

Cobblestone Homeowners Association, Inc.

3131 East Ina Road

Tucson, Arizona 85718

ARCHITECTURAL CONTROL COMMITTEE

RULES, REGULATIONS

AND

RESTRICTIONS

&

GENERAL RULES AND REGULATIONS

***Revised
July 2024***

COBBLESTONE HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE (ACC)
3131 East Ina Road Tucson, Arizona 85718
Association Office Telephone (520) 989-3702

ACC RULES, REGULATIONS, AND RESTRICTIONS

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ACC RULES, REGULATIONS AND RESTRICTIONS

In accordance with the provisions of the Cobblestone Homeowners Association Covenants, Conditions, and Restrictions (CC&Rs) the Architectural Control Committee (ACC) is empowered to promulgate additional rules, regulations, and restrictions that will govern all proposed or constructed improvements, modifications to existing improvements, etc. This document constitutes those Rules, Regulations and Restrictions (RR&Rs) as adopted and enforced by the ACC and the Cobblestone Homeowners Association.

It is the responsibility of each property owner, resident, contractor, architect, or designer, who is contemplating a new home construction, or modifications to an existing single family dwelling which in any way changes the outside appearance of the single family dwelling or the property landscape, to obtain the latest version of this document and the related CC&Rs, so as to familiarize themselves with the process and procedures in both documents that they will be responsible to comply with. The latest copies of this document and the related CC&Rs are available from the Cobblestone Homeowners Association office at the location shown above and the HOA website <https://cobblestone-hoa.com>.

The CC&Rs adopted by the HOA Board establishes the following requirements for the ACC [previously defined above] and for ease of use are restated below, followed by the remaining rules, regulations and restrictions enforced by the ACC:

Text from CC&Rs, Article IV: Architectural Control

Section 1. Architectural Review by the Architectural Control Committee. Except for Improvements or alterations undertaken by the Association and interior modifications to existing structures, no building, fence, wall or other structure or Improvement shall be commenced, erected, or maintained upon the Property or any Lot, nor shall any exterior addition to or change or alteration thereto or to the Dwelling be made until detailed plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved by the Architectural Control Committee appointed by the Board. Review and approval by the Architectural Control Committee are necessary to ensure that such Improvement or alteration is in compliance with this Declaration and, to the extent possible, is in harmony with the surrounding topography and neighboring structures.

Section 2. Submission to the Architectural Control Committee. Except for interior modifications to existing structures, prior to making any Improvements upon a Lot, whether such Improvements are initial Improvements or later alterations, modifications, or other changes, an Owner shall be required to obtain the approval of the Architectural Control Committee. The Owner shall submit to the Architectural Control Committee two complete sets of plans for proposed Improvements, specifications (including exterior color schemes), and plot plans which shall include the locations

of Dwellings. Approval of the plans and specifications shall be evidenced by the written endorsement of the Architectural Control Committee made on the plans and specifications. A copy of the endorsed plans shall be delivered to the Owner of the Lot proposed to be improved prior to the beginning of construction. One set of plans and specifications shall be retained by the Architectural Control Committee. No changes or deviations in or from the plans and specifications, insofar as the exterior of the proposed Improvements is concerned, shall be made without the written approval of the Architectural Control Committee. After construction is completed, no changes shall be made to the Improvement, including no change of exterior color, without the written permission of the Architectural Control Committee.

Section 3. Architectural Control Committee Requirements. Except as provided in Section I of Article IV, all plans must meet the following minimum criteria and such further criteria as the Architectural Control Committee promulgates:

- a. Plans must be in accordance with the provisions of this Declaration;
- b. The location, style of architecture, exterior color schemes, height, and location of exterior lights shall be in harmony with the general surroundings of the building or structure or proposed buildings or structures on any Lot subject to this Declaration;
- c. Each Dwelling shall be located within a Building Site;
- d. Plans must be in sufficient detail to permit the Architectural Control Committee to make their determination;
- e. The roof of any Improvement or Dwelling shall be of the material or style compatible with the surroundings. White, light color, or reflective roofs shall be unacceptable. Flat roofs must be fully enclosed by parapet walls;
- f. Plans for Dwelling must include not less than a two-car garage;
- g. Plans shall include utility yards or enclosures in which all exterior heating and cooling apparatus, meters, clotheslines, mechanical equipment, tanks, space for trash or rubbish containers, and wood storage shall be located;
- h. All electrical service, telephone service, and telephone lines from the utility company lines shall be placed underground and no outside electrical and telephone lines shall be placed overhead. Service to the individual Building Site of such utility lines shall be designated by the Architectural Control Committee;
- i. No Improvement shall exceed one story in height or fifteen (15) feet above finished floor elevation, except that two-story structures may be allowed on certain Lots provided they are located so as to protect the views of surrounding Lots as much as is reasonably possible; and
- j. The Dwelling, not including other Improvements such as guest houses, swimming pools,

and off-site Improvements, shall consist of at least 2,500 square feet and not more than 12,000 square feet of floor space. The plans and specifications submitted to the Architectural Control Committee prior to the construction of a Dwelling must contain the Dwelling's total square footage.

Text from CC&Rs, Article V: Use Restrictions

Section 1. Applicability of Use Restrictions. Except as provided in Article IV, Section 1, or elsewhere herein, the Property and every portion thereof shall be subject to the use restrictions more particularly set forth in this Article. No portion of the Property may be used for other than single-family residential purposes, and all Dwellings shall be of first-class construction. NO manufactured home, mobile home, prefabricated home or Dwelling shall be permitted anywhere upon the Property. All use restrictions of this Declaration applicable to Owners shall be deemed applicable and enforceable against any resident or occupant as well.

Section 2. Structures or Improvements on Property Prohibited. No structures or Improvements whatsoever, except public utility facilities and common facilities built by the Association, shall be erected, placed, or permitted to remain on any portion of the Property which does not constitute a Lot. Nothing contained herein shall be construed to prevent the Association from erecting, placing, or maintaining signs, structures, and offices as may be deemed necessary for the operation or development of the subdivision.

Section 3. Dwelling and Garage. No structures shall be erected, altered, placed, or permitted to remain on any Lot other than a Dwelling for private use, together with other customary Improvements as approved by the Architectural Control Committee. A minimum two-car garage with a garage door shall be constructed on every Building Site before the Dwelling constructed thereon is occupied. All garages shall be maintained as such unless the Architectural Control Committee approves its use for some other purpose.

Section 4. Removal of Native Vegetation Prohibited. The native growth of the Property, including cacti, mesquite, and Palo Verde trees, shall not be destroyed or removed from any of the Lots by any of the Owners, except removal of native growth as may be necessary for permitted and approved Improvements or for the removal of diseased or dead native growth. In the event that growth is removed or destroyed without the approval of the Architectural Control Committee, or which is not necessary for the construction of Improvements, the Architectural Control Committee may require the replanting or replacement of the same at the Owner's expense.

Section 5. Dwelling and Improvement Setbacks. No Dwelling or any portion thereof shall be located closer than fifteen (15) feet from any adjacent property line and thirty (30) feet from any abutting street line. No fence or wall on a Lot shall exceed six (6) feet in height from the natural ground line. Any planting used to form a hedge will be subject to the same set back and height requirements as applied to a fence or wall. Fences and walls shall be constructed from the same material as used for the Dwelling. No Improvement on a Lot shall be located less than seven and one-half (7 ½) feet from any property line.

Section 6. Dwelling and Improvement Requirements. Each Dwelling and other Improvements shall be built and maintained as follows:

- a. All private driveways shall be treated and maintained with a minimum of one and one-half (1 ½) inches of concrete, asphalt, pavers, aggregate, or a combination of the same, but the use of gravel, rocks, or crushed rocks is prohibited;
- b. All exterior lighting must comply with the Rules, Regulations, and Restrictions established by the Board;
- c. All mailboxes shall be of uniform shape, size, color, and lettering showing street numbers and design as designated by the Association;
- d. Upon completion of the Dwelling upon a Lot, each Owner shall install an electric light of a design approved by the Architectural Control Committee at the top of the mailbox monument and shall maintain this light and keep it lit during the hours of darkness;
- e. All grass and other ground covers shall be concealed from view and be of a variety recognized as pollen-free;
- f. All trees and other vegetation planted on a Lot shall be kept trimmed to a height which will not materially interfere with views from neighboring Building Sites, all as further set forth in additional Rules, Regulations and Restrictions established by the Board; and
- g. All Improvements shall be maintained in accordance with the original plans submitted to and approved by the Architectural Control Committee.

Section 7. Removal of Water and Minerals; Drilling of Wells Prohibited. No water or minerals of any kind including sand, gravel, oil, natural gas, metals, or otherwise may be removed from the Property for commercial purposes or for resale nor may they be removed in substantial quantities for any reason, except when necessary for the construction of Improvements as approved by the Architectural Control Committee. No new well may be drilled upon any Lot. Notwithstanding the foregoing, nothing herein shall prevent the continued use of an existing and lawful domestic well or the repair or improvement of the same, or the drilling of a replacement well for an existing well, all to the extent permitted by applicable law.

Section 8. Placement of Air Conditioning Units, Etc. No mechanical equipment including evaporative coolers, air conditioning equipment, heating equipment, ducts, or collectors shall be placed or installed or maintained on the roof or wall of any Improvement on a Lot, including the Dwelling. All such equipment, wherever placed, shall be concealed from view from abutting streets and other Lots.

Section 9. Height Limitation of Improvements. No structure or Improvement of any kind shall exceed the height of the roofline of the Dwelling located on the Lot unless otherwise approved by the Architectural Control Committee.

Section 10. Storage Tanks. No tanks of any kind, including water tanks and fuel tanks, shall be permitted upon any part of the Lot unless the same is completely concealed from view from abutting streets and neighboring Lots.

Section 11. Trash Storage and Collection. All Owners shall keep all trash containers concealed from view at all times, except if placed adjacent to the garage or dwelling on trash collection days. No container may be left out after the collection day. All Owners must subscribe to a single trash collection company that services the entire subdivision, as selected by the Board. All owners of occupied Lots shall be responsible for any costs associated with the trash collection services. Any Owner with a double Lot shall only be required to pay a single fee for the trash collection services. Any Owner of a vacant Lot will not be required to participate in the trash collection services. Trash must never be placed on the street for collection. No other waste management services may be contracted by an Individual Owner.

Section 12. Timing of Construction of Improvements. No Improvements may be constructed on the Lot unless made simultaneously or after the erection of a Dwelling.

Section 13. Tennis Courts and Guest Houses. Tennis courts or guest houses may be permitted on a Lot but only with the prior written approval of the Architectural Control Committee.

Section 14. Temporary Structures Prohibited: Storage of Recreational Vehicles. No temporary house, dwelling, garage, out-building, house trailer, commercial equipment of any kind, tent or other structure shall be placed permanently or temporarily on any portion of the Property. Without limiting the foregoing, construction trailers, sanitary facilities, waste containers, and construction equipment may be placed temporarily within the Property during periods of construction and at reasonable locations designated by the Board within its sole and absolute discretion.

Boats, campers, trailers, motor homes and recreational and other vehicles must be stored within an enclosed structure approved by the Architectural Control Committee; provided, however, any boats, campers, trailers, motor homes and recreational vehicles may be parked temporarily upon a Lot within appropriate driveway areas for the purposes of loading and unloading only, and as further provided in the Rules, Regulations and Restrictions. Certain limited overnight storage for one (1) night of such recreational vehicles may be permitted upon a Lot upon the prior written approval of the Board so long as the recreational vehicle is not used thereon as sleeping quarters.

Section 15. Occupation and Construction of Dwelling and Improvements. No Dwelling shall be occupied in any manner before the construction of the same is fully complete. Construction of Improvements shall be prosecuted diligently from the commencement thereof until completion. Any structure damaged by fire or other cause shall be repaired, replaced or removed and the commencement of such restoration, construction, or removal thereof shall begin within three (3) months from the time of damage. All restoration, construction, or removal of the damaged structure and the Lot shall be completed no later than nine (9) months from the date of the damage or destruction. With the approval of the Architectural Control Committee, an Owner of damaged Improvements may elect to fully restore the Lot, clean away all debris, and re-vegetate the Lot so that the Lot appears to remain in a natural state.

Section 16. Animal Restriction. No birds, fowl or other animals of any kind other than customary domesticated household pets belonging to the Owner shall be kept or maintained on any part of the Lot. In no event, however, are more than two dogs or cats, either of which is more than ten weeks old, permitted on a Lot. The Association shall have the right to order the removal of any animals which may be objectionable to the other Owners on adjacent properties. The owners of those animals must remove them from the Lot upon demand by the Association. All dogs shall be kept on a leash when outside of the Dwelling or enclosed patio. No horses shall be kept in the subdivision.

Section 17. Objectionable Motor Vehicles. No motor driven vehicles of any kind shall be kept or operated on any part of the Lot if the use of that vehicle or the operation of the vehicle is unreasonably disturbing to the Owners of any neighboring Lot. The Association shall have the right to order the removal or cessation of use of such vehicle which is objectionable. Vehicles which are unreasonably loud or emit unreasonably noxious odors shall be deemed objectionable. The Section is subject to the provisions of A.R.S. §33-1809 pertaining to the parking of public service, public safety and other vehicles.

Section 18. Unreasonable Noise or Nuisance. No person shall operate any equipment or do any action which creates unreasonable noise or is in any way unreasonably offensive to the senses. Except for the lighting of street signs, no light shall be located so as to shine on the Lot of another Owner or common areas.

Section 19. Signs. No signs, other than the name of the Owner and address, may be erected or placed within the Lot except such signs as are permitted by the Architectural Control Committee, and except for signs which by Arizona law may not be prohibited or regulated, including such provisions of Arizona law that apply to "for sale" signs, cautionary signs regarding children, and other signs.

Section 20. Certain Home Occupations Prohibited. No gainful occupation, profession, trade, or other nonresidential use shall be conducted on or in any Lot unless (i) the existence or operation of the business activity is not apparent from the outside of the Lot and no sound or smell from the outside of the Lot is detectable; (ii) the business activity conforms to all zoning requirements for the Lot; (iii) the business activity does not involve traffic by persons who do not reside therein, nor regular arrival of employees of the Owners; and (iv) the business activity is lawful and consistent with the residential character of the subdivision and does not constitute a nuisance or hazard or offensive use within the Property.

Section 21. Antennae, Satellite Dishes, Etc. No television, radio, or other electronic towers, aerials, antennae, satellite dishes or device of any type for the reception or transmission of radio or television broadcasts or other means of communication shall hereafter be erected, constructed, or placed on any Lot or upon any Improvements thereon, except that this prohibition shall not apply to those antennae specifically covered by 47 CFR Part 1, Subpart S, Section 1.4000 (or any successor provision) promulgated under the Telecommunications Act of 1996, as amended from time to time.

The Association shall be empowered to adopt, within its Rules, Regulations and Restrictions, appropriate rules governing the types of antennae that are permissible hereunder, and to establish reasonable, non-discriminatory restrictions relating to location and safety of antennae structures. To the extent that reception of an acceptable signal would not be impaired, an antenna permissible pursuant to the Rules, Regulations and Restrictions of the Association may only be installed in a side or rear yard location upon a Lot, not visible from a neighboring Lot, or integrated with the Improvements and surrounding landscaping to prevent or limit such visibility. Antennae shall be installed in compliance with all applicable laws and regulations.

Section 22. Solar Equipment. The Association recognizes the benefits to be gained by permitting the use of solar energy as an alternative source of electrical power for residential use. At the same time, the Association desires to promote and preserve the attractive appearance of the Property and the improvements thereon, thereby protecting the value generally of the Property and the various portions thereof, and of the various Owners' respective investments therein. Therefore, subject to prior approval of the plans therefore by the Architectural Control Committee, such approval to be subject to the restrictions of applicable law, solar collecting panels and devices may be placed, constructed or maintained upon any Lot within the Property (including upon the roof of any structure upon any Lot), so long as and to the extent possible, the visual impact of such solar collecting panels and devices are minimized. The Board may adopt rules and regulations regarding the preferred placement of the solar equipment. The restrictions in this Section 22 shall be subject to any limitations imposed by law.

Section 23. Preapproved Improvements or Structures. Nothing herein is intended nor shall be interpreted to require the re-submittal or re-approval of any existing and previously approved Improvement or structure within the subdivision, including any existing, approved antennae, satellite dish, or device of any type for the reception or transmission of radio or television broadcasts or other means of communication, nor shall anything herein declare the same to be nonconforming or a violation of this Declaration.

Text from CCRs, Article VI: Easements

Section 1. Perimeter Easement. The Declarant has heretofore established and reserved, for the benefit of the Association, a perpetual ten (10) foot easement along the outer perimeter of the Property for the purpose of building and maintaining, at the sole election and discretion of the Association, fences, walls and other Improvements or devices, if any, which may be necessary in the Association's sole discretion to control access to the Property. No Owner shall alter or in any way damage such Improvements, if any, within said easement.

Section 2. Utility Easement. An easement upon and over the seven and one-half (7 1/2) foot perimeter of each and every Lot is hereby established and reserved to the Association for utility purposes, with access thereto for installing, repairing and maintaining all facilities necessary for such purposes.

Section 3. Sidewalk Easement. The Declarant has heretofore established and reserved in favor of the Association a ten (10) foot easement running along the property line of each Lot which is adjacent to a private street as shown on the subdivision plats for the Property for the purpose of

constructing, installing and maintaining landscaping, sidewalks and such other Improvements as the Association may deem necessary, provided, however, that nothing herein shall obligate the Association to construct or maintain any such landscaping or Improvements in such easement areas.

A. ARCHITECTURAL CONTROL COMMITTEE SUBMITTAL GUIDELINES

The following provisions apply regarding all submittals to the Cobblestone Architectural Control Committee (ACC).

1. Before any Design Modification Request (DMR) form submittal can commence, the Applicant must be current in assessments to the Association with no outstanding indebtedness or legal issues related to the property.
2. Any plans approved by the ACC must be implemented with the start of construction within 12 months of approval. If construction has not begun within the 12 months, then the approval given by the ACC is invalid. In the instance of an invalid approval, a new Plan Review Fee must be paid, however a new Builder Fee need not be paid except to the extent that the amount charged as a Builder Fee may have increased since the original fee was submitted. Construction of all improvements shall proceed in a reasonable, uninterrupted, and diligent manner once initial construction has commenced. Construction will then proceed in a timely way until the entire project is completed to the satisfaction of the ACC. Toward that end, a proposed construction schedule illustrating approximate start and completion dates for all major phases of construction shall be submitted as part of the pre-construction and site staking review phase, as described in Section K. In the event where any proposed or partially constructed improvement is delayed, abandoned, or otherwise not pursued in a timely way for a period greater than 3 months, the ACC reserves the right to require the property owner to return the property to an acceptable pre- construction condition or otherwise mitigated as determined in the sole discretion of the ACC. All costs related to such are the responsibility of the property owner.
3. Relative to new single-family dwelling construction plans with ACC approval, all landscaping, pools, walls and other detached improvements must be completed within twelve (12) months from the date that the new single-family dwelling is occupied. If such other landscaping, pools, walls and other detached (improvements) are not completed by that date their approval is invalid and it will be necessary for the Homeowner to submit the plans for such remaining projects as separate submittals with additional Plan Review Fee and Builder Fee due. Whatever rules are established by the ACC in the interim, which may impact the resubmitted plans for landscaping, pools, walls and other detached improvements shall control the plan review process. There will be no “grand fathering” of design provisions as a consequence of the earlier plan submittal done for the drawing itself, even if other landscaping, pools, walls and other detached improvements were at that point a part of the submittal package.
4. Submittal of plans for a new single-family dwelling, and/or other categories as described in Section F: Fee Summary for ACC Projects and listed on Table F. Fees and Deposits

inclusive of plans for landscaping, pools, walls and other detached improvements will carry a Plan Review Fee and is payable at the time of the initiation of the Design Modification Request application. In addition, a Compliance Deposit and a Builder Fee as described are required prior to the start of construction as part of the pre-construction and site staking review phase, described in Section K. No construction equipment or personnel will be allowed access to the site until the Association has received and completed their review of the pre-construction and site staking review phase as outlined in Section K. All submittals to the ACC will consist of one digital copy and two (2) sets of Size E Arch drawings and accompanying documentation, which will be retained by the Association. In conjunction with a submittal for a new single-family dwelling, and other categories of construction, a copy of any required Pima County Building Permit approval must be provided as part of the pre-construction and site staking review phase, as outlined in Section K. Once construction of the final approved plan is completed, two (2) members of the ACC must sign the DMR form (Attachment 1) to indicate approval of the final constructed and built plan.

5. If submitted separately from the plans for a new single-family dwelling or if construction occurs six (6) months after the new single-family dwelling is occupied, a landscaping plan shall require a Plan Review Fee as defined in Section F. The ACC will assess the scope of project (e.g., new homes, landscape plans, swimming pools, exterior home re-painting, roofing, window and door replacement, patio walls, shade structures, solar energy or any other improvements) to determine applicable Plan Review Fee and appropriate Builder Fee and Compliance Deposit. The ACC reserves the right to adjust the above outlined fee values as deemed appropriate.
6. Landscape plans shall be submitted and follow the Cobblestone Landscape Design and Plant List in Attachment 2 and 3, respectively. Any such landscaping plans can include structures that do not exceed the height of the existing patio wall. However, such a landscape plan for the level of fees set forth is not to include patio walls or any form of improvement which would require field visits by the ACC and or its Consulting Architect. It is the responsibility of each Homeowner to consult the ACC in advance as to whether or not the landscaping effort proposed is in fact on such a scale that the ACC in its sole discretion requires a landscape review. See Section F. The sole intent of the ACC is to preserve the environment of Cobblestone not to constitute any obstacle that would thwart continued improvements of any and all Lots within Cobblestone.
7. No landscape plan is required if the Homeowner merely intends to replace inferior or dying plants with ones of a “like kind” or add earthen-toned decomposed granite. However, to the extent the landscaping effort represents a “change in kind” of landscape materials and/or represents a project of significant scope where a Homeowner would prudently prepare a landscape plan, such an effort must be submitted to the ACC for review.
8. The construction of a single-family dwelling addition, garage, or any other improvements where one (1) or more solid walls are erected above the height of a pre-existing patio wall and/or with square footage greater than one hundred (100) square foot will require the same level of review as is applied to plans submitted for a new single-family dwelling. As a

consequence, a Plan Review Fee and a Builder Fee will be required. See Section F-Table F: Fee and Deposit Schedule.

9. Plan Revisions and/or submittals made after the final plan approval process requires an updated plan revision submittal and fee, see Section F.

B. ACC RULES, REGULATIONS AND RESTRICTIONS (RR&Rs)

The following Rules Regulations and Restrictions represent the guidelines by which the ACC maintains and enhances the living environment of Cobblestone for the benefit of all its residents. These rules represent a distillation of professional architectural and planner advice and the experience of the ACC.

1. Articles IV, V, and VI of the Cobblestone Homeowners Association's CC&Rs are incorporated into these RR&Rs by reference.
2. HDZ Forty-two lots in Cobblestone are subject to Pima County Hillside Development Overlay Zone Ordinance. Homeowners shall be responsible to determine if their lot is subject the HDZ requirements and it is their responsibility to follow these guidelines and incorporate into their DMR. A map is available at the HOA office indicating the lots that are subject to these regulations. The link to this the website: <https://cobblestone-hoa.com>.
3. Height Limitations of Structures. The maximum allowable height of any structure to be constructed upon property within Cobblestone is fifteen (15) feet from the original natural grade at the centroid of each such improvement to be constructed. Where proposed improvements exceed the fifteen (15) feet height limitation in part or in whole the ACC will require that the structure be depressed into the site so that fifteen (15) feet height will be maintained above the centroid elevation.in concept. See Attachment 4 and Section E for the elevation approval, reconciliation, and verification process.
4. Square Footage. A single-family dwelling including garage, storage, and covered patio/porch spaces shall contain not less than 3,500 square feet of ground floor building area or more than 12,000 square feet of ground floor building area. Detached structures such as guest house, pool house, ramada or others shall not exceed 1,500 square feet of building area and must be separately evaluated for floor elevation centroid and allowable height. The plans and specifications submitted to the ACC prior to the initiation of construction must contain detail, which explains the derivation of the single-family dwelling's total square footage.
5. Two Story or Split-Level Homes. Split-level or two-story home designs may only be considered for approval if the design is applied to lots with appropriate sloping, complies with the fifteen-foot height limitation, and when the impact on the surrounding sites does not significantly obstruct the views of the adjacent Owners. The fifteen (15) foot height limitations from the centroid must be maintained.

6. Setbacks. Article V Section 5 of the CC&Rs provide “No single-family dwelling shall be located in such a manner that any part of such dwelling shall be closer to any property line than fifteen (15) feet provided such dwelling shall be located not less than thirty (30) feet from the street line...” This shall be interpreted, where the Lot is fronted by two (2) or more streets in the following manner; Once the determination of the front yard is made either side or rear yard is made whether by the Applicant or established by Pima County, then the other sides of the Lot shall be defined as either side or rear yards and shall have the appropriate setbacks, either fifteen (15) feet or forty (40) feet respectively and the thirty (30) feet will be maintained from the front yard unless unusual circumstances require otherwise.
7. Homes on Corner Lots. The CC&Rs require that thirty (30) foot setbacks be maintained from both streets on a corner Lot. This can promote difficulty in the placement of the home. On occasions the ACC will waive the thirty (30) foot requirement on the lesser or secondary road frontage. As always, any such waiver will be judged on a case-by-case basis and at the sole discretion of the ACC.
8. Patio Walls. Will be limited as viewed from the outside of the Lot to maximum of six (6) feet above the native levels. The ACC will consider variations in height where the native ground levels undulate. Patio walls, screen walls, balconies and other structures are to be constructed of the same material and application as the single-family dwelling.
9. Garages. While the CC&Rs stipulate that each single-family dwelling shall “include not less than a two-car garage,” it has been the ACC’s practice to energetically urge that each single-family dwelling instead have a three-car garage at minimum. To the maximum extent possible the ACC will urge that garages do not face towards any roadway. With respect to corner Lots the ACC will urge that any driveways, if facing a roadway, face toward the secondary roadway and not the primary roadway. Primary roadways are determined by the manner in which the home will be oriented on the Lot relative to the two contiguous roadways.
10. Driveways. Acceptable driveway materials are a minimum of one and one half (1-1/2) inches of either concrete, asphalt, pavers, aggregate, or a combination of same. The use of gravel, rocks or crushed rock is not allowed. Street Cutouts for maintenance and/or guest parking must be approved by the ACC. These are strongly discouraged and will be reviewed on an exception basis.
11. Elevated Lights. There are to be no elevated lights erected with regard to approved tennis courts, sports courts, basketball nets or any other sporting equipment and Lot improvements.
12. Wall Paint or Material Colors. As specified in the CC&Rs all exterior colors whether a part of the original plan submittal or through subsequent desired change in exterior single-family dwelling color, the light reflective value (LRV) must be submitted in advance to the ACC through the completion of the Design Modification Request Form (DMR Attachment 1). The ACC will require the Homeowner provide the name of the paint

manufacturer, the exact specification number and a manufacturer color chip. The ACC may require that the Homeowner provide a larger surface than merely a color chip from which to judge the acceptability of a color, including the possible requirement that a large sample patch be painted on the dwelling for review by the ACC. Customized paint colors shall document on the DMR the color specification including a LRV which must be less than or equal to 60% , and painting a large patch painted on the dwelling for review by the ACC. The Homeowner must provide written documentation as to the reflectivity of the paint color from the manufacturer or verification of the LRV by the contractor. Reflectivity must be less than or equal to sixty (60) percent and shall be an earthen tone.

13. Roof Colors. Roof replacement or restoration will be submitted to the ACC for approval through completion of the Design Modification Request (DMR). The color of any roof is to be approved by the ACC in its sole discretion. As with the exterior walls the LRV of the roof coating must be less than or equal to (60) percent.

The ACC will not approve the use of white roof coatings as the LRV is greater than 60%.

Acceptable products as reviewed by the ACC are listed below, if using another product, it is up to the applicant to prove the LRV is less than 60%:

- a. Tucson Rubberized Coatings: Dura-Coat Roof Coating Product No. 6000-T in Tan.
- b. Tucson Rubberized Coatings: Perma-Coat Roof Coating 7000-T in Tan.
- c. Home Depot: Henry Tropi-Cool 100% Silicone in Desert Tan.
- d. Home Depot: Henry 288 Solar-Flex Tan Roof Coating in Desert Tan.

14. Mailbox Monument Colors. The colors are to be Dunn Edwards, Evershield, Spanish White Number 21 on the precast concrete and Dunn Edwards, Evershield, Roman Brick, on the main structure, on all Concrete Masonry Units.

15. Mailbox Monument Design Standards: See Attachment 5.

Mailbox Monuments are to be constructed using the masonry callouts in Attachment Two (II). Mailbox Monuments are not to be constructed using wood or wood substitute products. The structure is to be reinforced with a minimum of Number 5 size (625 in.) rebars extending from the footer to a height of 24 inches above grade into the columns and 12 inches above grade into the lower base spaced in two rows on 6-inch centers. All exposed rebar shall be covered with plate/mushroom caps during construction.

16. Mailbox Light Fixtures are to be Progress Lighting Company Description: Welbourne Model P5482-31 Available from: Illuminations, Tucson, AZ. See Attachment 6. If the model is sold out contact our Community Association Manager.

Mailbox lamps shall be connected to either a photocell within the light fixture or remotely to assure the lamp remains lighted from dusk to dawn every day of the year. See Mailbox Monument Light Fixture, Attachment 6.

17. Utility Lines. They are to be laid from the single-family dwelling to the street through the use of driveways to avoid unnecessary destruction of desert flora. This will also save the Applicant appreciable expense in revegetation of disturbed areas. The ACC will entertain waivers to this rule where it becomes necessary to lay sewer lines on a separate route so as to achieve an adequate gradient and avoid the requirement of an ejection system but shall require revegetation in those instances.
18. Enclosures. Utility meters, pool equipment, trash, recycle containers and other service equipment are to be screened from view with walls matching the single-family dwelling, not by a landscape solution.
19. Curb Cut Design Standard. Curb cuts shall be designed to achieve safe entry and exit to and from the street, a maximum 36 foot wide curb cut driveway entrance from the street curb; a drive elevation minimum of 6 inches above street elevation to support appropriate drainage, 10 foot new Curb Radii; a maximum 16 foot drive width; and a design that provides 10 foot minimum distance from the property line before any parking area space is provided. See Curb Cut Design Standard Attachment 7.
20. Antennae (Covers all types of Antennae, Dishes or Radio Masts). The ACC shall be allowed to empower rules governing the types of antennae, which are permissible in accordance with 47CFR part 1, Subpart S. Section 1,4000 under ACT of 1996. The objective is to strive to keep all types of antennae non-visible from neighboring Lots and from the street, unless the signal is being impaired, at which time a compromise location should be identified.
21. Solar Applications. Please refer to the Attachment 8 at the end of this Section in reference to Solar Equipment.
22. Landscape Plans. These plans shall be required prior to the ACC's final approval of plans for the single-family dwelling. The landscape plan shall demonstrate that any drainage of water from the property will not flow across or into any neighboring Lots. All major and minor landscape projects require completion of the DMR form and shall be submitted to the ACC for approval. See Attachments 2 and 3.
23. Height Limitation of Trees. Any trees proposed in a landscape plan must be discussed with the ACC by the Owner for express written approval. Trees proposed on any new landscape plans shall be documented on the DMR form and submitted to the ACC for approval. The Owner shall document the tree heights above the original native and centroid grade of the improved lot. The maximum allowable tree height is 15 feet. The ACC will evaluate the 15 ft maximum from the native and centroid grades. The mature tree height and its potential to obstruct the neighboring views will be considered. All trees and other vegetation planted on a Lot must be kept trimmed to a 15 ft height to ensure the location and height will not materially interfere with views from neighboring Lots.

Trees affecting neighboring views are in violation of Article V, Section 6 (f) of the CC&Rs. Legacy trees planted (prior to the adoption of the May 2022 Landscape Design and Plant list) in excess of the 15 ft. height are grandfathered but shall be trimmed annually

to optimally limit tree height to 15 feet. Palm trees in excess of 15 feet shall be trimmed annually to remove dead fronds and limbs. If a tree on a neighboring Lot is thought to affect an Owner's view, it is encouraged that the Owner notify the Owner of the property on which the tree is located and to request remediation. Remediation advice between homeowners can be gained through consultation of a landscape architect, arborist and/or suggestions from the ACC. If the parties cannot resolve the issue between themselves, the dispute may be submitted to the Community Association Manager where tree maintenance, neighboring views and height restrictions as stated in the CC&Rs will be enforced. The ACC will review the dispute and provide a recommendation to the HOA Board for enforcement purposes.

Please Note: Any Resident planning to install trees shall first consult the Cobblestone Approved Plant List. Copies are available on the HOA website and in the HOA Office. Also, approximately 42 of the 120 lots in Cobblestone are subject to the Pima County Hillside Development Zone (HDZ: see Cobblestone website documents). Homeowners are responsible for submitting plans for approval to Pima County. Compliance and enforcement are the responsibility of Pima County.

24. Construction Operations. The Applicant and General Contractor shall jointly assure that the Cobblestone Construction Rules, Regulations & Restrictions per Section C, governing all construction personnel in Cobblestone are enforced.
25. Notification Period. The ACC Chairman through the Community Association Manager shall notify all Owners of each completed preliminary plan submitted, reviewed, and approved by the ACC. All new single-family dwelling, major remodels, solar panel, pools, walls construction or removal, driveway construction shall be included in the notification process. Depending on scope of minor projects, the ACC shall determine if the notification process shall apply. Owners shall have twenty-one (21) calendar days to submit written inquiries or comments to the ACC before any final plan approval is rendered. Plans will be located in the HOA Office for review or digital pdf if requested and approved by the ACC.
26. Pickleball Courts, Tennis Courts & Basketball Courts. Pickleball courts shall not be permitted to be built or placed permanently on any portion of a homeowner's lot. Tennis Courts may be permitted on a lot but only with the proper written approval of the Architectural Control Committee. Pre-existing tennis courts must be properly maintained and cannot be allowed to fall into disrepair. Preexisting tennis courts must be maintained pursuant to Article V, Section 6. Failure to maintain tennis courts in existence on the date of this amendment are subject to the Association's enforcement rights in Article VII, Sections 1 and 3. The placement of a temporary or movable basketball hoop and net on a homeowner's property shall be permitted, provided that the hoop and net is not installed permanently and must be removeable. Preexisting permanently installed, basketball hoops and nets, shall not be required to be removed. However, to preserve the quiet enjoyment of the Community, use of the hoop shall be restricted to the hours of 8:00 AM to 5:30 PM daily.

27. Residence Occupancy. Prior to the final approval of the single-family dwelling by the ACC, the Applicant or General Contractor shall submit a copy of the Pima County Building Codes final permit sign off and shall request in writing that the ACC perform a post construction inspection prior to actual occupancy of the single-family dwelling.
28. Garage and Driveway Parking. The parking rules for Cobblestone streets (which include cul de sacs and street cut-outs) are described in General Rules and Regulations. The rules are designed for safety and convenience to assure consistent access throughout the neighborhood for residents, visitors and emergency and service vehicles. The rules also help maintain the appearance of Cobblestone. Residents should have the proper amount of garage space for their personal vehicles. Therefore, they may not leave their personal vehicle in their driveway, any pullouts, on the street or cutouts for more than 24 hours. Homeowners must register their guests with the gate house if they are visiting for more than 24 hours. The guest vehicle may be left outside in the resident's driveway, but not for more than 13 nights. Extensions or special circumstances may only be approved by the Board.

See General Rules and Regulations: Cobblestone Parking: HOA and Private Parking

C. CONSTRUCTION RULES, REGULATIONS & RESTRICTIONS:

Cobblestone, a private community, enforces the following Rules, Regulations and Restrictions established by the Homeowners Association Membership and infractions of these Rules, Regulations and Restrictions by either construction or service personnel will result in their loss of access into this subdivision for a period of time to be determined in the sole discretion of the ACC.

Note: No soliciting is allowed in Cobblestone at any time.

1. Sub-Contractors List: For a new single-family dwelling, the General Contractor will provide a list of all Sub- Contractors as part of the pre-construction / site staking submittal and continue to update it as work progresses, see Section K. The ACC reserves the right to require a similar Sub-Contractors list for other projects of more limited scope.
2. Tractor-Trailers: Because of short radius turns no tractor-trailer combination whose trailer length is in excess of forty feet is allowed access. In addition, no steel tracked vehicle is allowed on Cobblestone streets.
3. Parking: Parking is limited to one (1) side of any street by construction or service personnel. This area to park will be determined by the General Contractor and approved by the ACC as part of the pre-construction and staking review phase, see Section K. No parking is permitted within twenty (20) feet of any resident's driveway or mailbox or within 15 feet of the curve. Parking is on one side of the roadway only and there is no parking on any cul-de-sac and no parking is permitted off roadways unless it is on the construction site itself.

Construction Deliveries: All construction deliveries will be permitted Monday through

Friday from 7:00 a.m. to 6:00 p.m. only. No construction is permitted on Saturday, Sunday, Holiday or non-workday as defined below:

**New Year's Day – Memorial Day – Independence Day – Labor Day
Thanksgiving Day – Christmas Day**

If one of the above holidays falls on a Saturday, then the preceding Friday will also be a non-workday. If one of the holidays falls on a Sunday, then the following Monday will also be a non-workday.

This holiday work schedule does not apply to service personnel such as appliance repair, security systems people or exterminators employed by the Association or residents, however, loud noise from equipment and vehicles is not acceptable except in cases of emergency situations only. Backhoe operation, tree trimming, mowing and other exterior services that create excessive noise should be rescheduled for Monday through Friday 7:00 a.m. to 6:00 p.m. and then only if the day selected is not a part of the holiday work schedule above.

The Applicant, General Contractor and Architects “only” are permitted access for meetings on these days but no construction work, construction equipment or deliveries will be permitted.

4. Work Hours: The Construction work hours are from 7:00 am. to 6:00 pm. Monday through Friday. The ACC Chairperson, at his/her sole discretion, may waive or set different construction hours on a project specific need basis, based on extraordinary conditions. Speed Limit: The speed limit under normal conditions speed is 25 M.P.H. It is less during inclement conditions. The speed through the gatehouse area is reduced to 15 M.P.H.
5. Association Office: The Association Office building will not be used by construction or service personnel and no construction equipment or vehicle parking is permitted in the two (2) parking lots adjacent to the building on the east and west side, except when authorized by the Gate House Attendant.
6. Gate Attendant Telephone: A telephone designated by the gate attendant may be used by construction or service personnel in an emergency only.
7. Upon entry into Cobblestone off North Campbell Avenue and exit from Cobblestone onto North Campbell Avenue all traffic signs must be observed. Large trucks, and buses only will be exempt from correct traffic flow at traffic circles and the street fountain on East Ina Road, but they must come to a complete stop prior to entering the wrong traffic lanes, to prevent accidents and allow proper right of way for oncoming traffic.
8. Within this subdivision counterclockwise traffic flow must be observed in all cul-de-sacs. All traffic must obey the traffic signs. Private residential driveways will not be used for turn around areas by anyone.

9. Radios, tape players, CD players and/or any other type of music device shall not be used on the exterior (outside) of any home.
10. Construction and service personnel with a dog(s) will not be permitted access into Cobblestone.
11. Car, truck, or other vehicle telephones are not permitted to “ring” by blowing the vehicle horn. Blowing of horn is not permitted to “ring” anyone throughout the community at any time.
12. Erosion during construction from unpaved driveways or other cleared areas, spillage from trucks, equipment and tracking by vehicles or equipment onto paved streets, sidewalks or other private property is not allowed. Timely cleanup is the responsibility of the Applicant and General Contractor.
13. During the construction phase, storage of equipment or material and installation of construction fencing shall be confined to the property limits as outlined in Section K. Common area owned by the Association may not be used for this purpose. A small temporary building or trailer as may be deemed necessary by the Applicant / General Contractor for the daily operation and security of the property may be permitted as approved in the sole discretion of the ACC.
14. Portable rest room facilities are to be located on the Lot under construction in the least conspicuous manner possible, ideally no closer than thirty (30) feet from roadways and adjacent property lines.

D. OUTDOOR LIGHTING GUIDELINES AND SPECIFICATIONS

Part of the benefits of living in Cobblestone is the quiet serene environment that we all enjoy. If not controlled, this serenity can easily be destroyed by high illumination from a neighbor’s home and to this we wish to address our guideline.

With the help and guidelines of the International Dark Sky Association, which works closely with Pima County in developing parameters, the following direction is made part of this document. For further information please refer to the following link to Pima County dark sky requirements. (see Cobblestone Website: ACC community documents for Pima County lighting)

1. Cobblestone is considered an LZ 1 Zone (re: Ordinance 2004.1 Int’l Dark Sky Assoc.2004) a developed area in a natural setting with the exception of the use of unshielded low voltage landscape lighting. To this end we should comply with the following guidelines for single-family residential maximum lumens and shielding requirements.

Lighting Zone	Fully Shielding	Shielded	Partly Shielded	Unsheilded
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LZ 1	950	650	650	Low Voltage Landscape Lighting
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2. Definitions:

Fully Shielded = A luminaire emitting no luminous flux above the horizontal plane.

Shielded = A luminaire emitting less than 2% of its luminous flux above the horizontal plane.

Partly Shielded = A luminaire emitting less than 10% of its luminous flux above the horizontal plane.

Unshielded = A luminaire that may emit its flux in any direction.

3. Units in this table are lumens per lamp. 650 lumens are approximately a 9-watt compact fluorescent lamp (CFL) or 40-watt incandescent lamp or a 10-watt LED lamp. 950 lumens are approximately a 13-watt compact fluorescent lamp (CFL) or 60-watt incandescent lamp or a 15-watt LED lamp.
4. This guide is offered to primarily control light trespass or spill light that falls outside the boundaries of the Lot on which it is located. You will also note that we recommend blanket lumens per acre allowance, but that it is ONLY when applied to landscape areas on the Lot. It may not be transferred from un-landscaped areas as has been done in the past.
5. All lighting installations are to be installed in conformance with the provisions of the Building Code, the Electrical Code and the authorizing Jurisdiction and under appropriate permit and inspection. It should also be noted that the total light emitted from the single-family dwelling must be taken into consideration in meeting our guidelines. The amount of light projected should be reviewed first with the Architectural Control Committee before proceeding with construction and light fixture installation. This is especially critical to homes using an extensive amount of glass in their construction. This also pertains to illuminated vegetation on your Lot. Illuminated cactus and trees can be disrespectful to your neighbors especially if it is done permanently and not just on occasions. It is also true that constant illumination will cause early demise to plants.... even Saguaros.
6. The intent of these guidelines is to be courteous to your neighbors and to comply with our local parameters. The intent is to allow reasonable lighting for safety, enjoyment, and security but to curtail the degradation of our nighttime environment. We are striving to minimize glare and obtrusive light that is misdirected, excessive, and unnecessary.
7. Lighting attached to single-family dwellings shall not exceed the height of the eave, and lighting not attached to single-family dwellings shall not exceed a height of eight feet. Any such lighting shall be shielded so as not to shine onto a neighbor's Lot.

8. Mailbox Lighting. The recommended lamp shall be a 60-watt equivalent LED (Soft white – 2,700 to 3000 Kelvin at 13 watts, 120 V). The lamp shall be controlled by a photocell or timer either in the lamp housing or remotely so that the lamp remains lighted from dusk to dawn every day of the year.
9. Lighting that is exempt from these regulations:
 - a. Lighting in swimming pools and other water features governed by Article 680 of the national electrical code.
 - b. Exit signs and other illumination required by building codes.
 - c. Lighting for stairs and ramps. However, such lighting that is deemed too bright or too glary for surroundings and hence capable of causing loss of visual adaptation may be required by the ACC to be dimmed in brightness.

E. STRUCTURES FLOOR ELEVATION RECONCILIATION AND HEIGHT DETERMINATION

The following procedures shall apply to all subdivision Lots which are not regulated by the Pima County Hillside Development Zone Ordinance (HDZ, see Cobblestone Website Community Documents), which shall govern, except that no structure floor elevation or building height may exceed that obtained by the following Section B.2 herein.

1. Approval of Preliminary Plan Finished Floor Elevation (FFE) and structure heights may be based on the graphic representation of the site topography taken from the subdivision’s topography maps, or from certified topographic survey. Elevations to be stated as xxxx.x feet per documented benchmark and determined by Attachment 4 Procedures.
2. Final approval shall be based on a certified topographical survey map following the attachment procedures.
3. The construction phase site staking process requires the major corners of the single-family dwelling to be staked for placement approval on the Lot. The elevation of the centroid of the structure and FOUR (4) corners shall be provided per the Lot topographical survey.
4. A reference benchmark shall be set and maintained during the construction process consistent with the elevation obtained in step 3. Typically, the reference benchmark shall be located adjacent to the roadway where it will not be disturbed by construction. The benchmark will be the basis by which the ACC and the General Contractor are able to assess and enforce height restrictions imposed by the CC&Rs as well as these rules and regulations.

F. FEE SUMMARY FOR ACC PROJECTS:

The ACC reserves the right to adjust, from time to time, the below outlined fee values as they deem appropriate.

1. The Plan Review Fee for a new single-family dwelling and major exterior remodeling is

shown in the chart below. The Plan Review Fee for other structures and plan modifications shall be set as outlined in Table F below. This fee is paid when the Preliminary Design Plans are submitted, and the Notification Period begins.

2. The Builder Fee compensates the HOA for wear and tear of the common areas caused by construction vehicles. This fee is paid as part of the pre-construction meeting and site staking review phase as outlined in Section K. The Builder Fee is outlined in Table F.
3. A Compliance Deposit for new single-family dwellings and major exterior remodeling is shown in the chart below. This deposit is paid as part of the pre-construction meeting and site staking review phase as outlined in Section K. A Compliance Deposit for other structures or improvements shall be set as outlined in Table F.
4. The purpose of the Compliance Deposit is to assure compliance with all ACC Rules, Regulations and Restrictions, the construction approval process and to assure that damage to all Association and/or private property caused in the course of construction is resolved in a timely manner.
5. The Compliance Deposit may be used by the Association to ensure compliance and to repair damages sustained in the course of construction if not corrected by the Applicant in a timely manner. If such deposit is not sufficient to assure all damage is corrected, the ACC has the right to assess further compliance fees.
6. The Compliance Deposit, less any portion used as previously indicated, will be returned without interest, upon satisfactory completion of construction, as determined in the sole discretion of the ACC including all landscaping and re-vegetation outside of patio walls. The Compliance Deposit will be required as indicated in the fee schedule.

Table F

Fee and Deposit Schedule

Item #	Project Category	Plan Review Fee	Builder Fee	Compliance Deposit
1.	New Home	\$5,000	\$2,000	\$20,000
2.	Major Exterior Remodeling/Addition	\$2,500	\$1,000	\$10,000
3.	Minor Exterior Remodeling/Addition	\$750	\$500	\$5,000
4.	Major Landscaping Project	\$1,250	\$1,000	\$1,000

5.	Minor Landscaping Project	\$100	\$500	\$1,000
6.	Solar Energy Project	\$500	\$0	\$1,000
7.	Miscellaneous Small Projects (c)	\$100	\$0	\$0
8.	Plan Revision Review	\$250	\$0	\$0
9.	Exterior Paint	\$50	\$0	\$0

- a. The ACC with input from the consulting architect and the Community Association Manager, will determine the Project Category (and related fees and deposit) based upon the project information and plans provided by the homeowner.
- b. Key factors that determine the Project Category include scope of the project, review time including site visits by the ACC, consulting architect and/or other consultants or Community Association Manager.
- c. Miscellaneous Small Projects include projects such as windows/doors, roofing, gardening, site wall, etc.

G. ACC PROJECT REVIEW AND APPROVAL PROCESS

Note: Before this process can commence, the Applicant must be current in assessments to the Association with no outstanding indebtedness or legal issues (related to the Lot). There are five basic stages in the Cobblestone ACC Rules Restrictions and Regulations approval process:

1. Pre-Design Orientation Phase
2. Preliminary Plan Review and Approval.
3. Final Plan Review and Approval.
4. Pre-construction and Site Staking Review and Approval.
5. Post-Construction Review and DMR Final Approval.

The stages are progressive and are intended to assure compliance with the Cobblestone ACC requirements. It is the Applicant's responsibility to see that all drawings, information, materials, etc., that constitute a specific submittal are received by the ACC in adequate time to allow for proper consideration and review. Minimum submittal deadlines, at least 21 calendar days prior to the review meeting, shall be set by the ACC. The ACC shall conduct reviews of submittal during their meeting or at such other times, as they deem appropriate. Approval of each stage will be given by an ACC written endorsement based upon the specific submittal provided. The ACC will endeavor to respond with the written endorsement within 14 calendar days after the review has been completed. No construction shall be allowed to commence on the Lot until the first four (4) stages of the approval process are completed. Stage five is a post-construction review and approval prior to occupancy. Two members of the ACC will sign the DMR form indicating approval. (see attachment 1)

In addition, the ACC reserves the right to inspect all work in progress during the course of construction and give notice of non-compliance. Absence of such inspection and notification during the construction phase does not constitute approval of the ACC with work in progress or compliance with the ACC RR&Rs and/or the CC&Rs.

In order to assist Applicants in preparation of specific submittals, the ACC has established a series of minimum submittal requirements for each stage of the approval process for a new single-family dwelling. It is the Applicant's responsibility to see that these minimum requirements are met. Any additional information that can be provided to clarify, illustrate or otherwise aid the ACC in this review process is encouraged and always appreciated.

It should be noted that for projects other than a new single-family dwelling, such as major remodels or home additions, it is anticipated that the process includes the same five stages for review and approval. However, other projects of limited scope, such as minor modifications, landscaping changes, etc., are anticipated to have a more compressed review process but still must be submitted for review and approval. Please contact the Cobblestone Association Office to coordinate the specifics, level and degree of review stages that will be required for any particular addition or modification project.

H. ACC PROJECT REVIEW AND APPROVAL CHRONOLOGY

In order to help increase the understanding of the approval process, the following chronology provides a general overview of how a new single-family dwelling project is expected to move through the approval process. It should be noted that for projects other than a new single-family dwelling, such as major remodels or home additions, it is anticipated that the chronology would be similar. However, other projects of limited scope, such as minor modifications, landscaping changes, etc., are anticipated to have a more abbreviated chronology. Please contact the Cobblestone Association Office for more information about the chronology applicable to a project of limited scope.

1. Contact the Cobblestone Association Office to schedule a pre-design orientation meeting. During this meeting, the Applicant or the Applicant's representative meet with an ACC representative to review the ACC Rules, Regulations & Restrictions, particular Lot aspects, and other conceptual design criteria of the Applicant. It is encouraged that this occur before any designs or plans are prepared. This meeting is intended to offer insight and guidance prior to initiating the preliminary plan review and approval phase. As such, no formal submittal review or written response by the ACC will typically occur during this phase.
2. Preliminary plan submittal is provided to the Association Office and the Plan Review Fee is paid (See Section F). The submittal consists of two sets of preliminary drawings, which address the specific minimum submittal requirements outlined in Section I.
3. Upon receipt of a submittal package that meets the above outlined requirements, the Association will initiate a notification period as outlined in Section B, Item 25.
4. The ACC will convene to review the preliminary plan submittal once the notification period has expired. The submittal will be considered by the ACC to ensure it complies with the ACC RR&Rs and/or the CC&Rs. A follow-up written approval or commentary will be provided to the Applicant's representative.
5. Final plan submittal is provided to the Cobblestone Association Office. The submittal consists of two sets of final design drawings, and an exterior materials color sample board, as outlined in Section J.
6. The ACC will convene to review the final plan submittal once the submittal package is deemed to be complete. The submittal will be considered by the ACC to ensure consistency with the previously approved preliminary design submittal, the ACC Rules, Regulations and Restrictions and/or the CC&Rs. A follow-up written approval or commentary will be provided to the Applicant's representative.
7. Pre-construction and site staking submittal is provided to the Association Office. The submittal consists of the requirements as outlined in Section J including the applicable Builder's Fee and Compliance Deposit.

8. Upon receipt of a compliant submittal package, the Association will schedule an on-site meeting with the Applicant's General Contractor. The on-site meeting must occur before any authorization is considered for construction equipment and/or personnel to access the Lot. A follow-up written approval or commentary will be provided to the Applicant's General Contractor.
9. During the ensuing construction phase, the ACC reserves the right to inspect all work in progress and give notice of non-compliance. Absence of such inspection and notification during the construction phase does not constitute ACC approval of the work in progress or compliance with the ACC RR&Rs and/or the CC&Rs.
10. Post-construction submittal is provided to the Association Office. The submittal consists of the requirements as outlined in Section L. The submittal and the subsequent ACC review must be completed prior to actual occupancy of the single-family dwelling. Any applicable compliance deposit refund, as outlined in Section F, will then be processed accordingly.

I. PRELIMINARY PLAN SUBMITTAL REQUIREMENTS

Submittal for preliminary plan review shall include the following minimum requirements.

1. Site Plan:
 - a. Drawn to scale at minimum of one (1) inch equals twenty (20) feet.
 - b. Property lines indicated and setbacks dimensioned.
 - c. Location of structures on site including out buildings, if any.
 - d. Structure centroid point located. See Section E.
 - e. Finish floor elevation (s) of the structure (s) with values stated per the master subdivision topography map.
 - f. Locations and material specifications of related improvements of driveways, patios and etc.
 - g. Locations, material specifications and top of wall elevations of all proposed patio walls, retaining walls etc.
 - h. Overall master grading plan indicating existing and proposed topographic values.
 - i. Location and proposed alignment of the underground utility services lines.
 - j. Location of all utility yard enclosures and mechanical equipment enclosures including any pool equipment, inf any.
2. Floor Plans:
 - a. Drawn to scale at a minimum one quarter (1/4) inch equals 1 foot.

- b. Finished floor elevation (s) values stated.
 - c. Major room names labeled.
 - d. Enclosed living area square footage totals noted.
 - e. Locations of all utility yard enclosures with all utility meters and other provisions labeled.
 - f. Locations of all mechanical equipment, condensers, etc. and the resulting enclosures.
3. Elevations:
- a. Drawn to the same scale as the floor plans.
 - b. All major exterior structure elevations shall be represented.
 - c. Existing contour grades and proposed finished contour grades.
 - d. Finish floor elevation (s) lines.
 - e. Top of wall and top of roof elevation call outs or dimensions for all major structure components.
 - f. All major exterior materials specified and a general concept statement of material color schemes.
 - g. Top of wall elevation call outs and material specified for all utility/equipment enclosures.
4. Roof Plans:
- a. Drawn to the same scale as the floor plans.
 - b. Top of wall and top of roof elevation call outs or dimensions for all major structure components.
 - c. All major exterior materials specified and a general concept statement of material color schemes.

J. FINAL PLAN SUBMITTAL REQUIREMENTS

Submittal for final plan review shall include the following minimum requirements.

1. Site Plan:
- a. Drawn to scale at minimum of one (1) inch equals twenty (20) feet.
 - b. Property lines indicated and setbacks dimensioned.
 - c. Location of structure on site including out buildings, in any.
 - d. Structure centroid point located. (See Section E).

- e. Finish floor elevation (s) of the structure (s) with values stated per the master subdivision topographic map.
- f. Location, elevation call outs and material specifications of related improvements of driveways, patios and etc.
- g. Location, material specifications and top of wall elevations of all proposed patio walls, retaining walls and etc.
- h. Detailed master grading plan indicating existing and proposed topographic contours, drainage patterns and a proposed perimeter-grading limit.
- i. Location and proposed alignment of underground utility service lines.
- j. Location of all utility yard enclosures and mechanical equipment enclosures including pool equipment, if any.
- k. Location of mailbox to subdivision standard. (See Mailbox Attachment 5)
- l. Location of curb cut (s) to subdivision standard. (See Curb Cut Design Attachment 7)
- m. If applicable, required replacement of Association sidewalks if impacted by mailbox or curb cut construction.

2. Floor Plans:

- a. Drawn to scale at one quarter (1/4) inch equals one (1) foot.
- b. Finish floor elevation (s) values stated.
- c. Major room names labeled.
- d. Enclosed living area square footage totals noted.
- e. Locations of all utility yard enclosures with all utility meters and other provisions labeled.
- f. Locations of all mechanical equipment, condensers and etc. and the resulting enclosures.

3. Elevations:

- a. Drawn to scale at one quarter (1/4) inch equals one (1) foot.
- b. All exterior building elevation (s) shall be represented.
- c. Existing contour grades and proposed finished contour grades.
- d. Finished floor elevation (s) lines.
- e. Top of wall and top of roof elevation call outs or dimensions for all structure components.
- f. All major materials specified and exterior material colors noted. An additional review fee to be applied if final selected material color/samples are not included at this

- review.
- g. Top of wall elevations call outs and material specified for all utility/equipment enclosures.
4. Roof Plans:
- a. Drawn to the identical scale as the floor plans.
 - b. Top of wall and top of roof elevation call outs or dimensions for all major structure components.
 - c. All major exterior materials specified and a general concept statement of material color schemes.
5. Exterior Lighting Plan:
- a. Show and label all exterior lighting to be developed in conjunction with the proposed structure or other related improvements.
 - b. Show and label all exterior lighting to be developed in conjunction with the proposed landscaping plan.
 - c. Schedule by key numbers all proposed lighting fixtures by type, location, description, shielding, and lamping requirements. Include a catalog cut sheet with key number for each proposed exterior lighting fixture.
6. Landscape Plans:
- a. Master site plan drawn to scale at minimum of one (1) inch equals (20) feet.
 - b. Specific area plans, if needed, drawn to scale at minimum one eighth (1/8) inch equals one (1) foot. Landscape plan shall include the common name and botanical name of plants and/or tree. Proposed trees to be planted shall include location and projected mature height. If proposed trees are expected to exceed the height of 15 feet, the homeowner shall document if the tree will block neighbor's views to the north, south, east or west. The homeowner will annually (or more) trim and maintain their tree height to ensure good health and prevent growth in excess of 15 feet. The annual care of homeowner's trees will avoid the need to "top off the tree" which will ultimately cause the tree to die. The homeowner shall agree in writing that if, in the future a neighbor validly claims the trees do interfere with views, the homeowner will promptly trim the tree(s) to 15 feet and would continue to do so in the future. Said agreement shall run with the land in question and be transferable with a sale to a third party. The ACC will evaluate potential blockage of views for purposes of final approval.
 - c. Master site plan should reflect all existing major desert growth removed by construction or that, which is within twenty (20) feet of proposed improvements.
 - d. Landscape plan (s) should outline, and detail specific treatments of revegetation and new supplemental vegetation of all exterior areas not enclosed by patio walls or that

are impacted by construction. See Attachment V.

- e. Landscape plan (s) for areas within areas enclosed by patio walls and etc. shall be submitted at the Applicant's option. If submitted at a later date, an additional review fee may apply.

7. Exterior Materials Color Sample Board:

- a. Samples must be mounted on a maximum 11inch x 17inch board format. All samples must be identified with manufacturer's specifications including name, product number, color, and applicable light reflectance value.
- b. Specific material samples and colors shall be made for the main body material, trim, roofs, window frames, doors and accents. In addition, include manufacturer's specification of window glazing.
- c. The balance of drawings required will be the completed plans and specifications in sufficient detail for construction and subsequent Pima County Building Codes approval.

K. PRE-CONSTRUCTION AND SITE STAKING SUBMITTAL REQUIREMENTS

Submittal for pre-construction and site staking review shall include the following minimum requirements.

- 1. Provide a copy of Pima County Building Permit.
- 2. Provide a proposed construction schedule. This schedule must illustrate approximate start and completion dates for all major phases of construction.
- 3. List of subcontractors.
- 4. Builder's Fee payment due. See Section F
- 5. Compliance Deposit payment due. See Section F.
- 6. Site Staking
 - a. Physical staking and certification of structure corners, structure centroid and reference benchmark. (Section E.) All work to be performed by an Arizona licensed surveyor.
 - b. All staking and certification must reflect structure location and layouts as preciously submitted in graphic plan form only. No "Field Adjustment" of structure layout will be allowed without submission of revised site plan for review and approval.
 - c. The ACC reserves the right to determine on a lot-by-lot basis if additional staking of improvements and/or establishment of structure height poles is required.

7. Construction Area Limit Fencing

- a. That portion of the Lot that is anticipated to be impacted during construction and that contains all the proposed improvements shall be cordoned off by a temporary construction fence.
- b. Fencing shall be constructed using, as a minimum standard, heavy-gauge steel T-post and two strands of barbless gauge cable wire with flagging tape attached.
- c. Copy of site plan with notations added. Notations to indicate proposed location of construction parking, material storage, debris/trash dumpster, portable restroom, and other related construction area action components.

L. FINAL REVIEW SUBMITTAL REQUIREMENTS

Submittal for final review and approval shall include the following minimum requirements.

1. Copy of the Pima County Building Codes final permit sign off.
2. Written request that the ACC perform a post construction inspection prior to actual occupancy of the single-family dwelling.

M. ATTACHMENTS:

1. Design Modification Request
2. Landscape Design
3. Plant List
4. Structure Floor Elevation Reconciliation - Non HDZ Lots
5. Mailbox Monument Standards
6. Mailbox Light Fixture Standard
7. Curb Cut Design Standards
8. Solar Energy Design Standards

Attachment 1

Cobblestone Homeowners Association, Inc. Architectural Control Committee (ACC) Design Modification Request (DMR)

A DMR submission is required for the following:

- 1) Paint home exterior or patio/retaining wall or roof.
- 2) Modify or add to an existing home structure or patio/retaining walls.
- 3) Modify or add to landscaping.
- 4) Modify or add exterior lighting.
- 5) Build a new home.
- 6) Make other related changes.

Initial Steps to obtain HOA approval:

- 1) Start your process early. The approval process will take at least 30 days and generally much longer especially for larger projects.
- 2) Review and complete the attached Design Modification Request (DMR).
- 3) Contact our HOA Community Association Manager to discuss your plans. The Community Association Manager will explain the DMR, the supplemental plans/information that will be needed with the DMR, and the estimated HOA fee payment that would need to be submitted with the DMR.

Community Association Manager Contact:
Sienna Community Management
Cobblestone HOA Office: 520-989-3702
Management Office Number: 520-771-9921
Email: info@SiennaAZ.com

**Cobblestone Homeowners Association, Inc.
Architectural Control Committee (ACC)
Design Modification Request (DMR) Form**

General Information

Date: _____

Lot Owner(s): _____

Lot Number(s): C _____ or CR _____

Address: _____

Email address: _____

Phone number: _____

Anticipated start date: _____

Anticipated completion date: _____

Type of Modification. Check all the boxes that apply:

- New Build on vacant lot including walls, landscaping, etc.
- New swimming pool
- Modification/Addition to existing home structure, Modification/Addition to patio and/or retaining walls, or Modification/Addition to swimming pool
- Painting of the Home or patio/retaining walls (**LRV must be 60 or less**)
- Painting coating or tiling of the roof (**LRV must be 60 or less**)
- Modification/Addition to existing external lighting including landscape lighting
- Modification/Addition/Deletion to existing landscaping
- Other

Addendum. If this is an addendum to a prior DMR submittal, provide the date of prior submittal. Date: _____.

Written Description of the requested Modification. Additional information such as plans, sketches, illustrations, blueprints, specifications, elevations, etc. can be attached. Clearly show existing and the proposed changes. For painting home or roof include paint manufacturer, color name and number, and light reflective value (LRV).

(LRV must be 60 or less), color chips or location of color sample as painted on the house.

**Cobblestone Homeowners Association, Inc.
Architectural Control Committee (ACC)
Design Modification Request (DMR) Form**

Contractor information, if applicable.

Firm name and address: _____

Primary contact person: _____

Telephone number: _____

License number: _____

Process Overview for new home dwellings and for home additions, garage, guest house, ramada or any other improvement where one or more solid walls are erected above the height of a pre-existing patio wall and/or with square footage greater than one hundred (100) square feet, the basic stages include:

1. Pre-Design Orientation Phase
2. Preliminary Plan Review and Approval
3. Final Plan Review and Approval
4. Pre-Construction and Site Staking Review and Approval
5. Post-Construction Review and Approval

Minimum submittal deadlines, at least 21 calendar days prior to the ACC review meeting. ACC generally meets the second week of each month. For more detail regarding stages and submittal requirements for each stage see ACC RR&Rs in particular Sections G, H, I, J, K, and L.

Projects with a limited scope are anticipated to have a more compressed review process but still must be submitted for review and approval.

Owner Acknowledgements. Please initial each. I/we (the Owner/Owners):

_____ Have read and agree to the Amended and Restated Cobblestone CC&Rs dated 2/21/23.

_____ Have read and agree to the ACC RR&Rs issued 5/10/2010 and as revised through 7/18/24.

_____ Have read the ACC Landscaping Design Guidelines and Plants List 7/18/24.

_____ Will provide to the ACC, if requested, any documents provided to Pima County related to this Modification.

**Cobblestone Homeowners Association, Inc.
Architectural Control Committee (ACC)
Design Modification Request (DMR) Form**

_____ Will direct this DMR including related materials and subsequent correspondence to the Cobblestone Community Association Manager. The Community Association Manager is the primary contact and Owner agrees that the HOA/ACC or their agents can access the property with prior notification.

_____ Will provide promptly, a DMR Addendum if any plans submitted with this DMR are modified. And include a listing of new and/or modified variances.

_____ Agree that “approval” is only valid if this DMR and any DMR Addendum is signed and dated by at least two ACC members. Email correspondence or verbal discussions are not approval. The DMR and any DMR Addendum must be signed.

_____ Am/are fully responsible (including financially) to correct any construction that was not approved by this DMR or DMR Addendum.

Signature by Owner(s) and Date:

Date this DMR received by the HOA Community Association Manager: _____

Name and Signature of Community Association Manager:

Final ACC Approval—requires the signature of at least 2 ACC members.

Approval date: _____

Name and Signature of ACC Member:

Name and Signature of Second ACC Member:

Attachment 2

Cobblestone Landscape Design Rules

Cobblestone is a unique property nestled in the hills of the Santa Catalina Mountains in the Sonoran Desert. We have beautiful views of the Rincon, Tucson, Santa Rita and Santa Catalina Mountains which are important to preserve. At an elevation of some 3,000 feet there are many gardening challenges including temperature, both hot and cold, and animal wildlife.

In 2021, the Cobblestone HOA completed a comprehensive landscape update to the Common areas on Ina Rd. The landscape was updated with native and other low water use trees, shrubs, cacti and plants. When updating the Common areas the HOA took several factors into account in determining the overall finished look including:

- To present a cohesive landscape for the community
- To conserve water given our severe Arizona drought conditions.
- To include plantings that would not interfere with homeowner's views
- To use vegetation that will be resilient to extreme heat and potential frost
- To provide an environment friendly to birds, bees and butterflies.

It is recommended that Homeowners consider these factors in landscaping their own Lots.

Please understand that this landscaping guidance is intended to provide flexibility to Lot owners to be able to create their own distinctive landscapes for their own distinctive homes. It is also intended to facilitate realistic and consistent landscape regulation by the HOA.

LANDSCAPE AREAS

Plants on the attached Approved Plant List are designated in one of three landscape areas of N, T or P. The Natural Areas are noted as "N", Transitional Areas where plants may survive but may well require supplemental watering are a category "T" and plants in Private Areas that are not wildlife resistant and may require supplemental watering and other special treatments are in category "P".

Lots are to be landscaped according to the above areas defined by proximity to the community roadways. Our goal for the common areas and roadways is to establish consistency with the recently updated landscape design and support the approved plant list for Natural, Transitional and Private areas. Landscaping near private home entrances or enclosed yards may be more intensively designed and landscaped with non-native ornamental plants if desired. A Transitional Area between these two areas acknowledges that all Lots are distinctive and design goals may vary, e.g., privacy vs decorative display.

LANDSCAPE AREAS DEFINED

A. Private Homeowner Lots:

Many Cobblestone homes are built far from the road while some are only 30' from the road affecting the size and location of private areas. Privately owned Lots shall have three designated landscape areas:

1. Natural (N) area: the section of the homeowner's Lot within 15' of the curb and visible to the road. This includes cul-de-sacs.
2. Transitional (T) area: the section on the homeowner's Lot between the Natural area and the Private area, generally visible to the road, and privately watered if needed.
3. Private (P) area: the section of the homeowner's Lot that is behind a wall or directly adjacent to the home's entrances. This includes front patios/courtyards, backyard and side yards behind walls, gated areas, and external planting areas next to privacy walls.

B. HOA Common Areas:

1. Ina Road inclusive of 3 entry roundabouts on Campbell & Ina Roads.
2. 12 circular planted islands in the cul-de-sacs
3. Rights of Way (ROW), which are owned by the HOA shall all be considered N areas. This includes roads as built and the property adjacent to the roads as follows:
 - a. Ina Road ROW is 60 feet in total. The road is built 24 feet wide. The HOA owned property is 12' of road from the centerline plus 18' beyond the curb for a total of 30' from the centerline on each side. $(12 + 18 = 30)$
 - b. All other roadways ROW are 40 feet in total. The roads are built 24 feet wide. The HOA owned property is 12' of road from the centerline to the curb, plus 8' beyond the curb for a total of 20' from the centerline on each side. $(12 + 8 = 20)$

Easements (see CCRS, Article VI, Section 1, 2 and 3) across private Lots for the purposes of building and maintaining HOA fences, walls and other improvements are as follows: 10 feet along all property lines along roads and the perimeter of the entire Cobblestone development; and an additional easement juncture on the required 7.5-foot minimum setback from all property lines. These easements shall all be considered N areas for landscaping purposes.

PLANTING GUIDANCE AND REGULATION

1. GUIDANCE FOR INTRODUCING NEW HARDSCAPE AND PLANTS

New home development or substantial modifications must be presented to the Architectural Control Committee (ACC) for review and approval using the Design Modification Request (see attached). The HOA will adhere to the Pima County Ordinance “Native Plant Preservation Chapter 18.72, as well as the guidelines established by the Native Plan Preservation Manual created under the Ordinance. (Hereinafter referred to as Chapter 18.72”). This requirement will include permits from Pima County based on approved drawings by an AZ Certified Landscape Architect, as well as selected methodology for preserving native plants in accordance with Chapter 18.72. In addition, an independent monitor to oversee compliance with Chapter 18.72 maybe required at te homeowner’s expense. For those lots/homeowners that are in a designated Hillside Development Zone shall be subject to the requirements of Pima County Ordinance Chapter 18.61 and will be subject to compliance with the Hillside Development Manual.

Plant replacements or minor modifications to existing landscaping may be performed without ACC review if all plants to be introduced are on the approved Plant List and no substantial rocks, walls, or land modifications are planned. Plants not on the list but meet the objectives of this guidance must be submitted to the ACC for review.

The location of any tree that is on the “Approved Plant List”, that could exceed 15’ at maturity, must be reviewed and approved by the ACC prior to placement to minimize obstructing views from neighboring Lots. Once approved, the homeowner will annually trim and maintain their tree heights to ensure tree health and minimize growth in excess of 15 feet. Annual maintenance of homeowner’s trees will avoid the need to “top off the tree” ultimately causing the tree to die. The homeowner shall agree in writing that if, in the future a neighbor validly claims the trees do interfere with views, the homeowner will promptly trim the tree(s) to 15 feet and would continue to do so in the future.

Artificial turf is prohibited in the Natural and Transitional areas and can be used in private areas. Ground cover must be selected from the Approved Plant List and cannot include high pollen grasses to avoid excessive pollen production.

Ornamental trees and shrubs such as oleanders and bougainvillea shall be used in limited quantities as specimen or accent plants in Transitional areas.

Gravel and mulch should blend with the natural surrounding soils, i.e., be of local earth tone colors.

Irrigation should not be installed in proximity to saguaros or other native plants that would die from excess water.

Citrus trees must be limited to P areas and care should be taken when introducing regular (non-dwarf) varieties to avoid interfering with views from surrounding properties.

Consider the location of mounding shrubs such as lantana and rosemary as they provide habitat and cover for rodents which bring snakes. These plants are not recommended for walkways and entrances. Homeowner's will also want to minimize attracting wildlife to their properties such as non-walled water features which may attract javelinas. Please be aware that bird and quail feeding blocks attract javelinas, pack rats, horn squirrels and rabbits which attract rattlesnakes.

Note that all exterior lighting will all be addressed in the main ACC RR&Rs.

2. PREPARATION OF THE LOT FOR NEW CONSTRUCTION

During preparation for Improvements to any Lot, removal of mature native vegetation shall be avoided unless removal is necessary due to placement of Improvements or unless it is being eliminated to create defensible space for wildfire protection for the home. Mature native vegetation includes palo verde and mesquite trees, cactus, and desert shrubs. Recommended defensible space minimum clearance is 30' from the Dwelling at maturity. Creating defensible space is highly recommended but not required by this Declaration.

Removal of mature native vegetation for any construction of Improvements must be approved by the ACC and in accordance with Chapter 18.72. ~~Removal of mature vegetation within 30 feet of the home for creating defensible space does not require approval.~~ In the event mature native vegetation is removed without approval, the ACC may require replacement of the same or similar at the owners' expense.

All Natural and Transitional Areas that are disturbed and/or vegetation that has been destroyed or removed during construction shall be revegetated with plant types and minimum densities as follows: For every six hundred (600) square feet of disturbed area, owners must replant (2) desert trees, minimum 15-gallon size; (6) desert shrubs, minimum 5-gallon size; and (6) desert shrubs, minimum one-gallon size. Cactus may be substituted 2 for 1 for one-gallon shrubs. In addition, the entire disturbed area shall be seeded and watered a minimum of three times per day for two weeks with a seed mix (Sonoran Desert Seed Mix) specified by the ACC.

3. MAINTENANCE

All Lots shall be maintained in accordance with this guidance. Dead or dying trees and tree limbs pose a hazard for passersby and for wildfire ignition and need to be removed. Older native trees such as Mesquite and Palo Verde, can be pruned, trimmed, or removed at the homeowner's discretion in (P) private areas of the home. However, the removal of trees as a general principle is highly discouraged as they provide shade and beauty to the community at large. Natural (N) and Transitional areas (T) will require ACC approval prior to the removal of a native tree. Removal of trees or buffering shrubs in Transitional areas abutting adjacent neighbor's Lots shall consider impact on noise or privacy. Homeowners may petition the ACC to remove a tree or trees if native trees that have been consistently pruned or trimmed to maintain the 15-foot requirement, or any native tree roots that have grown and may cause damage to structures, walls/pools, or a homeowner who desires to enhance their view.

Mistletoe needs to be removed to maintain the health of trees and prohibit contamination to surrounding properties. Homeowners are encouraged over time to consider removing plant

materials that are on the prohibited list for reasons of water conservation, fire hazard, height restrictions, or pollen production.

Each Owner shall be responsible for the proper maintenance of all landscaping on the Owner's parcel. Maintenance shall include, but not be limited to, keeping the landscape neatly trimmed and free of trash, weeds, buffelgrass, mistletoe and other unsightly material and destructive plants. Any dead tree, shrub, plant, or groundcover shall be removed immediately. Homeowners are encouraged to consider removing plant materials that are on the prohibited list for reasons of water conservation, fire hazard, height restrictions, or pollen production.

All trees, shrubs, plants, and ground cover shall be properly trimmed and nurtured. Trees shall be maintained to 15 ft. or less if they would otherwise materially interfere with views from neighboring Lots. If a tree on a neighboring Lot is thought to affect an Owner's view, it is encouraged that the Owner notify the Owner of the property on which the tree is located to request remediation. Remediation advice between homeowners can be gained through consultation of a landscape architect, arborist and/or suggestions from the ACC. If the parties cannot resolve the issue between themselves, the dispute may be submitted to the Community Association Manager where tree maintenance, neighboring views and height restrictions as stated in the CC&Rs will be enforced (Article V, Section 6 (f)). The ACC will review the dispute and provide a recommendation to the HOA Board for enforcement purposes.

Legacy trees planted prior to May 2022 in excess of the 15 feet height are grandfathered to be retained but shall be trimmed annually to optimally limit the tree height to 15 feet and allow neighboring views to be improved. Legacy Palm trees in excess of 15 feet are grandfathered and annually shall have dead fronds and limbs removed.

4. WILDFIRE MITIGATION AND FIRE FUELS REDUCTION

Tucson and the entire southwestern United States have been in the highest drought category for several years (2018-2022). With drought, wildfire risk has heightened. This concern was brought to reality with the massive Bighorn Fire of 2020, which burned just above Cobblestone in the national forest.

Wildfire has become an important consideration for all Catalina Foothills communities. Dead or dying trees and shrubs pose a wildfire hazard and need to be removed. Non-native buffelgrass kills native vegetation, including saguaros, by robbing them of water and helps to spread fires rapidly. Buffelgrass must be removed when present.

Federal, state, and local fire protection entities have critically important information for how to harden your home and to create defensible space around it to protect your home from wildfire. It is recommended that highly flammable plants like oil-laden jojoba be cleared 30' from homes. Creating defensible space is recommended by the HOA. See fire agency staff and websites for more information.

5. RIGHTS OF WAY (ROW) ALONG ROADS ADJACENT TO LOTS

The ROW along homeowners Lots shall be maintained by the homeowner with Natural (N) plants from the list and without introducing new trees. Trees in the ROW may interfere with safe passage on the roads and become a maintenance burden for the HOA. If the ROW isn't maintained accordingly, the Community Association Manager will notify the homeowner prior to invoking corrections by the landscape contractor. Where vegetation has failed to thrive, becomes overgrown, or otherwise becomes unsightly, plants need to be trimmed or removed. Similar plants should be used if replacement is desired.

6. MONITORING AND REGULATION

All Lots shall be maintained in general accordance with the most recently approved plans, either original or subsequent additions and modifications. This shall include native and non-native vegetation, which must remain healthy. Where vegetation has failed to thrive, becomes overgrown, or otherwise becomes unsightly or dangerous, similar plants or those on the approved list may be used as replacements. All plants shall conform to the approved plant list appended to the ACC RRRs or otherwise be approved by the ACC.

The Community Association Manager conducts regular monitoring of all Cobblestone Common Area(s) and private Lots along roadways to assess new planting additions' consistency with this landscape guidance as well as checking for dead and dying plants. Landscapes that need to be attended to will be communicated to the homeowner from the HOA Community Association Manager by letter or email to request the homeowner make appropriate corrections. If the request for correction is not completed in 30 days, a reminder will be sent. If any correction is not made within 60 days, the Cobblestone Landscaper will be contacted to make the corrections at the Owner's cost.

Attachment 3

COBBLESTONE APPROVED PLANTS LIST

The following plants and trees are approved for use in Cobblestone designated areas. Plants approved for introduction or revegetation in Natural areas are designated by N. Plants approved for use in Transitional areas are designated by T and include all N plants. Plants approved for use in the Private areas are designated by P and include both N and T plants. Some of the varieties listed may need protection from freezing. Check with your local nursery or landscape architect. Plants not on the list but that meet the goals of this guidance can be submitted to the ACC for review.

APPROVED TREES LIST

N / P / T	Botanical Name	Common Name
N	Acacia constricta	White Thorn Acacia
N	Acacia farnesiana	Sweet Acacia
N	Acacia greggii	Cat Claw Acacia
N	Acacia smalii	Southwest Sweet Acacia
N	Canotia holacantha	Crucifixion thorn
N	Celtis pallida	Desert Hackberry
N	Cercidum floridum	Blue Palo Verde
N	Cercidum microphyllum	Foothills Palo Verde
N	Chilopsis linearis	Desert Willow
N	Cordia bosissieri	Texas/Mexican Olive
N	Olneya tesota	Ironwood
N	Pistacia lentiscus	Mastic tree / shrub
N	Prosopis ssp	Mesquite
N	Sambucus carnadensis	Elderberry
T	Acacia abyssinica	Abyssinian Acacia
T	Acacia stenophylla	Shoestring Acacia
T	Brahma Armada	Mexican blue palm
T	Celtis reticulate	Net-leaf Hackberry
T	Celtis douglasii	Western Hackberry
T	Eriobotrya japonica	Japanese Plum/Loquat
T	Heteromeles arbutifolia	Toyon
T	Laurus nobilis	Sweet Bay
T	Pithecellobium flexicaule	Texas Ebony
T	Quercus emeryi	Emory Oak
T	Quercus gambelii	Gamble Oak
T	Sophora secundiflora	Mescal Bean
T	Vitex agnus-castus	Chaste Tree
T	Kalmia latifolia	Texas Mountain Laurel

P	Chanaerops humilis	Mediterranean Fan Palm
P	Citrus varieties	All varieties
P	Olea europaea	Olive (non bearing hybrid)
P	Podocarpus macrophyllus	Yew Pine
P	Prunus ssp	Purple Plum/Carolina Laurel Cherry
P	Butia capitata	Pindo Palm

APPROVED PLANTS AND SHRUBS LIST

N	Agave Americana	Century Plant
N	Agave huachucensis	Wide-leaf Agave
N	Agave vilmoriniana	Octopus Agave
N	Agave weberi	Smooth-edge Agave
N	Aloe barbadensis	Aloe Vera
N	Ambrosia deltoidea	Bur Sage
N	Anisacanthus	Desert Honeysuckle
N	Asclepias subulata	Desert Milkweed
N	Atriplex ssp	Saltbush (many varieties)
N	Baileya multiradiata	Desert Marigold
N	Calliandra eriophylla	Fairy Duster
N	Carnegiea gigantea	Saguaro
N	Dasyliiron wheeleri	Desert Spoon
N	Dodonea viscosa	Hopseed Bush
N	Echinocactus Grusonii	Golden Barrel Cactus
N	Echinocereus engelmannii	Engelmann's hedgehog
N	Encelia fanosa	Brittle Bush
N	Ephedra fasciculata	Desert Mormon Tea
N	Eripgonum faciculatum	California Buckwheat
N	Ferocactus ssp	Barrel Cactus
N	Fouquieria splendens	Ocotillo
N	Glandularia gooddingii	Gooding's Verbena
N	Gutierrezia sarothrae	Snakeweed
N	Justicia Californica	Chuparosa
N	Larrea divaricate	Creosote Bush
N	Lotus rigidus	Deer Vetch
N	Lycium exsertum	Desert thorn
N	Lycium fremonfii	Wolfberry
N	Lysiloma thornberi	Feather Bush
N	Nolina macrocarpa	Beargrass
N	Opuntia ssp	Prickly Pear Cactus
N	Simmondsia chinensis	Jojoba

N	<i>Trixis californica</i>	American Threefold
N	<i>Vauquelinia californica</i>	Arizona Rosewood
N	<i>Viguiera deltoidea</i>	Golden Eye
N	<i>Yucca</i> ssp	Yucca (many varieties)
N	<i>Spinaeraleca</i>	Globe Mallow
N	Thorncrest Lophantha	Agave
N	<i>Eninocereastriglochidiatus</i>	ClaretCup
N	<i>LophocereausSchotti</i>	SenitaSpecimen
N	Ferro Cactus Pilosis	Mexican Lime Cactus
N	<i>Lophocereus Marginata</i>	Oregon Pipe
N	<i>Opuntia Sublata</i>	Chenille Prickley Pear
N	<i>Cleistocactusstraussil</i>	Silver Torch Cactus
N	Agave Parry II	Artichoke Agave
N	<i>Euphorbia Resin Fera</i>	Moroccan Mound
N	<i>Euphorbia Rígida</i>	Gopher Plant
N	<i>Euphorbia Verifiera A Botani</i>	Candelilla
N	Mangave	Latin Agave <i>Macrocantha</i> (many varieties)
T	<i>Acacia redolens</i>	Ground Cover Acacia
T	<i>Aloe ferox</i>	Cape Aloe
T	<i>Arctostaphylos pungens</i>	Pointleaf Manzanita
T	<i>Baccharis pilularis</i>	Coyote Bush
T	<i>Caesalpina gilliesii</i>	Mexican Bird of Paradise
T	<i>Caesalpina pulcherrima</i>	Red Bird of Paradise
T	<i>Cassia</i> ssp	Cassia and Senna (many varieties)
T	<i>Convolvulus mauritanicus</i>	Ground Morning Glory
T	<i>Feijoa sellowiana</i>	Pineapple Guava
T	<i>Gazania</i> ssp	Gazania (many varieties)
T	<i>Gelsemium sempervirens</i>	Carolina jasmine
T	<i>Hesperaloe paraviflora</i>	Red Aloe
T	<i>Juniperus</i> ssp	Juniper (see Prohibited)
T	<i>Lantana</i> ssp	Lantana
T	<i>Leucophyllum frutescens</i>	Texas Ranger
T	<i>Mahonic aquifolium</i>	Oregon Grape
T	<i>Malehore crocea</i>	Ice Plant
T	<i>Nandina domestica</i>	Heavenly Bamboo
T	<i>Osteospermum fruticosum</i>	Trailing African Daisy
T	<i>Penstemon</i> ssp	Penstemon
T	<i>Photinea</i> ssp	Photinia
T	<i>Potentilla</i> ssp	Cinquefoil
T	<i>Rhus ovata</i>	Sugar Bush

T	<i>Rosa banksiae</i>	Lady Bank's Rose
T	<i>Rosmarinus officinalis</i>	Rosemary
T	<i>Santolina</i> ssp	Santolina
T	<i>Senecio cineraria</i>	Dusty Miller
T	<i>Tecoma stans</i>	Trumpet Bush
T	<i>Teucrium chamaedrys</i>	Germander
T	Mexican Sage	Salvia Leucantha
T	Medicinal Aloe	Aloe Vera
P	<i>Abelea grandiflora</i>	Glossy Abelia
P	<i>Acanthus mollis</i>	Bear's Breech
P	<i>Ajuga reptans</i> 'purpurea'	Bronze Ajuga
P	<i>Antigonon leptopus</i>	Queens Wreath
P	<i>Asparagus desniflorus sprengeri</i>	Asparagus Fern
P	<i>Asparagus falcantus</i>	Asparagus Fern
P	<i>Bougainvillea</i> ssp	Bougainvillea
P	<i>Callistemon citrinus</i>	Lemon Bottlebrush
P	<i>Callistemon viminalis</i>	Weeping Bottlebrush
P	<i>Camellia japonica</i>	Camellia (many varieties)
P	<i>Carissa grandiflora</i>	Natal Plum
P	<i>Cotoneaster</i> ssp	Cotoneaster (many varieties)
P	<i>Cycas revolute</i>	Sago Palm
P	<i>Cyperus alternifolius</i>	Umbrella Plant
	<i>Eleaeagnus macrophylla</i>	
P	'Ebingei'	Silverberry
P	<i>Euonymus</i> ssp	Euonymus
P	<i>Fatshedera Lizei</i>	Fatshedera
P	<i>Fatsia japonica</i>	Aralia
P	<i>Ficus</i> ssp	Fig
P	<i>Gardenia jasminoides</i>	Gardenia (many varies)
P	<i>Hedera</i> ssp	Ivy
P	<i>Hibiscus</i> ssp	Hibiscus
P	<i>Ilex</i> ssp	Holly
P	<i>Jasminum</i> ssp	Jasmine
P	<i>Lagerstroemia indica</i>	Crape Myrtle
P	<i>Ligistrum</i> ssp	Privet
P	<i>Liriope muscari</i>	Liriope
P	<i>Macfadyena unguis-cati</i>	Cat's Claw Vin
P	<i>Motsrs itifioifrd</i>	Fortnight Lily
P	<i>Myrtus comminus</i>	Myrtle
P	<i>Nerium oleander</i>	Oleander
P	<i>Ophiopogon japonicus</i>	Mondo Grass

P	Pilodendron selloum	Philodendron
P	Pittosporum ssp	Mock orange
P	Pyracantha ssp	Pyracantha
P	Raphiolepis indica	Indian Hawthorn
P	Rose	Rose
P	Spirea ssp	Spirea
P	Tecomaria capensis	Cape Honeysuckle
P	Trachelospermum	Star Jasmine
P	Viburnum ssp	Viburnum
P	Vinca ssp	Periwinkle
P	Grass/Turf	Artificial turf & Real Grass

COBBLESTONE PROHIBITED PLANTS, SHRUBS, AND TREES

1. Any resident developing a landscape plan including installation of trees shall follow the Cobblestone Approved plant list. No prohibited plants shall be included in any landscape plan without approval of the ACC. Any trees or shrubs whose mature height may exceed 15 feet, must be approved by the ACC. Trees proposed on landscaping plans shall have heights above ground indicated. Any landscape plan which includes trees that will block a neighbor's view as determined in the sole discretion of the ACC are in violation of the CC&Rs. (See ACC RR&Rs B21 Height Limitation of Trees)
2. Fountain grass (*Pennisetum setaceum*), pampas grass (*Cortaderia selloana*) and Desert broom (*Baccharis sarothroides*) are prohibited as a highly flammable defined weed with the potential to spread through the development.
3. All palm trees whose mature height may reasonably be expected to exceed ten (10) feet are prohibited for aesthetic reasons. Dwarf varieties may be used within P and T areas.
4. Common Bermuda grass is prohibited as a defined weed and for its profuse production.
5. Buffelgrass is prohibited as a Pima County Legislated invasive weed due to high wildfire risk.
6. All pines, cypress, false cypress, juniper and cedar, whose mature height may reasonably be expected to exceed 15 feet are prohibited. Dwarf varieties may be used within private areas.
7. These specific trees are prohibited because of aesthetics, maturity height, allergy producing characteristics, susceptibility to disease, invasive qualities, or risk of wildfire and include:

Botanical Name

Common Name

Acer (many species)	Maple
Arundo donax	Giant Reed
Betula ssp	Birch
Brachychiton populneus	Bottle Tree
Cupressus	Cypress
Dalbergia sissoo	Indian Rosewood
Gleditsia ssp	Locust
Grevillea ssp	Silk Tree
Magnolia (many species)	Magnolia
Melia acedarach	Mulberry
Myrtaceae	Eucalyptus
Olea europaea	Olive
Parkinsonia aculeata	Mexican Palo Verde
Pistacia ssp	Pastiche
Platanus Wrightii	Arizona Sycamore
Populous fremontii	Fremont's Cottonwood
Populous Augustifolia	Narrowleaf Cottonwood
Populous sect/ Algeiros	Cottonwood
Rhus Lancea	African Sumac
Salix (many species)	Willow
Fraxinus Velutina	Arizona Ash

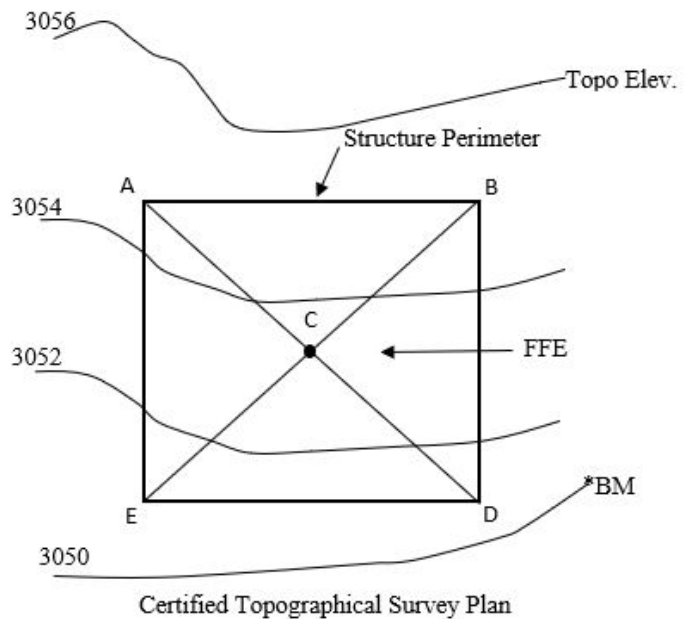
Attachment 4

**Structure Floor Elevation Reconciliation-Non HDZ Lots
For HDZ Lots Also See Section B2**

Example – Elevation Reconciliation Process

Point Selection for each structure.

- A – The most NW corner point
- B – The most NE corner point
- C – The most SE corner point. FFE
- D – The most SW corner point



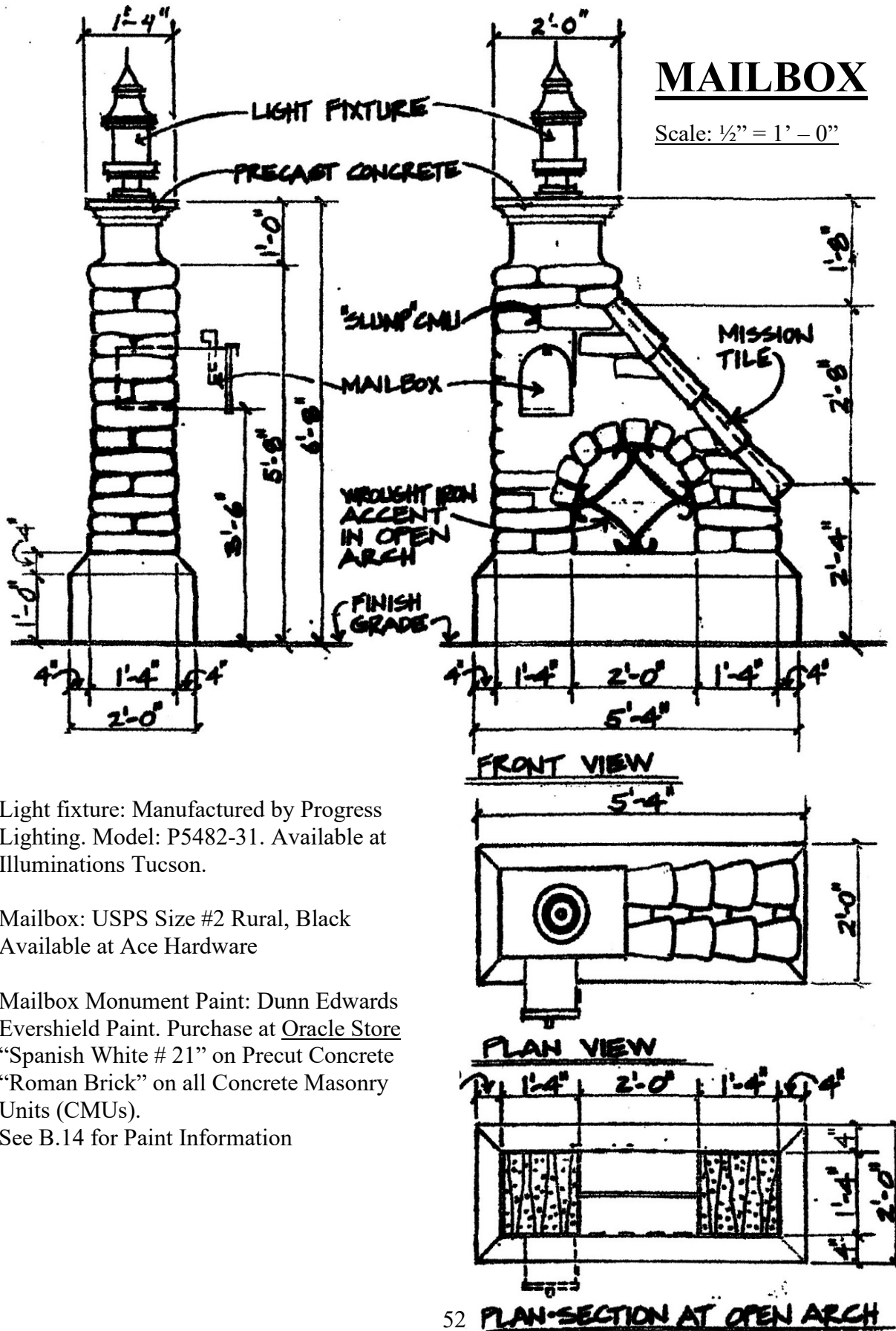
Example

- 1. Maximum Structure Height Plan Approval
Centroid Elevation from certified Topo Survey 3053.3
Maximum Structure Height 15.0
Maximum Structure Height 3068.3

2. Any Proposed Structure Height greater than 15 feet, must be depressed below the centroid grade, 1 foot greater than 15 feet.

B/M = Benchmark
FFE = Finished Floor Elevation
Topo = Topography

Attachment 5 – Mailbox Monument Standards



Light fixture: Manufactured by Progress Lighting. Model: P5482-31. Available at Illuminations Tucson.

Mailbox: USPS Size #2 Rural, Black Available at Ace Hardware

Mailbox Monument Paint: Dunn Edwards Evershield Paint. Purchase at Oracle Store "Spanish White # 21" on Precut Concrete "Roman Brick" on all Concrete Masonry Units (CMUs). See B.14 for Paint Information

Attachment 6

Mailbox Monument Light Fixture



Model: 5-3454-BK

Dunmore 1 Light 23.5 Inch Black Outdoor Post Lantern

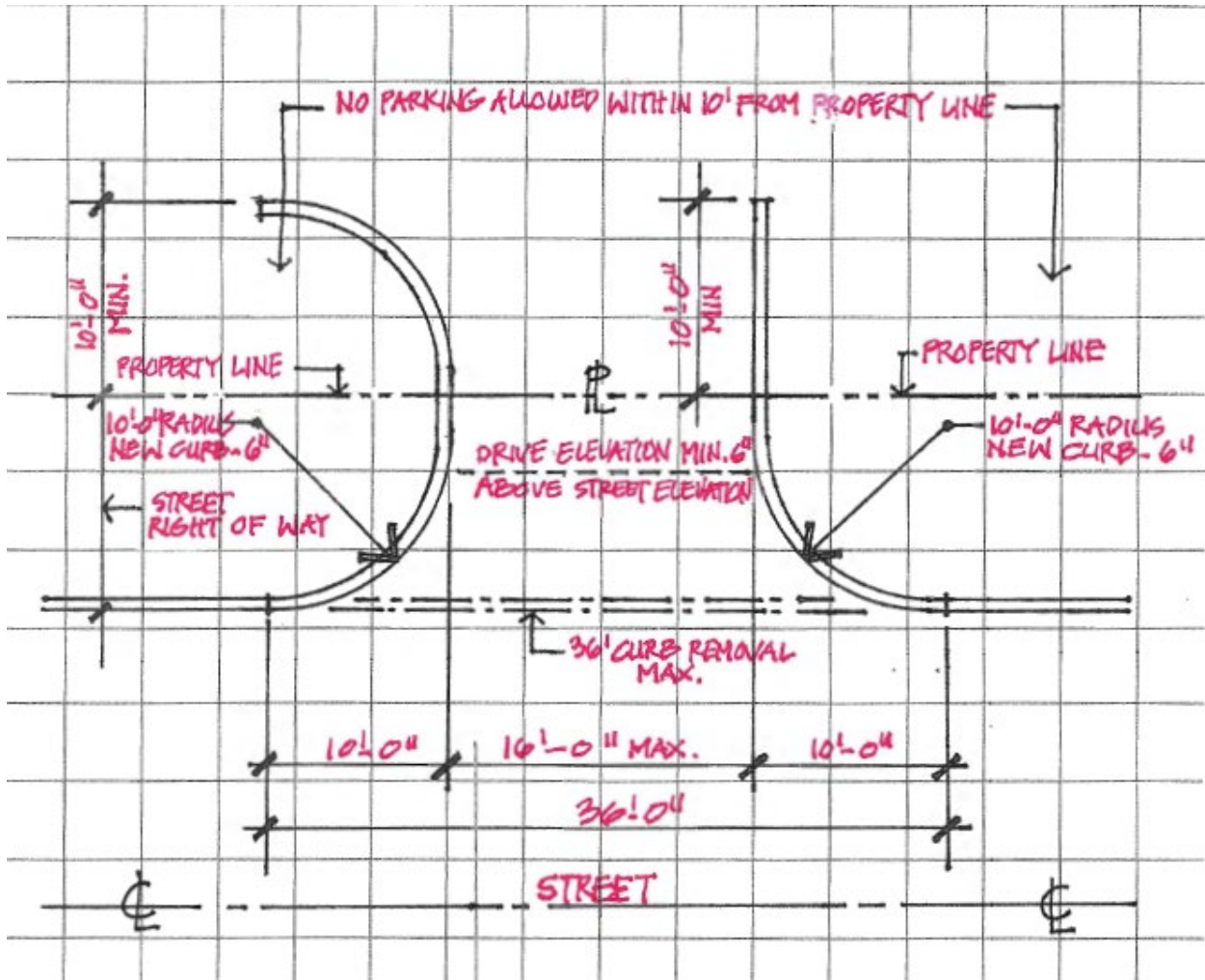
Reach out to HOA manager for purchasing information.

www.lightingnewyork.com

Bulb Specs

The lamp shall be a 60-watt equivalent LED (Softwhite – 2,700 to 3000 kelvins at 13 watts, 120V). The lamp shall be controlled by a Photocell or timer either in the lamp housing or remotely, so the light remains on 28 from dusk to dawn every day of the year.

CURB CUT DESIGN STANDARDS



Attachment 8

Solar Energy Device Design Application

Every Homeowner has the right to install and maintain solar energy devices, The ACC acknowledges the applicable Arizona Revised Statutes that regulate an HOA's ability to review and approve solar energy devices. Those same statutes also allow the HOA's to create "reasonable rules regarding the placement of a solar energy device." This attachment outlines the ACC submittal requirements for all solar energy device installation projects.

Section 1: Review and Approval Process

The process will follow the Article G provision for minor projects and will consist of the following:

1. Preliminary Plan review and approval.
2. Final Plan review and approval.
3. Post construction review and approval.

The preliminary plan review is structured to be made prior to the finalization of the solar energy design in order to ensure compliance with the design guidelines in Section 2. The ACC reserves the right to require a notification period before completing their review of any submittal. Refer to Section F of the RR&Rs for appropriate design review fee.

Section 2: Design Guidelines

Every effort is to be made to mitigate the impact of the installation on visibility from surrounding properties while maintaining the efficiency of the system. Homeowners are encouraged to review the placement locations and panel tilt angle options with the providing company prior to submittal for preliminary approval.

1. All related equipment components are to be concealed by the Dwelling or other Improvements; and/or positioned below the footprint of the collectors or panels so as not to be visible.
2. Excluding the surface face of the collectors or panels, all related equipment components not complying with the number one above are considered to be visible. Visible components of the entire installation shall match the adjacent surface finish color of the Dwelling or other Improvements whenever possible.
3. Homeowners are strongly encouraged to use a tilt angle of 20 degrees or lower from horizontal, based on performance consultation with the providing company. Lower angles will decrease visibility from neighboring homes. Angles above 20 degrees shall be researched by the providing company to demonstrate the need based on a significant increase in yearly performance and provide its report to the ACC with the DMR submittal. The ACC encourages lower angles to decrease visibility.

4. Panels shall be arranged in rows that are located as close to the Centroid of the home perimeter and at the greatest distance from the home as possible.
5. All submittals shall include photographs of the roof installation areas, a site plan, roof plan, and all technical data required for Pima county permit.
6. The ACC shall conduct a 21-day notification period per ACC RR&Rs prior to the final approval.

COBBLESTONE HOA GENERAL RULES AND REGULATIONS

1. Flag Rules - Approved August 2021

Flags specifically required to be permitted under federal and Arizona state law 33-1808/33-1261 shall be allowed. Flags, flagpoles, and illumination of them shall conform to the standards set forth below and are subject to review and approval by the ACC.

- a. Bracket mounted flags and flagpoles.
 - i. Must be mounted on the body of the house. Brackets may not be mounted on the roof or the roof eaves.
 - ii. Flags may not exceed 3 x 5 feet.
 - iii. Flagpoles must be of a color, material, and have reflective properties that minimize the visibility of the flagpole.
- b. Ground mounted flags and flagpoles.
 - i. May not exceed the height of the roof.
 - ii. Must be a minimum distance of 15 feet from any property line adjacent to another lot, or 20 feet from street-side lot lines. All locations must be approved by the ACC to ensure flags do not interfere with views or natural quiet of neighboring properties. The ACC may require setbacks greater than those described here.
 - iii. Poles must be of a color, material, and have reflective properties that minimize the visibility of the flagpole.
 - iv. Flags may not exceed 4 x 6 feet.
- c. Allowed flags may be illuminated, including throughout the dark hours, such that
 - i. Light source cannot be viewed beyond subject property line.
 - ii. Light source is located on the ground within 5 feet of the flagpole, no more than 1 foot from the ground.
 - iii. Light source is partly shielded, directing the light onto the flag.
 - iv. Light source does not exceed 800 lumens.
- d. To avoid generating noise that might adversely affect surrounding homeowners.
 - i. Mechanisms for erecting the pole or raising and lowering the flag on the pole shall not include external lines that might snap in the wind.
 - ii. Care must be taken when determining the location of installation so as not to cause a noise disturbance.
- e. Political Flags/Signs
 - i. Flags of a political nature are considered signs and shall not be permitted except directly in concert with local, state, or federal elections, as provided by law.
 - ii. The ACC will be guided by Arizona State Statute 33-1808.

2. Cobblestone Neighborhood Parking Rules

The parking rules for Cobblestone streets (which include cul de sacs and street cut-outs) are described below. The rules are designed for safety and convenience to assure consistent access throughout the neighborhood for residents, visitors and emergency and service vehicles. The rules also help maintain the appearance of Cobblestone.

Cobblestone HOA Roads and Common Area Property Parking

1. Parking is allowed between the hours of 6 am to 6 pm, 7 days a week. Construction and contractor parking is only allowed between the hours of 7 am and 6 pm Monday through Friday. (see #4 below)
 - a. all street cut-out parking locations are available for everyone to use, the cut-out locations are HOA property—they are not private, reserved spots for the nearby homeowner.
 - i. Use of the cut-out parking areas is encouraged.
 - b. Parking by guests after 6 pm is permitted provided the gatehouse is notified in advance.
 - c. Overnight parking is prohibited.
 - d. To ensure the flow of emergency vehicles and avoid bottleneck, parking will only be on one side of the main thoroughfare.
2. No parking at any time in the following areas:
 - a. No parking at any time in or on any cul-de-sac (no closer than 15 ft from start and end of the cul de sac)
 - b. No parking at any time off roadways unless an HOA approved construction site.
 - c. No parking at any time in areas that block a resident's driveway or mailbox.
 - d. No parking within six (6 feet) of a resident's mailbox or driveway entrance.
 - e. Parking directly across the street from a parked car is prohibited.

Parking on Private Residential Properties is designed to help maintain the appearance of Cobblestone:

1. Homeowner or resident's personal vehicles should be parked in the homeowner's garage.

- a. The CC&Rs require each homesite, at a minimum, to have a two-car garage.
- b. Homeowner's personal vehicles should not be parked routinely on their driveway or private parking areas.
- c. If a homeowner has more personal vehicles at their residence than garage stalls, the homeowner must request HOA Board approval through the Community Association Manager to use the driveway/parking areas for the extra vehicle. The Board will evaluate the request based on factors such as:
 - i. Reasons why the extra vehicle is needed.
 - ii. Is the request for a short term or long-term period?
 - iii. Are all garage stalls being used for vehicles vs storage of other item?
 - iv. Are the garaged vehicles used or stored?
 - v. How visible is the vehicle from the street and neighbors?
 - vi. Can the vehicle be screened from the street and neighbors?
- d. Homeowners, if possible, should have vendors and contractors park in their driveway or private parking areas.
 - i. Vendors and contractors are permitted in Cobblestone 7 am to 6 pm except on Saturday, Sunday, and certain holidays.
 - ii. Requests for vendors/contractors to be on site for additional days and times should be directed to the Community Association Manager. The requests are granted only under very limited circumstances.
 - iii. Unlike vendors and contractors, delivery services (e.g. UPS, FedEx, US Mail, etc.) are allowed into Cobblestone 6 am to 10 pm, seven days/week.
- e. Guest parking on the homeowner's property is unrestricted with the following conditions:
 - i. If possible, the vehicle of longer-term guests should be parked in the homeowner's garage or in areas that are screened from the road and neighbors.
 - ii. Homeowners must register with the gatehouse, guests (and their respective vehicle) that are staying for more than 13 consecutive nights.

Parties/Gatherings

2. Homeowners must notify the Gatehouse or Community Association Manager of events that will result in 8 or more vehicles parking on Cobblestone streets and common areas.
 - a. The homeowner shall notify the Gatehouse or Community Association Manager at least 3 days in advance.
 - b. At the discretion of the Community Association Manager, specific parking guidelines may be imposed for these large events. In some cases, valet parking may be required (see gatehouse/post rules).
3. If 10 or more guests are invited to a residence, the homeowner is to supply a typewritten list of the invited guests in alphabetical order by last name. The list is to be given to the Gatehouse at least 12 hours in advance of the time when the guests are to arrive.
4. Cobblestone common area and street parking rules will be monitored and enforced by our night-time security patrols and the Community Association Manager. Cobblestone residential parking will be monitored and enforced by the Community Association Manager. Violation of any parking rules may result in an HOA violation subject to the Enforcement and Monetary Penalty Policy.
5. Vehicle Horns. Blowing of horns is not permitted other than for emergency purposes.

Cobblestone Homeowners Association, Inc.

Enforcement Policy and Procedures

The Association's Covenants, Conditions and Restrictions of the association empowers the board of directors to make and enforce rules governing the use of any area of the property by any Owner or Occupant, his family or by any invitee, licensee, tenant, agent, employee or other guest of such Owner or Occupant; and Article VII; Section 3; provides authority to the Association to enforce the Covenants, Restrictions, etc. as well as levy fines for violations of any provision of the Documents.

1. NOTICE TO OWNER.

1.1. Courtesy Notification. In most cases, and when appropriate as determined by the Association's Manager or the Board, the first notification to an Owner of his/her violation of the Declaration or Rules will be by means of a written Courtesy Notification. The Association's Manager will issue the notice to the Unit Owner via e-mail. If a current email address is not available, the notice will be sent to the Owner via first class U.S. Mail to the Owner's address of record.

1.2. First Notice of Violation. If the Unit Owner has failed to correct the violation within two weeks from the date of the Courtesy Notification, a First Notice of Violation will be sent to him/her (via first class U.S. Mail) with a timetable for corrective action, which will be at least 21 calendar days from the date of the First Notice of Violation. If the Owner is leasing his/her Unit, the Association may also provide a copy of the Notice of Violation(s) to the Owner's tenant.

1.3. Contents of First Notice. The First Notice of Violation shall provide at least the following information:

- A. The rule or restriction that allegedly has been violated.
- B. Action(s) required to cure the violation.
- C. The date of the violation or the date the violation was observed.
- D. The first and last name of the person(s) who observed the violation.
- E. Notice of the Unit Owner's option to petition for an administrative hearing on the matter in the Arizona Department of Real Estate pursuant to Arizona Revised Statutes Section 41-2198.01.

1.4. Contesting the Notice of Violation. If the Unit Owner wishes to contest the First Notice of Violation, he/she shall provide the Board a written response by certified mail within 14 calendar days after the date of the First Notice of Violation, which shall include a request for any additional information he/she requires. This response shall be sent to the Association's office at the address shown on the notice of violation.

1.5. Response by Association to Owner. Within 10 business days after receipt of the Unit Owner's response, the Board or its authorized agent shall respond to the Unit Owner by certified mail with a written explanation regarding the notice of violation and shall provide any additional information the Unit Owner reasonably requires.

1.6. Second Notice of Violation. After the procedure in Paragraphs 1.1-1.5 is completed, or after the initial 14-day response period set forth in the First Notice of Violation (if the Unit Owner has not responded), a follow-up inspection will be conducted by the Community Manager. If the Unit Owner has not cured the violation(s) within the time specified, a second notice of violation will be sent, wherein the Unit Owner will be instructed to cure the violation(s) within 14 calendar days after the date of the second notice.

2. IMPOSITION OF MONETARY PENALTY

2. Notice of Hearing. A follow-up inspection will be conducted on or after the deadline date of the second notice of violation. If the non-compliance still has not been cured, the Board may refer the matter directly to the Association's attorney for further action or may send the Unit Owner a "Notice of Hearing" via certified mail, return receipt requested and first-class mail, wherein the Owner will be invited to attend the next Board Meeting/Hearing Panel Session and have an opportunity to be heard. The date, time and location of the Hearing shall be stated in the Notice of Hearing.

2.2. Hearing Panel. A quorum of the Board of Directors shall act as the Hearing Panel at a regularly scheduled or special meeting of the Board. The Hearing will be held in executive session unless the affected Unit Owner requests that the Hearing be held in an open session. The Unit Owner may attend in person or via telephone or electronic devices.

2.3. Designated Representative. A Unit Owner may present to the Board (prior to or at the Hearing) written notification that another person is the Owner's designated representative. A designated representative may speak on behalf of the Owner.

2.4. Procedure for Hearing. Procedure for the Hearing will be set by the Board of Directors. The Unit Owner and his/her designated representative will be informed of the procedure before the Hearing begins. The Unit Owner and/or his/her designated representative will be given an opportunity to present supporting documentation and testimony to show why enforcement action should not be authorized by the Board, which could include the levy of a monetary penalty and/or referral of the matter to the Association's attorney.

2.5. Proof of Delivery of Notice. Proof of delivery to the Unit Owner of the Notice of Hearing shall be deemed adequate if a copy of the Notice, together with a statement of the date and manner of delivery is entered into the minutes of the meeting and into the Unit Owner's file, by the officer, director, or agent who mailed or delivered the Notice.

2.6. Procedure if Owner or Representative Does Not Appear. If the Unit Owner or his/her designated representative does not appear at the Hearing, the Board may levy a monetary penalty and/or refer the matter to the Association's attorney for further action.

2.7. Hearing Panel's Deliberations. At the conclusion of the Hearing, the Unit Owner and his/her designated representative will leave, and the Hearing Panel shall deliberate and issue a decision, which shall be entered into the minutes of the meeting. The Hearing Panel shall consider the following factors:

- a) The seriousness of the violation.
- b) Whether this is a first violation or a continuing violation(s).
- c) Whether the type of violation poses a danger to property or any person.
- d) Any other extenuating circumstances, and whether the Unit Owner agrees in good faith to correct the violation(s) within the time specified by the Board of Directors.
- e) Whether the amount of the monetary penalty being imposed is sufficient to obtain compliance, based on the facts.
- f) Impact of the violation(s) on property values.

SEE ATTACHMENT A: GUIDELINES FOR BOARD'S IMPOSITION OF PENALTIES.

The attached Guidelines are not binding. The Board of Directors may impose a monetary penalty of any reasonable amount, based on the application of the factors above.

2.8. Notice to Unit Owner. Notice shall be sent to the Unit Owner by the Board or its designated agent, within 15 days after the date of the Hearing, stating the Hearing Panel's decision, including the amount of any monetary penalty that may have been imposed and its due date.

2.9. Delinquency of Penalty. Any monetary penalty imposed, which has not been paid within 30 days after its stated due date shall be delinquent, and a late charge of \$15.00 shall be added to the penalty.

2.10. Continuing or Repeat Violations. Each day a violation(s) continues after the First Notice of Violation has been given by the Board to the Unit Owner constitutes a separate violation. A monetary penalty for a continuing violation of an Association Rule or restriction may be imposed by the Board for each issue of noncompliance of the same Rule or restriction without any further hearings. Daily penalties for violation of a Rule or restriction may accrue for ongoing issues of noncompliance until each such violation is corrected.

2.11. Collection of Penalties. The Association has a lien for penalties and associated late charges, attorney fees and costs, imposed for violation of a rule or restriction, after the entry of a judgment in a civil suit for penalties, late charges and associated attorney fees and costs, by a court of competent jurisdiction. and the recording of that judgment in the office of the Pima County Recorder. This lien is effective on conveyance of any interest in the subject Unit. The Association may collect the amounts due under the judgment prior to conveyance of the Unit, by any lawful means.

3. CUMULATIVE RIGHTS AND REMEDIES. All rights and remedies of the Association at law or in equity are cumulative, and the exercise of one right or remedy shall not waive the Association's right to exercise another right or remedy. This means that the Association's Board may begin the enforcement process with the First Notice of Violation, bypassing the

Courtesy Notification, and/or can decide to bring a lawsuit against an Owner to enforce an applicable rule, restriction or statute in addition to or instead of imposing a monetary penalty.

4. **EFFECTIVE DATE.** The Board of Directors of Cobblestone HOA adopted this Enforcement Policy and Procedures at its duly-held meeting on the 18th of July 2024.

Cobblestone Homeowners Association, Inc. an Arizona
non-profit corporation

ATTACHMENT A
GUIDELINES FOR IMPOSING MONETARY
PENALTIES

1. No monetary penalty shall be assessed until the Unit Owner with a violation has been given written notice and an opportunity for a hearing with the Board.
2. Guidelines for Monetary penalties for violation(s) of the CC&R's or the RR&R's of the ACC assessed as follows:
 - First violation \$ 100
 - Second violation (of the same nature) \$ 200
 - Third violation (of the same nature) \$ 300
 - Each violation after the third (of the same nature) \$ 500
3. An additional monetary penalty that accrues each day *may* be assessed after the monetary penalties have been assessed if the violation is a continuing one. **(Example:** A Unit Owner installs an improvement without required Architectural Review Committee ("ARC") approval. A first violation monetary penalty of \$100 is assessed. If the violation continues uncorrected, an additional monetary penalty in a reasonable amount may be assessed for each day until the violation is corrected. If the Unit Owner ultimately corrects the violation and then the Unit Owner installs another improvement without ARC approval. A second violation monetary penalty of \$200 is assessed without the need for another Hearing with the Board. If the violation continues uncorrected, an additional daily monetary penalty may be imposed until the violation is corrected).
4. The amounts of the daily monetary penalties and increasing monetary penalties for similar violations are mere guidelines. The Board has the discretion and authority to deviate from these guidelines by applying the factors below:
 - a) The seriousness of the violation(s).
 - b) Whether this is a first violation or a continuing violation(s);
 - c) Whether the type of offense poses a danger to property or any person.
 - d) Whether the unit owner agrees in good faith to correct the violation(s) within the time specified by the Board of Directors.
 - e) Whether the amount is sufficient to obtain compliance based on the facts.
 - f) Impact on property values.
 - g) Any extenuating circumstances
5. The Board, in its discretion may impose a onetime penalty of sufficient size to compel compliance with an HOA Rule or Regulation. As an example, a homeowner has dead or dying vegetation on their property which has not been sufficiently addressed creating a potential fire hazard. The Board will have the discretion to impose a single fine of a reasonable size to spur compliance. .
6. The Board may impose non-monetary penalties in lieu of, or in addition to, the monetary penalties above, including, but not limited to, the suspension of member voting rights.

7. Should the Board determine that a violation by a homeowner, may cause a hazardous situation to another homeowner or to the Community at large, the Board may determine to contract with a service to remediate the violation at the expense of the violating homeowner.

8.

It is the obligation of the unit owner to advise the Association in writing, via email or U.S. Mail, that the violation has ceased.

Notice	Time Line	What happens
Courtesy Notice	Day 1	Written Warning to Owner indicating that a violation of the CCRs and Rules and Regulations exists on the Unit/Lot or Common Area and what is required to cure the violation.
Notice of Violation	Day 14	Written Notice of Violation indicating that the violation continues and provides the owner a minimum of 21 calendar days to comply with the request. This is also the time period an owner may contest the violation in writing to the Board of Directors.
Notice of Hearing	Day 35	Written Notice of Hearing indicating when the Owner is requested to meet with the Board of Directors to discuss the ongoing violation. This notice will include a date, time and potential consequences.
Hearing	Day of Hearing Approx. Day 45	This is an opportunity for the Owner to share their reason(s) for noncompliance. Under special circumstances, a modified remediation schedule may be considered by the Board.
1st Fine Notice	1st of the Month following the date of the Hearing	Written Fine Notice indicating that a fine has been levied against the Owner's account for continued noncompliance of the violation for a period of more than 6 weeks, or a second occurrence of the same violation within a 6-month period and that, should the noncompliance issue continue, there will be a 2nd Fine Notice issued.
Continuing Fine Notice(s)	1 st of each month after 1 st Fine	The Owner will be provided with 1 calendar month to remedy the violation and notified that continued violation will result in an additional fines.