

# **THE VILLAGES AT LYNX CREEK**

## **Architectural Committee Rules**

**October 21, 2021**

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### ARCHITECTURAL COMMITTEE MISSION CC&R 5.10, ARTICLE 3

The Architectural committee is chartered by the Board of Directors to establish and maintain a set of architectural rules to ensure that our community remains a pleasant place in which to live and that all homeowners benefit from these construction standards which will enhance our home appearances and maintain our property values. Our mission is to assist home owners to understand how the rules are applied to changes they make to their property. Our objective is to work with the homeowners to help them achieve their objectives within the architectural rules.

Before purchasing a lot, a house for your lot, or making improvements or alterations to an existing lot or house, please take time to read this valuable information. The Villages has certain restrictions as to what you can and cannot do to your property in the way of any kind of improvements or alterations.

These rules are derived from, and further defined in "The Villages at Lynx Creek Covenants, Conditions and Restrictions" dated November 20, 2008, hereinafter referred to as the CC&R. The rules have been compiled in an easy-to-understand format and are intended to be supplemental to the CC&R and are not substitute. In all cases of perceived conflict with the CC&R, the CC&R will govern.

It is the responsibility of the Committee when it receives a Request for Change to determine to the best of their ability whether the Request for Change conforms to these rules and the CC & R's. This responsibility covers any improvements or exterior alterations as defined.

#### OWNER RESPONSIBILITIES

It is the responsibility of the lot owner to make a formal **Request for Change** on the proper forms ~~provided by~~ available at the Villages' office and submit them to the Architectural Committee before starting any "improvements" on their lot or making any "exterior alterations" as these terms are described below.

"Exterior alterations" means any construction, installation, addition, alteration, change, change of color, demolition or other work that alters the exterior appearance of structures on a lot or the improvements there on.

"Improvements" means any dwelling, building, fence, wall, raised bed for planting or other structures with an above ground profile, a driveway or parking area and landscaping improvements. Landscaping improvements include trees, plants, shrubs, or other landscaping improvements of every type or kind, such as artificial grass. No approval is needed for small shrubs planted and maintained to be three (3) feet tall or less, flowers or other plantings, yard decorations under four (4) feet and Christmas decorations. CC&R 1.18

All Request for Change must be in writing on the required forms and approvals with modification, or disapproval by the Committee will be made in writing. **DO NOT** accept verbal authorization from any person as permission to proceed.

These rules are in addition to any rules, regulations or requirements of the Town of Prescott Valley, Yavapai County and/or the State of Arizona which may govern land usage, zoning, building or construction restrictions, etc. These must also be complied with by the lot owner **prior** to commencement of the permitted improvement or alteration.

All necessary permits must be acquired and posted on the property, including building permits from the Town of Prescott Valley. Ultimately the responsibility for determining if a permit is required is the homeowners.

It is the responsibility of the lot owner or his/her representative, with written permission, to notify the Architectural Committee before any construction or alteration work commences. Once the Architectural Committee approves, disapproves or tables your "Request for Change," the office will notify you of the action taken. If approved, you will also receive a yellow permit which must be visibly posted to be seen from the street. The yellow permit must be returned to the office on or before completion date. The Architectural Committee will do a final compliance review for your project.

### **COMMITTEE OPERATION RULES**

#### **CC&R 3.1.7**

The Villages' Architectural Committee (here after known as "Committee") is composed of not more than seven (7) members who are also members of The Villages at Lynx Creek Home Owner's Association. Members are all appointed by the Board of Directors and are required to be Full Time Residents at the Villages. One member of the Board of Directors shall serve as Chairperson of the committee. (Per Condo & Planned Community Statutes [33-1817] in Arizona 2012-2013). The Chairperson appoints a Vice-Chairperson to serve when he/she is unable to attend a meeting and a secretary to record the minutes. Committee members are not expected to serve more than two (2) years unless they ~~so~~ desire to serve longer. Committee members may be replaced by a majority vote of the Board of Directors. Members are required to attend a minimum of 70% of all scheduled meetings during a calendar year in order to remain on the Committee.

A lot owner who disagrees with a Committee's ruling on a Request for Change may formally request a hearing with the Committee. If the owner is still not satisfied with the Committee's decision, he/she has the right to appeal the ruling to the Board of Directors for a final decision. CC&R 3.1.13

Should an owner who does not seek approval or who is denied approval of a Request for Change and who proceeds with an improvement will be subject to such penalties as the Board of Directors shall prescribe.

#### **CC&R 6.10**

New products and construction methods may require changes to these rules. The approval of the Board of Directors is required before making such changes. This is not intended to dilute the authority of the Committee to approve specific individual Request for Changes using new material as set forth under "Construction Materials" later in these rule.

Infractions initiated by members of our community are a fact of life in community like ours. The Architectural Committee, with their extensive knowledge of our community standards will participate in conjunction with the Community Manager's procedure in the identification of sub-standard property conditions and generate reports to the Office.

## **ARCHITECTURAL RULES**

### **CONSTRUCTION MATERIALS**

In order to maintain the appeal and appearance of The Villages, the Committee has established approved and disallowed construction materials. When a Request for Change is being submitted, it must contain a list of the materials to be used in the construction, including, but not limited to, siding, roofing, concrete, retaining walls, doors, windows, decking paint colors, etc. Before purchasing a new home, it is advisable to submit your plans to the Committee for review.

The Committee is always open to consideration of new types of construction materials being introduced on the market. The Committee has the right to approve such new materials even though not listed here, if, in its collection opinion, the result will be compatible with surrounding homes and preserve the character desired for The Villages.

The following lists of approved and not approved external materials are not meant to be exclusive but to serve as guidelines. Exceptions may be made as set forth above.

#### **APPROVED EXTERIOR CONSTRUCTION MATERIALS**

**CC&R 1.18; 3.1.1; CC&R 3.22; 3.3.5; 3.5.3; 3.5.4**

**General:**

1. Sidings: Hardy Plank, textured Hardboard/Masonite, textured vinyl
2. Douglas Fir, Pine and similar materials generally used for structural support and covered, but if left exposed such as over decking, carport supports and beams, they must be painted to match the unit to which they are attached.
3. Redwood, cedar and Trex generally used in the construction of carports, decks, porches, fencing, etc.

**Patio Covers:** In addition to the construction materials outlined above, Alumawood and sunscreen material may also be used for patio supports and covers. All patio covers must include rain gutters.

**Lattice:** Both wood and/or vinyl may be used for privacy purposes around decks, porches, etc. If painted, the paint must be maintained in a good condition.

**Fencing:** Chain link, wrought iron, vinyl, redwood board, wood rail and lattices are subject to the three (3) foot height and location limitations.

**Shingles:** Certain colors only when applied to the main living structure, storage sheds, garages, covered decking, patios, entrance porches, gazebos, and pavilions. Rolled asphalt of a matching color on attached carports or similar low-pitched roofs is acceptable with Committee approval. Rolled seam metal roofing is also acceptable.

**Paint:** See limitations on Page 8

**Concrete:** All concrete work requires an RFC filed with the Architectural Committee and it recommends the concrete grade be at least 3500 psi. It is the homeowners responsibility to assure that any concrete wash residue on the community street is cleaned up.

### **DISALLOWED EXTERIOR CONSTRUCTION**

- Particle board or wafer type underlayment board
- Plastic sheeting panels.
- Wood shake shingles, corrugated metal or plastic roofing material
- Log cabin or simulated log cabin siding or structures
- Creosoted timbers or railroad ties either in construction or landscaping

### **AIR CONDITIONERS/DUAL PACKS/HEAT PUMP/EVAPORATION COOLERS**

CC&R 3.1.7; 3.1.8

Air conditioning units are permitted. The unit must be placed in a location that will be the least conspicuous to neighboring lots and streets. Air conditioners and water type evaporation coolers are permitted; however, they cannot be window or roof mounted and must be installed in a way they do not appear to be of a temporary nature. The Request for Change for placement must be approved by the Committee.

### **ANTENNAS AND SATELLITE DISHES**

CC&R 3.5.5

The Committee recognizes the property owners' rights to have such devices and is more than willing to work with and advise them in the placement of such antennas and/or dishes in a way which will provide them with the best reception while at the same time result in the least detrimental effect on The Villages.

Antennas mounted on the roof of an RV may not be removed for the purpose of placing them on the ground for reception. No dish antennas may be placed on a tripod of similar temporary structure except when intended for a limited temporary use and which has been approved by the Committee.

### **BUILDING PERMITS**

CC&R 3.1.10

It is the responsibility of the homeowner to make certain that all permits required by the City of Prescott Valley, Yavapai County or the State of Arizona are issued and posted on the property. Such permits are to be posted along with the Request for Change for change permit issued by the Committee.

The Villages at Lynx Creek may have more stringent and/or restrictive requirements than those entities in which case The Village's rules will prevail. There are special regulations for the Villages kept at the Prescott Valley planning and zoning office.

It is the responsibility of the lot owner or his representative to ~~make~~ submit the necessary Request for Change application to receive a permit from the Committee. The lot owner assumes all responsibility if this is not adhered to.

### **UTILITIES**

CC&R 1.18

In submitting a Request for Change, it must indicate the location of any above or below ground utilities which might be affected by the proposed construction. Prior to submitting the Request for Change or making any excavation for post-hole, utility trench, driveway or foundation, tree removal, etc., it is the Owner's responsibility to call 811 to locate and mark all underground utilities (gas, electric, cable, and communication

lines) to determine safety of the excavation. To locate sewer and and water lines, contact The Villages' office to request maintenance to mark their location since the sewer and water system is owned and maintained by the Villages. A description of utility marking is a required part of the Request for Change.

Because of the limited capacity of the electric service to the RV lots, no all-electric units may be placed on these lots. In addition, no unit will be permitted to have more than a 100 AMP service panel. If the service panel in a unit will accommodate a higher amperage than 100 AMPS, the total amperage requirements for appliances on a lot may not draw in excess of 100 AMPS when all are in use simultaneously, as confirmed by a licensed electrical contractor in writing. All such situations require Committee approval.

If natural gas service is available within 100 feet of a lot line, no propane use will be permitted on the lot except for a strictly limited period during construction while awaiting gas line extensions. This does not apply to RVs.

### **CARPORTS**

**CC&R 3.21**

Minimum of 12' x 20' required. Rain gutters and downspouts are required. Temporary structures such as vinyl, canvas or corrugated metal or plastic free-standing carports are not permitted.

### **FENCES AND LATTICES**

**CC&R 3.19; 3.22; 3.5.3**

All fences and materials used to construct fences are subject to Architectural Committee approval. Unless there is a demonstrated need for a high fence, the maximum height shall be three (3) feet. Any variance shall require approval by the Board of Directors. Fences are permitted along the rear and sides of a lot and between such fences and the residence to obtain a total enclosure. Fences must be a built six (6) inches inside the lot line unless the permission of the abutting owners is obtained in writing to place it on the lot lines. Such permissions shall run with the respective lots and will be noted in the lot files kept in The Villages' office lot file. CC&R 3.22

Wrought iron, vinyl and wood rail are the only types of fencing permitted on the street frontages of a lot and must be placed at least three (3) feet from the curb on all abutting streets.

An owner may use lattices to provide shade, privacy or in landscaping, if it does not interfere with an adjoining owner's enjoyment of his/her property. It must be painted in colors compatible with the residence and maintained in good condition. The square footage, height, location and color must be submitted to the Committee for approval and permit.

### **LANDSCAPING**

**CC&R 1.18; 1.21; 3.19; 7.2**

The Villages require that landscaping be approved and completed within a reasonable time after all new construction is completed and occupancy takes place. (approximately ninety (90) days depending upon circumstances.

The following trees are **NOT PERMITTED** in The Villages because of excessive leaf drop, size, water requirements and/or affinity for sewer lines: Cottonwood, Willow, Maple, Arizona Cyprus, Raywood Ash and Sycamore For all other trees, the home owner should be prepared to demonstrate the appropriateness of the tree they choose.

No shrubs or trees are to be planted in rear or side yards which, when mature, will encroach onto a neighboring lot and/or public right-of-way. Limbs or other parts of an existing tree or shrub which encroach onto a neighboring lot must be removed if Requested by the neighboring lot owner. Any shrubs or trees overhanging or encroaching on the public right-of-way must be maintained from the ground level of fourteen (14) feet. This meets the fire truck clearance when the Department services our community.

The location of all trees, shrubs or bushes that an owner wishes to plant near a street or driveway must be approved by the Architectural Committee. No tree or tall shrub may be planted within 15 feet of a street intersection or driveway in order to prevent vehicular traffic obstruction of view. Any trees or shrubs which currently present a safety hazard must be cut back or removed.. Yard decorations can not be so numerous as to create a cluttered look and must not present a nuisance to neighbors next door and across the street. Wall murals are not permitted. CC&R 1.18

Because of water spill during periods of heavy rain and when using landscape rock as a ground cover, the Committee requires the use of landscape breather type fabric underlayment in all situations where excessive runoff could damage neighboring properties. The underlayment is available at most nurseries and allows water to soak into the ground as well as providing weed prevention.

**LOT COVERAGE**

The maximum amount of roof coverage on a lot is 50% of the total lot area. Lot coverage is the total amount of roof coverage on all structures, porches, patios, carports, etc. It is based on the "footprint" of the structures, porches, etc. The dimensions of the structure on the ground and does not include overhangs.

**EXAMPLE:**

<b>LOT SIZE</b>	50' x 100' =	5,000 s.f.
Living area	28' x 24' =	1,680 s.f.
Garage	24' x 24' =	576 s.f.
Shed	10' x 12' =	120 s.f.
Covered Deck	<u>12' x 30' =</u>	<u>360 s.f.</u>
Total roof area		2,736 s.f.
50% allowance		2,500 s.f.
Oversize by		236 s.f.

Under this example, the Committee would deny the Request for Changed permit because it exceeds the allowable coverage.

Lot sizes are calculated from the official recorded plats of The Villages at Lynx Creek and assistance in this determination is available from the Committee. **Note:** A lot's front line is typically three (3) feet from the edge of curb (except on major streets where it may exceed that substantially.)

**PAINT AND TRIM COLORS  
CC&R 3.10**

All requests for repaints throughout the community must comply with the approved color schemes that are available in the Homeowners Association Office. New units coming to the Villages must be approved for color before acceptance.



**PLACEMENT OF BUILDINGS ON A LOT**  
**CC&R 3.3.6; 3.3.9; 3.4.3; 3.4.6; 3.5**

The owner of a lot is required to submit a **Request for Change** to the Committee before placing any building or structure on a lot. The **Request for Change** must include a detailed scale drawing showing the exact layout of the lot, the setbacks, the proposed location of the structures. It must also include the location of any proposed air conditioning unit, utility locations, public utility easements, etc. and planned drainage after completion. It must indicate if the unit is to be ground set.

Before the placement of any improvement on the lot, it is the responsibility of the owner to submit a **Request for Change** to the Committee including a detailed drawing of existing and proposed structures (**Forms 1 and 2 for manufactured homes and Forms 3 and 4 for RV lots**) to provide pre-inspection of the lot to ensure all requirements are being met. The correct physical placement of any improvement on the lot is the responsibility of the owner and/or contractor. The Architectural Committee will use existing plat to determine square footage. Owner is responsible to determine lot lines and setbacks. Owner is responsible to show where property lot lines are when requesting permits from the Town of Prescott Valley and/or Yavapai County.

**EASEMENTS**  
**CC&R 3.2.5; 3.3.7; 3.4.4**

On all lots it is recommended owners avoid any construction as well as placement of features, i.e., shrubs, trees, fences, privacy screens, etc., within easement areas of their lot. Any construction/feature placed in easement areas will not be replaced or repaired by the Association or its employees when access to utilities is necessary. If the owner constructs/installs features in the easement area, the owner is responsible for any loss or damage to the construction/feature and if necessary to maintain, construct, or re-construct utilities or public features in those areas.

**PROPERTY LINE SETBACKS**  
**CC&R 3.2.5; 3.3.7; 3.4.4**

Setbacks are the distances that a building or other structure and/or recreational vehicle (RV) unit must be located from the lot lines.

Park Model **CC&R 3.3.7** or RV **CC&R 3.2.5**

An RV is defined as travel trailer, motor home, 5<sup>th</sup> wheel trailer **CC&R 1.35.1**

**PARK MODEL:** The maximum allowable width of a Park Model is sixteen (16) feet and the maximum length is thirty-eight (38) feet, including a bay window if so equipped. Any exceptions to this size limit must be approved by the Committee.

**RV:** The required side setbacks are measured from the lot line to the closest point on the RV with all slide outs in their full extended positions. Front and rear setbacks are measured from the overall length. On a fifth wheel the hitch overhang is included in the length.

**Required setbacks on all RV lots, whether used for Park Models or RVs** are not less than three (3) feet on side lot lines, seven and one-half (7.5) feet on rear lot lines, and not less than five (5) feet from the curb of all abutting street(s) including the curb radius. Front lot lines are typically three (3) feet from the concrete curb but there are exceptions so check carefully.

**MODULAR OR MOBILE HOMES  
CC&R 3.4.4**

Minimum setbacks on side lot lines are not less than three (3) feet, rear yard setbacks are not less than ten (10) feet and front yards shall be not less than ten (10) feet from back of curb on all abutting streets.

**STORAGE SHEDS  
CC&R 3.5.2; 3.5.4; 3.19**

1. One storage shed not to exceed 120 square feet in size and constructed of wood or composition siding which matches the dwelling unit is permitted on a lot. Where lot size and/or configuration permits, a ~~larger~~ or an additional shed may be allowed; a permitted use for such expansion or addition may be storage of a golf cart. Aggregate square footage of all sheds shall not exceed 200 square feet. No shed may exceed ten (10) feet in height and a height matching the eave lines of the dwelling is recommended. Sheds must be following the Town of Prescott Valley requirements as well as the Village's setback requirements.
2. One garden shed or box may be permitted on any lot regardless of roof coverage. The cabinet size can not exceed 5 feet wide by 2 feet deep by 6.5 feet high (5'W X 2'D X 6.5'H). The cabinet must be portable and the same or a complimentary color to the house.
3. All sheds must conform to easement and set back requirements.

**RAIN GUTTERS/DRAINAGE  
CC&R 3.19**

Roof areas on all structures must be equipped with rain gutters and downspouts. Rain gutters and downspouts may be made of metal, PVC or fiberglass. This must be outlined in your Request for Change before final approval of the construction can be obtained.

When topography permits, all downspouts must drain to the street through underground lines or lined drainage channel. If not feasible, they may drain underground to drainage ways or natural runoffs into an easement area. **UNDER NO CONDITION MAY DOWNSPOUTS DRAIN ONTO A NEIGHBOR'S LOT** where damage to a dwelling or other improvements or landscaping could occur.

**SKIRTING  
CC&R 3.2.4; 3.3.5; 3.3.6**

All Park Models and M/M's must have wheels and axles removed and completed skirting in compliance with the Town of Prescott Valley requirements. Skirting material and color must be approved by the Committee and like the color and material of the unit. Wheels and axles may **NOT** be removed from RVs. Any skirting must be approved by the Committee.

All storage sheds and/or other outbuildings **must have skirting** or other permanent means of prohibiting access under the building by rodents, vermin or other animals either directly or by tunneling.

**PARKING ON ROCKS/GRAVEL  
CC&R 3.5.6**

In accordance with the CC & R's, Section 3.5.6, parking of cars and trucks must be on concrete or asphalt. Professionally installed concrete pavers will be accepted. No "rut-strips" of pavers or cement will be permitted, nor will just four (4) square pads (one for each tire), be permitted. Bicycles, motorcycles and golf carts are exempted and may be parked on rocks/gravel.

**POLITICAL SIGNAGE, BANNERS AND FLAGS**

All political signage must comply with City of Prescott Valley Political Sign Laws regarding size and display timeline schedule.

**PRIVACY SCREENS  
CC&R 3.22**

Privacy screens are allowed upon demonstration of a need to provide privacy in a specific area smaller than the entire yard. It is not a fence. Some typical uses would be for the home entrance area, a carport, patio, for a gazebo, pavilion, pergola, windows, spa or other locations approved by the Architectural committee. An owner may use wood lattices or sun screen material to provide shade, privacy or in landscaping if it does not interfere with an adjoining owner's enjoyment of his/her property. It must be of a color compatible with the residence and maintained in good condition. The square footage, height, location and color must be submitted to the Committee for approval.

**MISCELLANEOUS**

Temporary structures such as vinyl, canvas or corrugated metal or plastic used for free-standing carports or canopies are not permitted.

No grass lawns may be planted or sodded due to excessive water usage.

Roof skylight covers must be approved by the Committee prior to construction and must be painted to harmonize with the roof color.

Flag poles are permitted but are limited in height above ground to eighteen (18) feet, provided they are illuminated at night and otherwise comply with proper flag courtesy. Detailed plans must be submitted to the Architectural Committee.

Solar Energy panels may be installed on rooftops ONLY after Architectural Committee approval. Any Request for Change for deviation from this rule must be approved by the Architectural Committee and a Variance issued by the Association Board of Directors. The Villages is in Roof Load Zone 1 which is "middle" or 30 lbs. per square foot. It is suggested owner verify maximum load strength of roof before solar panel installation.