creek Ranch terrain varies significantly. No portion of any Residential Unit shall exceed the immediately adjacent natural grade by more than twenty five (25) feet, as measured to the midpoint of a peaked roof or the parapet of flat roof. Wherever possible, grade-adaptive architecture should be utilized in order to maintain the pre-existing contour of the topography with the Residential Unit. In other words, the roof line of the Residential Unit should follow the same line as the contour of the Lot.

No Residential Unit shall be constructed with a second story having a number of square feet more than 35% of the square footage in the first floor, including the garage. Special allowance for multiple story Residential Units on secluded "out-of-line-of-site" Lots or Lots indicated as such on the Custom Lot Criteria will be considered by the ARC on a case-by-case basis. Full second story levels are not permitted on Meadow Lots.

Building projections such as chimney flues will be reviewed on an individual basis by the ARC and their compliance with the height restrictions determined accordingly.

In order to ensure compliance to the height restrictions imposed by these Design Guidelines, the following procedures must be followed:

- As part of the final site plan submittal and prior to any site work being undertaken, the Owner/Builder shall, at his or her expense, have a licensed Arizona land surveyor or civil engineer establish permanent bench marks outside of the proposed area of disturbance and establish the elevation of Natural Grade adjacent to the highest elevation points of the Residential Unit.
- During construction, the elevation of finished floor, roofs or other Structures shall be established and compliance with approved plans shall be certified. This certification shall be placed on file with the ARC.
- At any time during or after framing, the ARC may require the Owner/Builder to certify that the finished height of the Residential Unit or other Structure complies with these requirements.

### **Exterior Materials**

**Design elements on all sides of the structures are to be compatible with the front elevation.** Finished building materials must be applied to all exterior sides of Residential Units and Structures. Architectural elements such as, but not limited to, window design, masonry exterior veneers, cornice detailing, column design and railing details should demonstrate consistency on all four sides. Each material will be used to express its characteristics in an appropriate manner with colors and textures compatible with the natural surroundings and the architectural style used. Each residence shall include a minimum of three (3) exterior wall surface materials.

Permitted exterior finished materials include plastered unit masonry, adobe block, stone, southwest stucco finishes, clapboard, wood or fiber-cement siding or shingle, slate and natural log. Vinyl siding, or CMU fired common brick will not be permitted. Other materials may be approved by the ARC. Accent panels of metal, wood or stone may be utilized if approved by the ARC. Only natural stone (synthetic stone is not permitted) may be used.

### **Exterior Colors**

The exterior colors of all Residential Units and Structures must be approved by the ARC. Colors of high reflectivity and/or primary colors are not allowed. Any color used should be appropriate to the level and style of architecture. Colors that complement the surrounding Improvements and existing environment are encouraged. Specific exterior material colors (including, as applicable, main body color, trim color, roofs, window frames, doors and accent color) should not exceed a 25% Light Reflective Value (LRV) and must be submitted as samples for specific ARC approval.

Plans and specifications submitted to the ARC must include details of the exterior color scheme, including all exterior surfaces. ARC may require a one (1) square foot minimum sample color panel of both principal and accent colors, and any other physical samples necessary for approval.

Any repainting or redecorating of exterior surfaces will also require submittal of a color scheme to the ARC for approval unless repainting with the same colors.

### **Building Projections**

All projections from a Residential Unit or other Structure including, but not limited to, chimney flues, vents, gutters, downspouts, utility boxes, porches and pergolas, railings and exterior stairways shall coordinate with the surface from which they project in terms of color, texture and materials. All building projections must be contained within the Building Envelope.

### **Roofs**

As is the case with building materials, all roofs shall be of a material compatible to the architectural style used in terms of texture and color. Permitted roof materials consist of an clay tile, concrete tile, slate, rusted corrugated and treated or painted standing seam metal.

The color of roofs must conform to the color standards as outlined by the ARC. Dominant colors such as white and red detract from the natural colors of the environment and will therefore not be permitted. Overhead screens, shade covers, patio roofs and other similar Structures shall be constructed of materials and colors to match or complement the main roof. An Owner-provided sample of any proposed roof materials and colors shall be reviewed by the ARC during the submittal review process. All proposed roof materials and colors will be reviewed on a case-by-case basis.

Flat roofs and the related parapet walls shall create rooflines compatible with the overall character of the existing topography. All flat roofs shall be enclosed by a parapet wall that is a minimum of eighteen (18) inches taller than the immediately adjacent flat roof surface. Continuity of parapet walls in flat roof areas is required. Flat roofs shall be finish coated to color blend with the exterior wall color of the Residential Unit or Structure. White, off-white, or reflective finished-coated flat roofs are prohibited.



Pitched roofs shall be any roof area having a slope equal to or greater than two (2) vertical inches per twelve (12) horizontal inches ranging up to a slope of twelve (12) vertical inches per twelve (12) horizontal inches maximum. Ridgelines may not extend more than fifty (50) feet in any direction without either a vertical or horizontal change in direction. Pitched roofs and the related massing of elements shall create rooflines compatible with the overall character of the topography. Roofs may not descend closer to finish grade than seven (7) feet.

Pitched roofs shall be finished with a visually aesthetic material which shall exhibit muted earth tone colors. Pitched roof colors shall complement the exterior wall color of the Residential Unit or Structure. Reflective materials are prohibited.

All vents and other projections shall be colored to match the finished roof material color and shall be grouped together away from areas Visible From neighboring properties. No mechanical equipment of any kind (except for approved solar installations) will be permitted on roofs.

## Windows, Skylights and Glass Block

Openings for windows and doors should be proportional to the structure and form of the residence with styles consistent with the architecture. Openings of unusual shapes and sizes and that distract from the overall design of a residence shall be avoided. The use of colored, reflective, or mirrored glass is not permitted. All windows shall be recessed a minimum of 2" as not to appear pasted onto the exterior walls. Windows and clerestories of anodized aluminum, baked enamel or wood are preferred for the natural climate.



Skylights should be integrated into design of the roof, and be consistent with the materials of the Residential Unit. When used on any roof, a skylight must be darkly tinted, of a low profile and screened so that it will not be Visible from Neighboring Property. Skylights and passive solar windows will be permitted on pitched roofs on a case-by case basis and must be integrated in the roof design. Glazing must be a color compatible with adjacent roof color. No white or clear skylights will be permitted.

Unless otherwise approved by the ARC, glass block will only be allowed on a limited basis in those interior Private Areas in which additional natural light would be beneficial, such as bathrooms. Glass block must be recessed when used. All window recesses must conform to the architectural style.

## Patios and Courtyards

Patios and courtyards shall be designed as an integral part of the architecture of the Residential Unit so they can be shaded and protected from the sun by the walls of the Residential Unit. These open areas can take advantage of natural airflow to produce cooler temperatures in the warmer months. By orienting these outdoor spaces inward, encroachment of the environment will be minimized.

## Awnings

Awnings must be retractable and colors must complement the Residential Unit exterior. Permanent awnings designed as architectural features will be considered on a case by case basis.

## Lighting

All exterior lighting shall conform with the Yavapai County Dark Sky Ordinance, as amended from time to time. Outdoor lighting will be considered by the ARC only if it is limited to a small area within the Building Envelope and will not result in excessive glare.

The ARC will review proposed lighting installations in the field if requested by the Owner in writing. If lighting proposals are not substantially in conformance with the following guidelines, the ARC recommends that the proposed design be demonstrated in the field for ARC review.

### Exterior Lighting

#### 1. Uses

Exterior lighting shall mean light sources that are located outside the home. To the extent possible, all exterior lighting fixtures should be concealed from view. No spotlights, flood lights or other high intensity lighting shall be placed or utilized upon any lot that in any manner will allow light to be directed or reflected unreasonably upon any other lot. Exterior lighting will be considered by the ARC for the following purposes:

##### (a) Safety Lighting

Low voltage (20 watt / 250 lumens maximum) lighting mounted in a low profile manner may be used to illuminate vehicular and pedestrian circulation.

##### (b) Security Lighting

This lighting is intended to provide bright illumination during emergency situations only, which may include unauthorized trespass, unusual or threatening sounds and/or activities. It must be circuited and controlled separately by manual operation from any and all other lights.

##### (c) Recreational Lighting

This lighting is intended to illuminate exterior living areas, such as patios, pool decks or landscaping behind walls or in Private Areas. Such lighting may be used only until midnight. Recreational lighting may often

serve as safety lighting, and safety lighting may sometimes contribute to the visual enjoyment of the landscape. Safety and recreational lighting functions must be circuited and controlled separately.

## 2. Limitation of Upwardly Directed Lights

Upwardly directed lights will be limited to illumination of only large, mature specimen trees or other focal items as approved by the ARC and must be limited to a total of 650 lumens or three (3) light fixtures, whichever is less.

## 3. Driveways

A maximum of three (3) upwardly directed lights mounted in the ground (or such other number as may be determined by the ARC for specific Lots) may be used to illuminate an approved tree(s) at the driveway intersection with the street.

## 4. Wattage

The maximum wattage of any exterior light fixture shall be 650 lumens.

## 5. Mounting

Unless otherwise approved by the ARC, exterior lighting shall be mounted as follows:

- (a) Flush with grade or post mounted not exceeding eighteen (18) inches above grade;
- (b) In or upon a wall not exceeding eight (8) feet above grade;

## 6. Shielding

**Light sources (lamps and bulbs) of all exterior lighting must be completely shielded from view** to eliminate glare from normal standing, sitting or driving view angles from any neighboring Lot or Common Area. For example, lantern type fixtures with an exposed bulb will not be permitted. Particular care must be taken when lighting homes that are visible from land at lower elevations.

## 8. Orientation

All exterior lights shall be considered either up-lights or down-lights in accordance with the following requirements:

### (a) Up-lights

Must be aimed so that the focus of the light source is within ten (10) degrees of vertical. An exception would be those fixtures mounted below a roofed patio area that are aimed upward. The light source of such fixtures must be fully shielded behind the eaves and therefore such fixtures will not be counted in the maximum number of allowable up-lights. Up-lights that cause light spill into the night sky will not be approved.

### (b) Down-lights

No maximum number of downward directed lights has been determined. However, they must be mounted in an approved manner and must be aimed downward within ten (10) degrees of vertical and shielded so that no light source may be visible. The ARC, in its sole discretion, reserves the right to reject a downwardly directed light if it appears excessive, inappropriate or not in conformance with the lighting philosophy of Cross Creek Ranch.

## Solar Application

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

Solar collectors can result in excessive glare and reflection and will be carefully considered by the ARC. Cross Creek Ranch encourages any homeowner contemplating the installation of solar devices to consult with the Architectural Review Committee (ARC) prior to entering into any contract.

Consequently, all solar installations must be reviewed and approved by the ARC prior to installation. All material that supports the devices should be colored or anodized to match the roof color or the panel color. No reflective bright work will be permitted.

Solar Tubes will be permitted provided they are submitted and approved by the ARC. They shall be located in the least visible location on the roof, as seen from common areas or adjacent lots, with flashings painted to match the roof color.



### **Walls, Fences, Gates**

Walls of unit masonry with stucco or stone may be used for privacy, to delineate the Private Areas from the rest of the Building Envelope and as screening for cars and service areas of the Residential Unit. They should be a visible extension of the architecture of the Residential Unit and must be located within the Building Envelope. The colors of exterior walls must conform to the same color standards as described above. They may not be used to delineate Lot lines or to arbitrarily delineate the Building Envelope and/or Construction Envelope.

Privacy or screen walls should not exceed six (6) feet in height from the lowest Natural Grade adjacent to the outside wall unless otherwise approved by the ARC.

Fencing outside the building envelope shall be permitted only on lots that abut the Coconino National Forest, provided that fencing on such lots shall be limited to areas along the exterior boundary of the project where fencing exists as of the date of the declaration. All such fencing abutting the Coconino National Forest shall be maintained in its current condition by the applicable lot owner and any repair or replacement of such fencing shall be subject to the review and approval of the ARC.



Fences may be used to enclose specific use areas within a Lot. See "Landscape Walls and Fences" under Section III of these Design Guidelines and also Section 3.5 of the Declaration for additional fencing restrictions.

### **Service Yard**

Walls are required as screening for a service yard, if any, to enclose above-ground garbage and trash containers and other outdoor maintenance, pool and service facilities. These walls must be of sufficient height to conceal equipment so that it is not Visible from Neighboring Property.

### **Machinery and Equipment**

Approval of machinery, fixtures or equipment of any type, including but not limited to, generators, heating, cooling, air conditioning and refrigeration equipment, shall be conditioned upon proper screening or concealment so as not to be Visible from Neighboring Property. Any such screening or concealment shall be (i) solid and integrated architecturally with the design of the Residential Unit or other Structure, (ii) constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components, and (iii) structurally stable in accordance with sound engineering principles. No air conditioning units or appurtenant equipment may be mounted, installed or maintained on the roof of any residential unit or other building on a lot so as to be visible from neighboring property. Ground mounted air conditioning units shall be concealed by a solid enclosure so that such units are not Visible From Neighboring Property. Wind turbines are not allowed. All pool equipment shall be screened so as not to be Visible From Neighboring Property.

### **Storage Tanks**

All tanks, pumps or similar storage or pumping facilities shall be installed or constructed underground, and be located within the Building Envelope.

### **Home Identification**



Detached address identification signs for a Residential Unit shall be installed by the individual Lot Owner and must relate to the architectural style of the Residential Unit. No additional signage detached from the Residential Unit will be permitted, except temporary construction signs or other signs that may be approved by the ARC and signs permitted by the Declaration. Back-lighting of identification will be considered by the ARC, but ground-lighted Structures will be limited to a maximum of two (2) lights per Structure with a maximum of 20 watts (250 lumens) per light.

## Guest House

A guest house will only be permitted as outlined in the County ordinances. Where permitted, such Structures should be designed as a single visual element with the Residential Unit and should be visually connected by walls, courtyards or other major landscape elements.

## Ancillary Structures

All ancillary Structures, including but not limited to ramadas, gazebos, and pool pavilions, should be designed in the same architectural style as the main Residential Unit, including use of colors, exterior materials, and landscaping. They must be visually connected by approved walls, courtyards, fences or other major design elements and must not exceed the height of the Residential Unit.



## Fire Protection System

In accordance with the requirements of Yavapai County, All Residential Units must include interior fire sprinkler systems per the National Fire Protection Association (NFPA) 13, 1999 Edition.

## Ornamental Objects

Exterior ornamental objects such as, but not limited to, metal, ceramic or wood sculptures, fountains, ponds, statues and plastic characters will be considered by the ARC. These objects are not permitted in front or street side yards. Approved fountains may be installed in rear yards and front walled courtyards only, shall be limited in height to five (5) feet above finished grade of the Lot and must be compatible with the architectural character of the Residential Unit.

## Flags and Flag Poles

Flagpoles and flags are governed by A.R.S. §33-1808 and the National Flag Code. No flag may be displayed on any Lot without the prior written approval of the ARC. The following rules shall apply to the display of flags:

- No more than two (2) flags may be displayed on one Lot at any time and shall not exceed 3' x 5' in size.
- Flagpoles shall be metallic with non-reflective satin or bronze finish, illumination, if requested, shall be downward directed from the top of the pole.
- Flagpoles installed on Lots shall not exceed the height of the rooftop of the residence, as measured from finished grade.
- Display of flags also shall be permitted by a bracket mounted on the Residential Unit or by other methods approved by the ARC. Brackets must be painted to match the color of the Residential Unit where the bracket is attached. All flags shall be of reasonable size as determined by the ARC.
- Decorative flags may be displayed in rear yards only.

All displays of the American flag (and, if applicable, any other flag) on Lots must be in a manner consistent with the Federal Flag Code (4 USC Sections 4 through 10).

## Antennae/Satellite Dishes

An antenna one (1) meter or less in diameter or diagonal measurement that is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MMDS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Lot if the antenna complies with the following restrictions:

- The antenna must be placed on the Lot in such a manner as to not be Visible from Neighboring Property unless it is impossible to do so without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS;
- The first choice of the placement shall be upon the ground within the Building Envelope. The dish shall be painted an appropriate color and screened with approved plant material from the adjacent properties and street view. Location and screening method must be approved by the ARC.
- If the antenna cannot be placed on the Lot in such a manner as to not be Visible from Neighboring Property without impairing the user's ability to receive signals then the antenna must be screened by landscaping or by some other means to reduce to the greatest extent possible its visibility from Neighboring Property.

- If the antenna is mounted on a Residential Unit or other Structure and is Visible from Neighboring Property, the antenna must be painted a color that will blend into the background against which the antenna is mounted, unless the painting of the antenna would impair the user's ability to receive signals.
- An antenna that is less than one (1) meter in diameter and is designed to receive video program services from MMDS or an antenna designed to receive TVBS may be mounted on a mast which does not exceed 12' in height above the roof line. However, the mast shall be no higher than the height necessary to establish line of sight contact with the transmitter. If the mast or antenna is Visible from Neighboring Property, the mast or antenna must be painted a color that will blend into the background against which the antenna is mounted, so long as the painting of the antenna does not impair the user's ability to receive signals from the MMDS or TVBS provider.

A restriction contained in this section shall be deemed to impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS if compliance with the restriction would unreasonably delay or prevent installation, maintenance or use of the antenna, unreasonably increase the cost of installation, maintenance or use of the antenna or preclude reception of an acceptable quality signal.

### **Water Conservation**

Domestic water service to Cross Creek Ranch is provided by the Cross Creek Ranch Water Company, an Arizona corporation that is owned by the Association (*available at 928-203-9320*). Therefore, water conserving accessories, appliances and facilities are encouraged within each Residential Unit and for landscaping and other Improvements that require water. Such facilities shall include, but not be limited to, low flow shower heads, flow reducers on faucets, water conserving lavatories, washing machines and dishwashers.

## ***SECTION III LANDSCAPE DESIGN GUIDELINES***

### **Site Drainage and Grading**

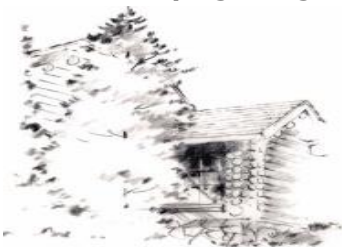
Site grading must be accomplished with minimum disruption to the Lot, and when finished shall not result in drainage onto adjoining Lots and Common Areas (except as established by natural drainage patterns) nor cause a condition that could lead to soil erosion. Natural water drainage patterns existing prior to grading must be preserved. Developing a proper drainage plan will be the responsibility of the Owner. Existing road shoulder drainage patterns should be maintained where driveways intersect streets. Any drainage damage that may occur from one Lot to adjacent Lots or Common Areas because of a change in natural conditions will be the responsibility of the Owner of the Lot that caused the unnatural drainage flow. No alteration of the grading of a lot or natural flow of water over and across a lot will be permitted without the prior written approval of the ARC.

No structure, building, landscaping, fence, wall or other improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, interfere with or change the direction or flow of water in accordance with the drainage plans. All culverts, bridges or other drainage Improvements constructed must be finished with headwalls, wing walls or other devices so as to prevent the erosion of slopes and soils, which may result in the exposure of drainage conduits or other Improvements. Culverts must be sized to accommodate existing roadway and site drainage. Drainage Improvements Visible From Neighboring Property must be finished in, stone or other ARC approved material. Boulders and landscaping are also encouraged to screen drainage Improvements.

### **Washes/Watersheds**

Natural drainage systems occur throughout Cross Creek Ranch and should not be obstructed. Improvements should be sited to avoid these washes, although they can be sited at the edge of such a wash. Walls or other Improvements designed to bridge washes without obstructing 100-year storm flows will be considered by the ARC, subject to any applicable approval by governmental agencies.

### **Landscaping Design**



***All landscaping installed for a new Residential Unit must be installed within ninety (90) days*** of either the issuance of certificate of occupancy or conveyance of a Lot from the Declarant to the Owner.

When reviewing landscaping submittals, the objective of the Cross Creek Ranch ARC will be to generally enhance the natural environment and to screen, accent, soften, improve and/or restore the visual character of the Project. All plant material should be drought resistant, water conserving and generally compatible with the indigenous plant materials

of the existing area. Existing natural features such as unique vegetative groupings, rock outcroppings and washes must be preserved wherever possible. The majority of plant materials approved by the ARC will be Indigenous Species, which will ensure minimal water usage and compatibility with the natural environments. An aggressive re-vegetation program will be required in all areas impacted by construction to ensure an uninterrupted sense of "fit" between the community and its physical environment.

All Lots are comprised of three (3) landscape zones: Natural Area, Transition Area and Private Area.

(1) Natural Area - is the area lying within a Lot outside the Building Envelope that must remain undisturbed. Because Indigenous Species do not require additional water, irrigation of the Natural Area is not permitted. Irrigation of the Natural Area can lead to disease and death of Indigenous Species, attract undesirable insects and aid in the spread of undesirable plant species or weeds. In the event re-vegetation of a Natural Area must occur, only Indigenous Species are to be used. The density and distribution of any added plant material in the Natural Area must approximate the densities and distributions found in the immediate area. Temporary irrigation will be required in the destroyed areas until replaced plants are established. Care shall be taken not to allow runoff to impact adjacent undisturbed Natural Areas. Indigenous Species that will be considered for re-vegetation are listed under "Native Zone" on the attached Cross Creek Ranch Recommended Plant Palette, "Appendix A."



(2) Transition Area - is the area located within the Building Envelope that is disturbed during construction but does not contain any above-ground Improvements. This area is the most sensitive in terms of its proximity to and visibility from adjacent rights of way, Natural Area and the areas between adjacent Lots. These areas should create a transition between the Natural Area and the more intensive plantings of the Private Area. Plant materials to be used in the Transition Area are included in "Appendix A" under "Native Zone" and "Transition Areas." The "Transition Areas" shall have a 20' wide manicured natural landscape buffer from any built structure improvement and to be depicted on the landscape plans and will be considered during review by the ARC.

(3) Private Area - is the area that is surrounded by walls and is not Visible From Neighboring Property. This area typically includes more lush and colorful vegetation. Plantings in this area may require more water and thus should be limited in area. The Private Area may be designed as a more landscape-intensive area as desired by the Owner and may contain plants not listed in "Appendix A". The ARC may require the Owner to provide additional screening or routine pruning and maintenance of plants that are not Indigenous Species, such as trees that grow to a height Visible from neighboring Property.

Plant materials not included in "Appendix A" are not encouraged and use of such materials will only be permitted on a case-by-case basis and at the sole discretion of the ARC. Drip irrigation systems are encouraged. Landscaping plans for all three landscaping zones must be submitted at the same time as the Residential Unit and all other improvements for the Lot. Type, size and location of all tree(s) and shrub material shall be specified in the landscaping submittal. Landscape materials will be required in all Construction Envelopes and will be utilized to soften and screen. All areas to be landscaped on a Lot must utilize sufficient plant material to conceal disturbed areas and return those areas to their pre-construction densities. All bare earth must be covered by an approved organic and/or native stone material to provide a clean, dust-free appearance. Prior to commencement of landscaping, all Construction Envelopes must be maintained in a neat, dust-free condition.

All landscaping must reflect the character of the development. Rock and hard-surface landscape features should generally conform to the following:

- All introduced boulder and rock features within landscape must be of similar color and form of existing onsite rock settings.
- Rocks and boulders, patios, sidewalks, courtyards and walls may be used to supplement and create imaginative landscaping design.
- Special paving features are encouraged.
- Artificially colored rocks are prohibited in all zones. Any area with exposed rock surfaces from construction efforts must be stained by a product approved by the ARC to give the exposed rock surfaces an aged appearance.
- All manicured rock ground covered areas must be of a similar color and size to the natural rock colors found within Cross Creek Ranch and be installed on weed fabric.



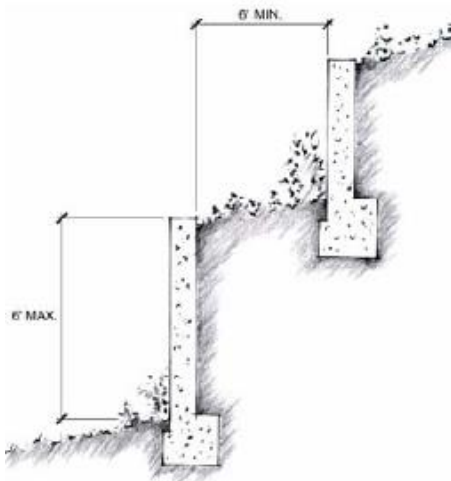
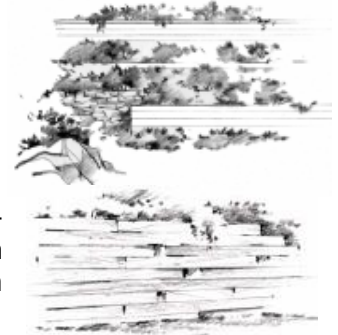
- Trees, shrubs or plantings of any kind shall not be allowed to overhang or otherwise to encroach upon any sidewalk, street, pedestrian way or other area from ground level to a height of eight (8) feet.

*Note: Careful attention to preserving view corridors in all site design and site layout is an important factor for approval and will be strongly considered during review by the ARC.*

**Landscape Walls and Fences**

Residential site walls or fences must appear as a visual extension of the Residential Unit, using similar materials and finishes. Such walls or fences may define courtyards or terraces in close proximity to the Residential Unit for the purpose of privacy. Residential walls and fences generally will be limited to six (6) feet in height or less.

Walls between areas with significant elevation differences will be considered on a case-by-case basis. Closely spaced parallel walls will not be permitted. All spaces between walls shall be landscaped with the appropriate material as outlined in these Design Guidelines and maintain a minimum distance of 6 feet.



Retaining walls, where required by grade, shall not exceed a maximum of six (6) feet in height measured from the lowest Natural Grade (measured on the outside of the wall). If multiple walls are required to retain a grade there should be a six (6) foot minimum separation as measured from the back of the lower wall to the front of the upper wall suitable for planting landscape material; provided, however, the ARC may permit alternative wall designs for Lots with extreme elevation changes.

The appearance of any walls over six (6) feet in height must incorporate a 6-foot separation between walls to be softened by landscaping. Retaining walls that directly support a Residential Unit or Structure will be considered part of the elevation and will therefore be included in the overall height restrictions as listed above and reviewed by the ARC accordingly.

Screen and freestanding walls may not exceed six (6) feet in height measured from the lowest Natural Grade adjacent to the wall

All masonry walls Visible From Neighboring Property must be finished and painted to match the Residential Unit.

Suggested exterior materials for walls include stucco, integral colored concrete, native stone, treated lumber or textured decorative block.

Permitted materials for fences include wood, steel, cable, stone or synthetic wood substitutes. No chain-link fencing will be permitted.

Prior to the submittal of any plans for the construction of fences or walls, Lot lines and Building Envelopes shall be verified by the Owner/Builder and noted as such on the plans.



**Swimming Pools and Spas**

Swimming pools and spas should be designed to visually connect to the Residential Unit through walls or courtyards and should be screened or separated from the Natural Area and constructed so as not to be Visible From Neighboring Property. They must be constructed according to Yavapai County regulations. All pools must be sited within the designated Building Envelope and be compatible in size and scale to the proposed Residential Unit. All pool equipment must be screened so as not to be Visible From Neighboring Property. Diving boards and slides will be considered by the ARC on a case-by-case basis.

**Basketball Hoops and Other Recreational Facilities**

Basketball hoops and backboards may be installed on Residential Units. The installation of such items will be subject to any stipulations imposed by the ARC. Particular attention will be given to the visual and acoustic privacy of adjacent Lots, as well as color and visibility of the proposed location. Lighting of the hoop and backboard or other recreational facilities will be considered by the ARC on a case-by-case basis. Non-lighted tennis courts also will be considered on a case-by-case basis. Playground equipment shall be constructed from timbers (not plastic).

## **Barbecues, Fire Pits and Fireplaces**

Built-in barbecue units, fire pits and/or fireplaces must be contained within the yard patio or courtyard and may not encroach on the minimum setback and/or be located outside the Building Envelope. Chimney elements must be sited to avoid obstructing views from adjacent properties. Also, caution must be exercised to avoid the proximity of smoke to neighboring Residential Units. Gas and wood burning units will be allowed only as permitted by local and environmental regulations and must be equipped with appropriate spark arrestors and maintained in full compliance with Cross Creek Ranch Fire Mitigation Plan, attached hereto as "Appendix C."

## **Armijo Ditch**

The Armijo Ditch is an irrigation channel that will be used to irrigate the Meadows and will be operated and maintained by the Association. No Improvements will be considered by the ARC within the Armijo Ditch Easement Area except for driveways crossings.

## **Wildfire Protection**

To the extent reasonably possible, each Owner within Cross Creek Ranch is required to observe practices that reduce the risk of wildfires. Please refer to the Fire Mitigation Plan, "Appendix C" for these practices.

## ***SECTION IV APPLICATION PROCEDURES***

### **Introduction**

Prior to making any appointment with an ARC representative or preparing any plans or specifications for Improvements, each Owner is advised to read the Declaration, the Bylaws and these Design Guidelines and to seek professional advice and counsel to understand the documents, if necessary. Article 3 of the Declaration sets forth the architectural review requirements and use restrictions for Cross Creek Ranch. Article 4 of the Declaration sets forth various easements that should be considered prior to designing Improvements. Section 5.10 of the Declaration sets forth the duties and powers of the ARC. Article 7 of the Declaration sets forth certain requirements for the maintenance of Lots that may affect the design of Improvements.

Whenever any action by or approval of the ARC is required by the terms of the Declaration or these Design Guidelines, request for such action or approvals shall be submitted to the ARC in accordance with the procedures set forth in the Declaration and these Design Guidelines. Requests for approvals shall be reviewed by the ARC in accordance with these Design Guidelines and the Declaration.

Unless otherwise provided for herein, all periods of time referred to in these Design Guidelines shall refer to calendar days and shall include all Saturdays, Sundays and holidays, provided that, if such a date or the last date to perform any act or give any notice with respect to these Design Guidelines shall fall on a Saturday, Sunday or nationally recognized holiday, such act or notice may be timely performed or given on the next succeeding day which is not a Saturday, Sunday or nationally recognized holiday.

### **Review Fees & Deposits**

The ARC has adopted the following fee schedule in connection with its review and appeal procedures. A review fee made payable to the Association is required with each design review application. Review fees are subject to change at the sole discretion of the ARC.

- For submittal of a new Residential Unit and all other initial Improvements on a Lot, a non-refundable review fee of **\$5,500**; which includes (4) reviews. Additional reviews may incur \$250 per additional review until final approval.
- For major alteration of an existing Residential Unit or Improvement on a Lot that requires the issuance of a building permit by a governmental authority, a nonrefundable review fee ranging from **\$250 - \$1,000**;
- For minor alterations of existing Improvements that do not require the issuance of a building permit by a governmental authority, no review fee will be charged, unless reviewed by the Consultant

**Construction Deposit:** Owner must remit a deposit, prior to beginning any residential construction or disturbance of earth unless specifically required to geo technical research, or cutting of trees with a caliper of four (4) inches or greater, in the amount of **\$10,000**, or as may be modified from time to time by the ARC, which is refundable (including any interest, if earned) upon receipt by ARC of proof of 100% completion of the work (including landscaping) for which the Construction Deposit was given.

If the Owner or Builder or any of their agents should violate the Declaration or these Design Guidelines and it becomes necessary for the Association to remedy the violation, the cost of the remedy may be charged directly to the Owner or against the Builder's Deposit. Deposit will be returned in accordance with current Arizona Statute requirements.

## ***SECTION V DESIGN REVIEW PROCEDURES***

### **Design Review Architectural Representation**

The Association has designated an Architectural Review Committee ("ARC") to perform the functions designated in the Declaration for Cross Creek Ranch. The Committee members will be appointed by the Board. The ARC shall consist of at least one (1) board member, who must serve as the chairperson, and any other members as appointed by the Board, pursuant to the Bylaws and CC&R's of the Association.

The ARC may employ the services of an architect or outside firm (the "Consultant") as an ARC Representative, to review submitted plans for conformance to the Declaration and Design Guidelines. From time to time during the design review process, an Owner and/or his representative may meet or communicate informally with the Consultant. While it is the intent of these informal meetings to provide direction to the Owner, any comments or suggestions made are done solely to provide direction; any approval or disapproval by the ARC will be given in writing.

### **Pre-Qualified Design Services**

Any Architect/Designer retained for design services by a Lot Owner may be required to demonstrate their capabilities to the ARC before the commencement of any work. Such capabilities, expressed through examples of previous and current projects, will be reviewed to determine context and appropriateness. The ARC will pay particular attention to and require longer review periods for submittal packages authored by Architect/Designer(s) who, in the opinion of the ARC, do not have the experience and skill to design a home to the level expected at Cross Creek Ranch.

### **Review of Plans**

The ARC shall conduct reviews of plans during its regular meetings or at such other times as it deems appropriate. Owner or Owner's Agent will be allowed to attend the meeting where the final decision is made on the approval of plans.

The review of the preliminary design submittal and the final design submittal (as both are described below) are separate submittals and each will be reviewed separately in accordance with Section 3.1 of the Declaration. Any response an Owner may wish to make in reference to issues contained in the ARC's notice following review of submitted plans must be addressed to the ARC in writing. The ARC Review "Design Guidelines," shall govern in all issues.

### **Pre-Design Meeting**

Prior to preparing preliminary plans for any proposed New Construction or major Improvement, **it is mandatory that the Owner and/or their design professional, Builder or representative meet with an ARC Representative** to discuss proposed plans and to explore and resolve any questions regarding building requirements at Cross Creek Ranch. This informal review is to offer guidance prior to initiating preliminary design. An appointment for a pre-design conference must be made in advance. The ARC review, "Design Guidelines", shall govern in all issues.

### **Preliminary Design Submittal**

When the preliminary design is complete, plans that are submitted must include all of the following exhibits; no review will commence until the submittal is complete. Two (2) sets of submittal plans are required.

- A non-refundable Review fee of **\$5,500.00**.
- Site Plan (scale at 1 inch=20 feet or larger), showing the entire Lot, location of the proposed Setbacks, Building Envelope and Construction Envelope with the Residential Unit and all other Structures, driveway, parking area, existing and proposed topography datum shall match "the recorded plat", proposed finished floor elevations, all trees of 4 inch caliper or greater, all cacti locations and special terrain features to be reserved and trees to be removed.

- Survey (scale 1 inch=20 feet or larger, same as site plan), approved building envelope showing Lot boundaries and dimensions, easements, all recorded constraints on the master plat. A topography (1 feet contours or less), major terrain features, rock out crops, washes, and all trees of 4 inch caliper contours or less and all trees of 4 inch caliper (diameter) or greater, all cacti locations and edge of pavement or curb, and utility locations. Provided by a registered land surveyor.
- Roof plans (including solar, if applicable) and floor plans (scale 1/8 inch=1 foot) showing proposed finished floor elevations.
- All exterior elevations (scale 1/8 inch=1 foot) showing both existing and proposed grade lines, plate heights, roof pitch and an indication of all exterior materials and colors.
- An 11 inch x 17 inch exterior color rendering is required depicting all elevations indicating the exterior materials and general color selections.
- A study model may be required (same scale as site plan), which accurately depicts all the proposed Improvements and their relationship to the site and, in addition, any other drawings, materials, or samples requested by the ARC.
- To assist the ARC in its evaluation of the preliminary plans, the Owner shall provide field staking of the Building Envelope and proposed driveway location and alignment. Additionally it is required by the ARC, the Owner shall provide staking at the locations of the major corners of the Residential Unit and/or major Improvements, and at such other locations and at such heights as the ARC requires.

### **Preliminary Review**

After receipt of a complete package of documents, the posting and comment period and the staking of the Lot as and when requested, the preliminary submittal of the Owner will be deemed complete. Acceptance & review of a preliminary submittal will be considered valid for **one (1) year** from the date of review. The submittal will be considered abandoned if final plans are not submitted in that period and the Owner will be required to once again start the design review process at the preliminary review stage.

### **Final Design Submittal**

After review & acceptance of the preliminary submittal is obtained from the ARC, the following documents are to be submitted for final review and approval; review will not commence until the submittal is complete: Two (2) Sets of submittal plans are required.

- Site Plans (scale at 1 inch=20 feet or larger), showing the entire Lot, location of the Building Envelope and Construction Envelope with the Residential Unit and all buildings, driveways, parking areas, existing and proposed topography, finished floor elevations, all Specimen Plants or special terrain features to be preserved, trees to be removed, all utility sources and connections, and site walls.
- A grading and drainage plan showing existing and proposed topography at one-foot contour intervals and a driveway section, prepared by a qualified design professional.
- Floor Plans (scale 1/8 inch=1 foot) showing finished floor elevations.
- Roof Plans (scale 1/8 inch=1 foot) showing all roof pitches, and any solar applications (if applicable).
- Building section (scale 1/8 inch=1 foot), indicating existing and proposed grade lines.
- All Exterior Elevations (scale 1/8 inch=1 foot) showing both existing and proposed grade lines, plate heights, roof type and pitch, and an indication of exterior materials and colors.
- Samples or cut sheets of all exterior materials and colors, as requested by the ARC depicting or describing all exterior materials. Samples must be presented on an 8 ½ inch X 11 inch mat board clearly marked with the Owner's name, filing date, Lot number and light reflectivity value.
- Complete landscape plan (scale 1 inch=20 feet) showing size and type of all proposed plants, irrigation system, all decorative materials or borders, all retained plants and transplanted plants, indication of plant storage area, materials and debris confinement area. Exterior lighting plan showing location and manner of installation for each light, as well as cut sheet for each light to be used.
- On-site staking of all building corners as well as other Improvements, as required by the ARC.

### **Resubmittal of Plans**

In the event of any disapproval by the ARC of either a preliminary or a final submittal, a resubmittal of plans should follow the same procedure as an original submittal.

## **Pre-Construction Site Inspection**

Prior to commencement of any construction, a representative of the ARC will inspect the Lot to determine that the conditions as depicted in the final submittal are accurate and complete. Prior to the site inspection, the house perimeter must be staked. Engineering certification of foundations and the securing of a building permit is the responsibility of the Owner and/ or Builder. Construction documents (working drawings and specifications) are to be in accordance with the final design and plans approved by the ARC. Construction shall not commence until all of the above requirements are satisfied.

## **Commencement of Construction**

**Commencement of construction of any work pursuant to the approved plans shall occur within one (1) year from the date of ARC approval.** If the Owner fails to begin construction within this time period, any approval given shall be deemed revoked unless, upon the written request of the Owner made to the ARC prior to the expiration of said one year period, and upon a finding by the ARC that there has been no change in circumstances, the time for such commencement may be extended in writing by the ARC.

Construction will be deemed to have commenced once the Lot has been disturbed. Construction must proceed in a continuous manner through the completion of the Residential Unit and all other Improvements shown on the final design submittal approved by the ARC. If construction ceases for a period greater than three months, the ARC may require that construction immediately be resumed on the Lot or that the Lot be returned to its natural condition, or the Association shall be entitled to exercise any other remedy available to it under the Declaration or law.

**The Owner shall, in any event, complete construction of any approved new construction project on his Lot within eighteen (18) months after commencing construction thereof.** If the Owner fails to comply with this schedule, the ARC shall be entitled to exercise any remedy available to it under the Declaration or law, including, at the direction of the ARC, imposition of a fine of up to **\$100/day** until Certificate of Occupancy is received and final inspection has occurred. Owner or Builder shall provide quarterly progress reports throughout the project with status updates of a timeline for completion. Proper notification via certified mail and email or any proposed imposed fine to the builder and owner.

*Any change, deletion or addition to the plans and specifications approved by the ARC must be approved in writing by the ARC.*

## **Inspection of Work in Progress**

The ARC may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during the construction period does not constitute an approval by the ARC of work in process or compliance with these Design Guidelines. Copies of the approved construction and landscape plans are to be available on site at all times.

The ARC, or representative thereof, will provide at least two (2) on-site formal reviews during the construction process, for the purpose of determining compliance with the approved plans. Owner or Owner's agent will be provided the opportunity to attend these formal reviews. A written report will be provided for each review, in accordance with current Arizona Statutes, specifying any deficiencies, violations or unapproved variations from the approved plans, as amended, that have come to the attention of the Association.

## **Final Inspection of the Improvements**

Upon completion of any Residential Unit or other Improvement, and prior to occupancy, the Owner shall give written notice of completion to the ARC. Within 10 days of such notification, a representative of the ARC shall inspect the Residential Unit or other Improvements for compliance. If all Improvements comply with these Design Guidelines, the ARC will issue a written approval to the Owner, constituting a final release of the Improvements by the ARC, said release to be issued within 30 days of the final inspection. If it is found that the work was not done in strict compliance with the approved plans or any portion of these Design Guidelines, the ARC may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance, said notice to be issued within 30 days of the final inspection. The Owner shall have 30 days from the date of notice of noncompliance within which to remedy the noncompliance portions of his Improvement. The Owner may request the ARC for additional time. However, if an extension is not granted, and the Owner has failed to remedy the noncompliance, the Association may take any action available to it under the Declaration or law to remedy the noncompliance portion of the improvement. Any unused portion of the Builder's Deposit will be refunded and any applicable assurance

bond will be returned within 30 days after the ARC has issued its written approval that all Improvements have been completed in accordance with the final design submittal approved by the ARC.

### **Subsequent Changes**

Additional construction or other Improvements to a Residential Unit or Lot, or changes during construction or after completion of an approved Residential Unit or Structure, must be submitted to the ARC for approval prior to making changes or additions.

### **Right of Waiver**

The ARC reserves the right at its sole discretion to waive or vary any of the procedures or standards set forth herein.

### **Variances**

The ARC may, at its opinion and in extenuating circumstances, grant variances from the restrictions set forth in Article 3 of the Declaration, as described in Section 3.38 of the Declaration.

### **Compliance with the Local Codes** *(moved from introduction section)*

All Residential Units and other Improvements constructed within Cross Creek Ranch and the use and appearance of all land within Cross Creek Ranch shall comply with all applicable federal, state and local rules, regulations, zoning and code requirements.

All Residential Units and other Improvements constructed within Cross Creek Ranch must be approved by the ARC prior to commencement of construction, and the Declaration and these Design Guidelines likely will contain more restrictive design and building provisions than Yavapai County will require. An Owner may submit final plans and specifications to Yavapai County at the same time such plans and specifications are submitted to the ARC for concurrent review and approval; however, Owners are cautioned that any revisions required by the ARC will need to be incorporated in the submittal to Yavapai County prior to obtaining a building permit.

## ***SECTION VI CONSTRUCTION REGULATIONS***

In order to assure that the natural landscape of each Lot is not damaged during any construction activities, the following regulations ("Construction Regulations") shall be enforced during the construction period. These regulations shall be made a part of the construction contract document specifications for each Residential Unit or other Improvements on a Lot, and all Builders, Owners, and other Persons shall be bound by these regulations. Any violation by a contractor, employee or agent of Owner (including a Builder) shall be deemed to be a violation by the Owner of the Lot.

Monitoring of building sites during construction will be done by representatives of the ARC. Violations of the Construction Regulations will be reported to the Association and a notice will be sent to the Person involved. Copies of the notice will be sent to the Lot Owner if such violation is committed by a Person other than the Lot Owner. Continued violation of these policies and procedures may result in the Association exercising all remedies available under the Declaration and law.

### **Pre-Construction Conference**

**Prior to commencing construction, the Builder must meet with a representative of the ARC** to review construction procedures and coordinate construction activities in Cross Creek Ranch. At the pre-construction conference, the Builder must provide the following:

- Builder's Deposit (if not already received).
- Construction Area Plan (defined below).
- Construction Envelope fencing plan.
- Construction Schedule. An approximate construction schedule indicating start and completion dates of construction, utility hook-up, completion of landscaping work and anticipated occupancy date. If the Builder becomes aware of any significant delays or interruptions to the construction schedule, the Builder must notify the ARC at the earliest possible time.

- Drawing of the proposed construction sign, if any. Any construction sign used may not exceed sixteen (16) square feet (4 feet X 4 feet) and must be painted to match the colors used in the Residential Unit. (See "Signage" in this section for more information).
- Copy of the approved building construction and landscape plans to be available on site at all times.

Any other items as may be requested by the ARC at the time the meeting is scheduled.

### **Construction Envelope & Construction Area Plan**

The Construction Envelope limits the area of actual above-grade Improvements on each Lot within the Building Envelope and is the area within which all activities related to the Improvements to be constructed must occur. At the pre-construction conference and prior to the commencement of any construction activity on a Lot, the Owner and Builder shall provide a detailed plan as to the manner in which the natural environment will be protected, and the areas in which all construction activity will be confined to, including, but not limited to: size and location for construction material storage, limits of excavation, drive areas, parking, chemical toilet location, temporary Structures, if any, dumpsters, storage of debris, fire extinguisher, utility trenching and construction sign (the "Construction Area Plan").

A chain link construction fence, or ARC determined equivalent (minimum 5 feet height) must be erected within ten feet (10 feet) of the Construction Envelope for the duration of construction. The fence shall have a single entrance located at the driveway entrance and shall be maintained intact until the completion of construction. All construction activities, materials and equipment must be kept within the construction fence at all times.

### **Occupational Safety and Health act Compliance (OSHA)**

All applicable OSHA regulations and these Construction Regulations must be strictly observed by any Owner, Builder or other representative while within Cross Creek Ranch.

### **Construction Trailers, Portable Field Offices, Etc.**

Any Owner or Builder who desires to bring a construction trailer, field office or similar temporary building to Cross Creek Ranch shall first apply for and obtain written approval from the ARC at the time of pre-construction conference. The ARC will work closely with the Owner or Builder to determine the best possible location for such building in the Building Envelope. Such temporary buildings shall be located only in a location approved by the ARC and shall be removed within fifteen (15) days after certificate of occupancy is issued by Yavapai County.

### **Debris and Trash Removal**

Owners and Builders shall clean up all trash and debris on the construction site at the end of each day and deposit in an approved on-site trash receptacle. Trash and debris shall be removed from each construction site at least once a week to a dumping site located outside of Cross Creek Ranch. Lightweight material, packaging and other items shall be placed in a closed container, covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and Builders are prohibited from dumping, burying or burning trash anywhere on the Lot or in Cross Creek Ranch, except in the areas, if any, expressly designated by the ARC. Disposal of any type of chemical, cleaner, fuels, oils or any toxic or environmentally harmful materials is absolutely prohibited at Cross Creek Ranch.

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or affecting other Property in Cross Creek Ranch. Any clean-up cost incurred by the Association in enforcing these requirements will be billed to the Owner. Dirt, mud or debris resulting from activity on a construction site shall be promptly removed from roadways, driveways and all other property within Cross Creek Ranch. On each construction site, the Builder must designate a wash out area within the Construction Envelope for contractors and suppliers to clean their equipment. The cleaning of equipment must occur, and cleaning effluent must remain, within that specified area. Equipment cleaned in any area other than the designated area may result in the Association retaining all or a portion of the Builder's Deposit to repair any damages resulting from such equipment cleaning in improper areas or the Association exercising any other right or remedy available under the Declaration or law.

### **Sanitary Facilities**

Each Owner and Builder shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the ARC. Facilities shall be emptied as necessary and contents removed from site. In no case shall an

Owner, Builder or any contractor or any of their employees be permitted to use sanitary facilities provided by the Declarant or the Association.

### **Vehicles and Parking Areas**

Construction crews will not park on, or otherwise use, other Lots or Common Areas. Private and construction vehicles and machinery shall be parked only in areas designated by the ARC. All vehicles will be parked so as not to inhibit traffic and to avoid damage to the natural landscape.

### **Conservation of Landscaping Materials**

Owners and Builders are advised of the fact that the Lots and Common Areas contain valuable native plants and other natural landscaping materials that should be protected during construction, including topsoil, rock outcroppings, boulders and plant materials.

Materials that cannot be removed and are to be saved should be marked and protected by flagging, fencing or barriers. The Association shall have the right to flag major terrain features or plants, which are to be preserved and fenced off for protection. Any trees or branches removed during construction must be promptly cleaned up and removed immediately from the construction site.

### **Excavation Materials**

Excess materials must be immediately removed from Cross Creek Ranch.

### **Blasting**

No blasting or impact digging that may cause seismic vibrations may occur without the prior written consent of the ARC. Such consent shall be given only if the Builder/Owner has delivered to the Association the written opinion of an expert consultant declaring that the proposed activity may be accomplished safely. The timing of all such activities shall be coordinated with the Association to enable the Association to give timely notice to all persons in the area. Applicable governmental regulations should also be reviewed and observed prior to any such activities.

### **Restoration or Repair of Other Lot Damages**

Damage and scarring to a Lot outside the Construction Envelope or to other Lots or Common Areas, including but not limited to, vegetation, roads, driveways and/or other Improvements will not be permitted. If any such damage occurs, the Owner of the Lot will be obligated to ensure that such damage is repaired and/or restored promptly. Upon completion of construction, each Owner and Builder shall clean his construction site and repair all of the Lot (and any other property, if applicable) that was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the ARC, and repair of streets, concrete curbs and gutters, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

### **Miscellaneous and General Practices**

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, Builders, contractors and subcontractors on Cross Creek Ranch. The following practices are prohibited at Cross Creek Ranch, and will be considered a violation of these Design Guidelines:

- Changing oil in any vehicle or equipment anywhere within Cross Creek Ranch other than a location designated for that purpose by the ARC.
- Allowing concrete suppliers and contractors to clean their equipment on the site itself other than at the locations designated for that purpose by the ARC.
- Removing any rock, plant material, topsoil or similar items from any Lot of others within Cross Creek Ranch, including construction sites, unless it is from the site under construction and only then with prior approval from the ARC.
- Using disposal methods or units other than those approved by the ARC.
- Trade contractor personnel are restricted from smoking in houses. Material storage areas, trash collection areas and hazardous working spaces are hereby designated "No Smoking" areas.
- Careless disposal of cigarettes, contaminated and other flammable material. At least one (10) pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.
- Careless treatment or removal of any natural plant materials not previously approved by the ARC.



- Consumption of alcoholic beverages within Cross Creek Ranch not approved by the Association.
- Use or transit over Natural Areas.
- Association rules for pets apply to homes under construction.
- Builder is to ensure that all delivery and construction vehicles are not to exceed a 5 ton weight limit as this is the current imposed regulation for the Rail Span Bridge at the entrance of the community.

### **Construction Access**

The only approved construction access during the time a Residential Unit or other Improvements are being built will be over the approved driveway for the Lot and within the Construction Envelope fence unless the ARC approves an alternative access point. Driveway access to the Lot must be protected with gravel (or other approved material) "track-out" protection throughout the duration of the project, until permanent driveway is installed.

### **Dust and Noise**

The contractor shall be responsible for controlling dust and noise from the construction site in compliance with applicable governmental regulations. At no time should the dust and noise level disturb or become a nuisance to the adjacent properties.

### **Signage**

Temporary construction signs shall be limited to one sign per general contractor (no subcontractors) per site not to exceed sixteen (16) square feet of total surface area. The sign shall be free standing and the design and location of such a sign shall first be approved by the ARC. The ARC will require all construction signs to meet the following criteria:

- Signs shall be single-faced panel type and no additional sign may be attached to any construction sign either by fastening directly to the main sign or by suspension below it.
- Information such as "For Sale," "Available" or similar language, or description phrases such as "3-bedroom" may not appear on any construction sign.
- Colors of sign background should be muted earth tones, which harmonize with the natural colors rather than sharply contrast with them. Such signs may not be lighted, therefore, letter colors should relate harmoniously with the background colors while providing contrast to enable the sign to be read from approximately twenty (20) feet away.
- Construction signs must be removed at the time the house is substantially complete, or when the ARC directs the sign to be removed.
- **Builder is to ensure that all delivery and construction vehicles are not to exceed a 5 ton weight limit as this is the current imposed regulation for the Rail Span Bridge at the entrance of the community.**

### **Daily Operations and Access**

Until a Residential Unit is occupied in the immediate vicinity, daily contractor access will be through the designated construction access only during the following construction hours:

<b>Monday – Friday</b>	6:30 am – 6:00 pm (Oct 1-April 30) 5:00 am – 6:00 pm (May 1- Sept 30)
<b>Saturday</b>	8:00 am – 6:00 pm

After a Residential Unit in the vicinity is occupied, the following hours will apply:

<b>Monday – Friday</b>	7:00 am – 6:00 pm (Oct 1-April 30) 6:00 am – 6:00 pm (May 1- Sept 30)
<b>Saturday</b>	8:00 am – 6:00 pm

Any proposed construction hours on Sunday or nationally recognized holidays must have the prior written consent of the ARC.

**\*\* Construction Regulations are to be posted in a visible location on the jobsite throughout the duration of the project. \*\***

## ***SECTION VII OTHER PROVISIONS***

### **Exemptions from Certain Design Guidelines; Existing Construction**

#### Lot 53

As of the date these Design Guidelines were established by the ARC, a Residential Unit had previously been constructed on Lot 53 of Cross Creek Ranch ("Lot 53"). It is likely that many of the Improvements constructed on Lot 53 do not now (nor may they ever) conform to the conditions and standards set forth in these Design Guidelines. So long as the Owner of Lot 53 maintains such Improvements in their present state and in good condition and repair, the Improvements on Lot 53 shall be deemed to be non-conforming Improvements and the Owner of Lot 53 shall be exempt from complying with the applicable provisions of these Design Guidelines. If the Owner of Lot 53 desires to (i) substantially remodel or renovate the existing Improvements, (ii) demolish all or substantially all of the existing Improvements, (iii) construct new Improvements or (iv) alter, modify or change existing Improvements on Lot 53, all such actions shall be subject to approval by the ARC, and to the extent reasonably possible, as determined by the ARC in its sole discretion, shall comply with these Design Guidelines.

#### Lot 84

As of the date these Design Guidelines were established by the ARC, a Residential Unit had previously been constructed on Lot 84 of Cross Creek Ranch ("Lot 84"). Pursuant to Section 3.36 of the Declaration, Lot 84 is subject to an Historic Property Preservation Plan ("HPPP"). It is likely that many of the Improvements constructed on Lot 84 do not now (nor may they ever) conform to the conditions and restrictions set forth in the Declaration and these Design Guidelines. Nonetheless, the Owner of Lot 84 shall comply with all provisions of the Declaration, the Design Guidelines, Association Rules or any other covenant, condition or restriction affecting Lot 84 to the extent that such provisions are not contrary or inconsistent with the HPPP.

### **Fire Mitigation Plan**

A Fire Mitigation Plan was developed and has been approved by the applicable governmental authorities and is incorporated into these Design Guidelines. Each Owner is responsible for, and shall comply with the Fire Mitigation Plan. The provisions of the Fire Mitigation Plan shall be enforceable in the same manner as all provisions of the Project Documents. In the event of any conflict between the Fire Mitigation Plan and these Design Guidelines, the Fire Mitigation Plan shall control.

### **Meadow Lot Easements**

Lots 2, 3, 4, 5, 6, 9, 10, 11, 16, 17, 42, 43, 44, 45, 46, 47, 48, 49, 50, 74, 75 and 76 (the "Meadow Lots") are encumbered by an easement in favor of the Association for the purpose of irrigating and preserving the meadows ("Meadows") within the Project.

As a condition to approval by the ARC of a Residential Unit on a Meadow Lot, the Owner of a Meadow Lot will be required to (i) have prepared by a land surveyor registered in Arizona, a legal description for the Meadows Easement Improvements to be constructed on the Lot, and (ii) execute an easement agreement with the Association to be Recorded prior to commencement of construction on the Meadows Lot wherein (a) the Association and the Lot Owner agree that the final determination of the Meadows Easement Area is as described in the legal description approved by the ARC, and (b) the Association and Lot Owner agree upon such other matters as may be reasonably required by the Association to maintain the Meadows Easement Area in accordance with Section 4.9 and 4.10 of the Cross Creek Ranch CC&R's.

The Association shall be responsible for preparing such easement agreement after approval by the ARC of the Building Envelope, plans and specifications for the Residential Unit and the Meadows Easement Area, except that the applicable Owner shall be responsible for the cost of obtaining the legal description for the Meadows Easement Area. The Owner of a Meadows Lot (whether prior to construction of Improvements thereon or after) shall be responsible for all other Lot maintenance in accordance with the Maintenance Standard, including the removal of trash from the Meadows Easement Area. The Association shall be responsible only for irrigating and mowing the Meadows Easement Areas within the Project.

**APPENDIX A – RECOMMENDED PLANT PALETTE**

*Note: The plant material on this list represents a "preliminary" state of development. Before beginning any design for landscape, a current list of approved plant material should be obtained from the review committee and/or applicable homeowners association.*

***NATIVE ZONE*** (4000 - 6000 foot elevation above sea level)

BOTANICAL NAME

COMMON NAME

**Trees**

Juniperus deppeana	Alligator Juniper
Juniperus monosperma	One-seed Juniper
Juniperus osteosperma	Utah Juniper
Pinus edulis Piñon	Pine
Pinus ponderosa	Ponderosa Pine
Quercus emoryi	Emory Oak
Quercus gambelii	Gambel Oak
Quercus grisea	Gray Oak

**Shrubs**

Arctostaphylos pungens	Pointleaf Manzanita
Ceanothus integerrimus	Deerbrush
Cercocarpus montanus/Alderleaf	Mountain Mahogany
Dasyliion wheeleri	Desert Spoon
Graylia brandegei	Spineless Hop-sage
Rosa fendleri	Fendler Rose
Rosa arizonica	Arizona Rose
Yucca angustissima	Narrowleaf Yucca
Yucca navajoa	Navajo Yucca

**Groundcover**

Berberis (Mahonia) repens	Creeping Barberry
Virginia Creeper	Vinelike, climbing groundcover

**Grasses/Wildflowers**

*Native Grasses (non-irrigated)*

Alkali Sacaton	Indian Rice	Grass Side Oats Grama
Blue Grama	Little Bluestem	Spike Muhly
Galleta	Sheep Fescue	Western Wheat Grass
Bear Grass	Love Grass	Squirrel Tail
Orchard Grass		

*Wildflowers (irrigated)*

Blue Flax	Evening Primrose	Purple Aster
Gaillardia	Rocky Mountain Aster	Yellow Sweet Clover
Purple Prarie Clover	Groundsel	Cone Flower
Indian Paintbrush	Sand Verbena	Coreopsis
Verbena	Mohave Bluebells	Desert Marigold
Yellow Columbine	New Mexico Lupine	Monkey Flower

***TRANSITION AREAS***

BOTANICAL NAME

COMMON NAME

**Trees**

Abies lasiocarpa	White Fir
Acer griseum	Paperbark Maple
Betula nigra	River Birch
Betula pendula European	White Birch
Cercis occidentalis	Western Redbud
Cotinus cogyria	Smoke Tree
Crataegus phaenopyrum	Washington Hawthorn

Ginkgo biloba  
Gleditsia triacanthos 'Shademaster'  
Koeleria paniculata  
Liquidambar styraciflua  
Picea engelmannii  
Picea pungens 'glauca'  
Pinus m. mugo  
Pinus nigra  
Platanus wrightii  
Prunus cerasifera 'atropurpurea'  
Pyrus calleryana 'Red Spire'  
Quercus palustris  
Quercus turbinella  
Rhus glabra  
Robinia neomexicana  
Salix babylonica  
Tilia cordata 'June Bride'

### **Shrubs**

Arctostaphylos 'Emerald Carpet'  
Arctostaphylos patula  
Artemisia tridentata  
Berberis repens  
Berberis thunbergii 'Crimson Pygmy'  
Centranthus Ruber  
Chrysothamnus nauseosus  
Cottoneaster spp.  
Cowania stansburiana  
Ephedra viridis  
Euonymus alata  
Fallugia paradoxa  
Gutierrezia sarothrae  
Juniperus  
Juniperus horizontalis 'Wiltonii'  
Nolina microcarpa  
Perovskia atriplicifolia  
Potentilla tabernaemontanii  
Pyracantha coccinea 'low boy'  
Rhus trilobata

### **Flowering Perennials & Accents**

Abelia grandiflora  
Achillea spp.  
Aquilegia spp.  
Buddleia davidii  
Echinacea purpurea  
Kniphofia spp.  
Melampodium leucanthum  
Oenothera caespitosa  
Penstemon spp.  
Psilostrophe bakeri, tagetina  
Ratibida columnifera  
Salvia spp.  
Stachys byzantina  
Viguiera multiflora  
Yucca baccata  
Yucca elata  
Zinnia grandiflora

### **Groundcovers**

Festuca ovina 'glauca'  
Poa/Lolium blend

Maidenhair Tree  
Honey Locust  
Goldenrain Tree  
Sweet Gum  
Engelmann Spruce  
Colorado Blue Spruce  
Mugho Pine  
Australian Black Pine  
Arizona Sycamore  
Purple-leaf Plum  
Bradford Pear  
Pin Oak  
Scrub Oak  
Smooth Sumac  
New-mexican Locust  
Weeping Willow  
Little-Leaf Linden

Bearberry  
Manzanita  
Big Western Sage  
Oregon Grape  
Dwarf Barberry  
Red Valerian  
Rabbitbush  
Cottoneaster  
Cliff Rose  
Green Ephedra  
Burning Bush  
Apache Plume  
Snakeweed  
Prince of Wales' Juniper  
Blue Carpet Juniper  
Bear Grass  
Russian Sage  
Spring Cinquefoil  
Firethorn  
Squawbush

Abelia  
Yarrow species  
Native Columbines  
Butterfly Bush  
Purple Coneflower  
Poker Plants  
Blackfoot Daisy  
White-tufted Evening Primrose  
Penstemon species  
Paperflower species  
Mexican Hat  
Salvia species  
Lamb's Ears  
Showy goldeneye  
Banana Yucca  
Soaptree Yucca  
Prairie Zinnia

Blue Fescue  
Bluegrass/Ryegrass blend sod



## APPENDIX B – DESIGN REVIEW APPROVALS CHECKLIST

*(Must accompany submittal)*

### Pre-design Meeting

- Acknowledge receipt of Design Guidelines
- Receipt of pre-application package
- Review Owner objectives on site
- Review ARC concerns on site

### Preliminary Design Submittal

- Non-refundable review fee of **\$5,500.00**
- 2 Sets of preliminary design submittal plans are required
- Site plan (1"=20'0" minimum)
- Survey of Lot
- Roof plan (including solar) and floor plan (1/8"=1'0" minimum)
- Exterior elevations (1/8"=1'0")
- 11" X 17" exterior color renderings
- Indication of all exterior materials and colors
- Study model, if requested
- Other items requested by the ARC
- Preliminary staking of Building Envelope, driveway location and alignment, and staking of any additional items requested by the ARC

### Final Design Submittal

- 2 Sets of submittal plans are required
- Site plan (1"=20'0" minimum)
- Roof plan (including solar) and floor plans (1/8"=1'0" minimum)
- Building cross sections
- Exterior Elevations
- Sample of all exterior materials, colors, and glass specifications
- Landscaping plan; irrigation plan; proposed plant materials; identify Specimen Plants; the storage area for plants, materials and debris; Details of patios and courtyards
- Exterior lighting plan and lighting fixtures cut sheets
- Staking Lot/residential corners, if requested
- Grading and drainage plan
- Upon completion of above steps, a copy of working drawings approved by the ARC is one of the required submittals to the County Yavapai County Building Permit
- Drawing of proposed construction sign, if any

### Pre-Construction Conference

- Review Site Requirements with the ARC
- Refundable Construction Deposit of **\$10,000.00**
- Review Construction Schedule
- Site plan showing the location of construction fencing, chemical toilet, dumpsters, fire extinguishers, construction trailer, field office.

### Certificate of Occupancy

- Issued by the County upon completion of construction and all required governmental inspections

### Final Inspection by ARC

- Release of any remaining Builder's Deposit

**\*INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED OR REVIEWED!**



**NEW CONSTRUCTION APPLICATION & REVIEW SUBMITTAL**

Preliminary Submittal       Final Submittal

DATE: \_\_\_\_\_

ADDRESS / LOT: \_\_\_\_\_

OWNER: \_\_\_\_\_

DESIGNER/BUILDER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CONTACT: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

EMAIL: \_\_\_\_\_

*This application will be considered complete only if all the documents and submittals, as set forth in the Design Guidelines, are included. Two (2) sets of all documents are required, along with electronic copy.*

**For Reviewing Body Use Only:**

SUBMITTAL DATE \_\_\_\_\_

MEETING DATE \_\_\_\_\_

REVIEW FEE (\$5,500) \_\_\_\_\_

**SUBMITTAL CHECKLIST**

**PRELIMINARY SUBMITTAL**

- \_\_\_ SITE & GRADING PLAN (W/TOPOGRAPHY)
- \_\_\_ SITE /LOT SURVEY
- \_\_\_ FLOOR PLAN & ROOF PLAN
- \_\_\_ EXTERIOR ELEVATIONS
- \_\_\_ COLOR RENDERING (11" x 17")
- \_\_\_ SECTIONS & PLAN DETAILS
- \_\_\_ PRELIMINARY LANDSCAPE PLAN
- \_\_\_ PRELIMINARY STAKING

**FINAL SUBMITTAL**

- \_\_\_ FINAL SITE & GRADING PLAN
- \_\_\_ FOUNDATION PLAN
- \_\_\_ FINAL FLOOR & ROOF PLANS
- \_\_\_ FINAL EXTERIOR ELEVATIONS (ext. appointments called out)
- \_\_\_ COLOR & MATERIALS BOARD / SAMPLES
- \_\_\_ SECTIONS & PLAN DETAILS
- \_\_\_ FINAL LANDSCAPE PLAN & HYDROLOGY/DRAINAGE REPORT
- \_\_\_ CONSTRUCTION SCHEDULE

***The undersigned acknowledges that they have received, read and agreed to the Cross Creek Ranch Design Guidelines. Construction shall commence within one (1) year of approval and be completed within 18 months of commencement.***

\_\_\_\_\_  
OWNER SIGNATURE(S)

\_\_\_\_\_  
DATE

**For Reviewing Body Use Only:**

\_\_\_ APPROVED (CONDITIONS): \_\_\_\_\_

\_\_\_ NOT APPROVED (REASON): \_\_\_\_\_

\_\_\_\_\_  
ARC REPRESENTATIVE SIGNATURE

\_\_\_\_\_  
DATE

***Building Permits must be obtained from the local Governing Authority and copies filed with the ARC prior to commencement of construction. A Project Completion Review must be requested at least ten days prior to the Final Inspection.***

**\*INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED OR REVIEWED!**



**APPLICATION FOR PROJECT COMPLETION REVIEW**

---

Requested by \_\_\_\_\_

Builder / Contractor \_\_\_\_\_

Phone \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Date final inspection requested \_\_\_\_\_

Owner \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Signature \_\_\_\_\_

---

**NOTICE TO OWNER:**

Following your request for Project Completion Review, the Reviewing Body finds that your final building and site construction:

- Conform
- Does not conform to the plans and specifications approved in your final submittal. The following corrections/additions are required:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

Approval and compliance from the local Governing Authority is required before occupancy and the Final Inspection Certificate is issued.

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**APPLICATION FOR REVIEW OF MODIFICATIONS TO AN EXISTING APPROVED RESIDENCE**

Before beginning, Review your community documents to ensure submittal is complete and in compliance with Design Guidelines.

ADDRESS/LOT \_\_\_\_\_ OWNER \_\_\_\_\_ DATE \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

DESIGNER/CONTRACTOR : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

EMAIL: \_\_\_\_\_

REVIEW FEE: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_

MODIFICATION/IMPROVEMENT REQUEST: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**REQUIRED FOR SUBMITTAL:**  PLOT PLAN/DRAWING - DIMENSIONS (PROPERTY LINE & BLDG ENVELOPE)  ELEVATIONS / DETAILS  
 COLOR/MATERIALS CUT SHEET/SAMPLES \*INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED OR REVIEWED!

ATTACHMENTS/SUBMITTAL SAMPLES: \_\_\_\_\_

\_\_\_\_\_

OWNER SIGNATURE (s): \_\_\_\_\_

**Review Committee Comments:**  APPROVED  NOT APPROVED Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments/Conditions \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*All modifications shall begin construction within ninety (90) days of approval and be completed within six (6) months of approval*

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

I ACKNOWLEDGE THAT THE ABOVE IMPROVEMENT IS COMPLETE AND READY FOR INSPECTION DATE \_\_\_\_\_ INITIALS: \_\_\_\_\_

PLEASE CALL \_\_\_\_\_ TO SCHEDULE AN APPOINTMENT  IT IS NOT NECESSARY TO SCHEDULE AN APPOINTMENT

RESULTS:  APPROVED  NOT APPROVED Representative Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

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





**CONSTRUCTION REGULATIONS**

**\*\*MUST BE POSTED ON JOBSITE\*\***

Lot # \_\_\_\_\_ Address \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Contractor \_\_\_\_\_ Address \_\_\_\_\_ Phone/Cell \_\_\_\_\_ / \_\_\_\_\_

1. No construction of any sort may commence until: the plans are approved by ARC; the compliance bonds have been paid; the pre-construction site survey is completed; the construction fence is installed and the portable toilet is on site. Provide a copy of the city permit when it is available.

2. Driveway access to the Lot must be protected with gravel (or other approved material) "track-out" protection throughout the duration of the project, until permanent driveway is installed.

3. **Obtain approval from ARC of any and all changes to exterior elevations. Unapproved changes discovered in the field will be subject to a re-submittal and \$250.00 fine.**

4. Daily Operations & Access:  
**Until a Residential Unit is occupied** in the immediate vicinity, daily contractor access will be through the designated construction access only during the following construction hours:  
Monday-Friday 6:30am-6:00pm (Oct.1-April 30)  
5:00am-6:00pm (May 1-Sept. 30)  
Saturday 8:00am-6:00pm

**After a Residential Unit in the vicinity is occupied**, the following hours will apply:  
Monday-Friday 7:00am-6:00pm (Oct. 1-April 30)  
6:00am-6:00pm (May 1-Sept. 30)  
Saturday 8:00am-6:00pm

Any proposed construction hours on Sunday or nationally recognized holidays must have the prior written consent of the ARC.

**ANY WORK HOUR VIOLATION WILL RESULT IN AN AUTOMATIC FINE.**

- 5. Builder shall fence off the building envelope or property lines **PRIOR** to the beginning of any work.
- 6. Builders are **NOT allowed** to use/disturb adjacent property for access or storage. If access will be required, prior written permission from that lot owner must be on file with **ARC**.
- 7. Radios/Stereos shall not be played so loudly that it can be heard by adjacent neighbors.
- 8. Association rules for Pets apply to homes under construction.
- 9. **Trade contractor personnel are restricted from smoking in houses. Material storage areas, trash collection areas and hazardous working spaces are hereby designated 'NO SMOKING' areas.**
- 10. Builder is required to have fire protection methods available (including fire extinguisher or water service) on site at all times. Careless disposal of cigarettes, contaminated and other flammable material is not allowed.
- 11. No parking on sidewalks or landscaped areas of the neighborhoods. All construction crews shall park on same side of street in order to maintain adequate access to all other properties and will NOT block the street at ANY TIME. Overnight parking on street or common areas of any vehicles, equipment or trailers is not allowed.

12. Job site needs to be kept reasonably clean of scraps and debris. A **DAILY** clean-up is required. All construction crews are responsible for **IMMEDIATELY** cleaning up any debris or materials that get on the **adjacent property or street.**
13. Builder will make a reasonable attempt to keep materials from being carried away by wind, including covering all dumpsters and securing all materials while stored on site.
14. No concrete supplies, plasterers, painters or other sub-contractors will clean their equipment outside the building envelope area.
15. Contractors must observe posted speed limit in the neighborhoods.
16. Contractors must use the approved construction access entryways to the individual neighborhoods.
17. Any changes to ARC approved plans WITHOUT ARC approval will be subject to an automatic fine of **\$250.00 per week** until the changes are submitted and approved by the reviewing body.
18. At painting stage, contact **ARC** to arrange for a field sample approval of exterior paint. Exterior colors will not be approved until the field review is completed. Inspections will be done within **96 hours**, excluding weekends & holiday, weather permitting. Failure to comply with this requirement will result in an automatic **\$250.00** fine.
19. After completion of house and landscape, a final inspection by **ARC** inspectors will be completed. The house may NOT be occupied prior to this inspection without **ARC** approval.
20. If construction is not completed within the required (18) months, a fine of up to **\$100/day** may be imposed until Certificate of Occupancy is received and final inspection has occurred.
21. Any violation of these Construction Regulations is subject to a **\$250 fine**, with additional violations of the same regulations subject to increased fines for each subsequent occurrence.
22. **Builder is to ensure that all delivery and construction vehicles are not to exceed a 5 ton weight limit as this is the current imposed regulation for the Rail Span Bridge at the entrance of the community**

**Pre-existing Damage:**

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The undersigned acknowledges that they have received, read and agreed to the Cross Creek Ranch Construction Regulations.

\_\_\_\_\_  
Inspectors Name (printed)

\_\_\_\_\_  
Contractors Name (printed)

\_\_\_\_\_  
Inspectors Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractors Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owners Signature

\_\_\_\_\_  
Date