

# **THE FESTIVAL/CELEBRATION HOMEOWNERS ASSOCIATION**

## *Architectural Guidelines*

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TABLE OF CONTENTS**

**RESIDENTIAL ARCHITECTURAL GUIDELINES**

<a href="#"><u>Community Organization</u></a>	page	3
<a href="#"><u>Architectural Review Process</u></a>	page	3
<a href="#"><u>General Principles</u></a>	page	4
<a href="#"><u>Protection of Neighbors</u></a>	page	4
<a href="#"><u>Design Compatibility</u></a>	page	4
<a href="#"><u>Workmanship</u></a>	page	4
<a href="#"><u>House Paint/ Trim Colors</u></a>	page	4
<a href="#"><u>Patio Covers</u></a>	page	5
<a href="#"><u>Metal Fascia</u></a>	page	5
<a href="#"><u>Storage Sheds</u></a>	page	5
<a href="#"><u>Satellite Dishes</u></a>	page	5
<a href="#"><u>Roof and Wall-Mounted Equipment</u></a>	page	5
<a href="#"><u>Outdoor Fireplaces</u></a>	page	5
<a href="#"><u>Outdoor Lighting</u></a>	page	5
<a href="#"><u>Landscaping</u></a>	page	5
<a href="#"><u>Fences</u></a>	page	5
<a href="#"><u>Ornamentation</u></a>	page	6
<a href="#"><u>Maintenance</u></a>	page	6
<a href="#"><u>Maintenance of Landscape in Easement</u></a>	page	6
<a href="#"><u>Swimming Pools</u></a>	page	6
<a href="#"><u>Flagpoles</u></a>	page	6
<a href="#"><u>Basketball Goals</u></a>	page	6
<a href="#"><u>Driveway Extensions</u></a>	page	7
<a href="#"><u>Clotheslines</u></a>	page	7
<a href="#"><u>Window Coverings</u></a>	page	7
<a href="#"><u>Planters and Walkways</u></a>	page	7
<a href="#"><u>Ramada's and Gazebos</u></a>	page	7
<a href="#"><u>Play Structures</u></a>	page	7
<a href="#"><u>Gates</u></a>	page	8
<a href="#"><u>Gutters and Downspouts</u></a>	page	8
<a href="#"><u>Front Doors, Screen, Security or Storm Doors</u></a>	page	8
<a href="#"><u>House Numbers</u></a>	page	8
<a href="#"><u>Window Screens</u></a>	page	8
<a href="#"><u>Garage Doors</u></a>	page	8
<a href="#"><u>Building Architectural</u></a>	page	8
<a href="#"><u>Solar Panels</u></a>	page	8
<a href="#"><u>Additions to Guidelines</u></a>	page	8

**COMMUNITY RULES**

<a href="#"><u>initial Landscape Installation</u></a>	page	9
<a href="#"><u>General Property Restrictions</u></a>	page	9
<a href="#"><u>Trash/Recycling Containers and Collection</u></a>	page	9
<a href="#"><u>Pets</u></a>	page	9
<a href="#"><u>Machinery and Equipment</u></a>	page	9
<a href="#"><u>Vehicles, Campers and Boats</u></a>	page	9
<a href="#"><u>Parking</u></a>	page	9
<a href="#"><u>Building Repair</u></a>	page	9

# **RULES AND REGULATIONS**

## **COMMUNITY ORGANIZATION**

Every resident of Festival/Celebration is a member of The Festival/Celebration Homeowner's Association (the "Association"), the entity responsible for the management of all common areas as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements (the ICC&R's"). The CC&R's set forth procedures, rules and regulations, which govern the community. The Festival/Celebration Rules to be used as an aid to the Architectural Committee.

The Board of Directors (the "Board") is charged with responsibility for overseeing the business of the Association. The Architectural Committee (the "Committee") is established by the Board to review all improvements within Festival/Celebration including new construction and modifications to existing properties. The Committee has adopted architectural guidelines and standards to evaluate proposed construction activities.

## **ARCHITECTURAL REVIEW PROCESS**

Any change, addition, or modification to a site or a building exterior of a residential property requires the prior written approval of the Committee. Residents with proposed changes should contact the Management Company with whom the Association has contracted for Association management, to obtain the necessary submittal documentation.

Simply stated, no improvements, alterations, repairs, additions, or other work, including changes in exterior color, is to occur on any lot or exterior of any home without the prior approval of the Committee. The responsibility of the Committee is to ensure the harmonious, high-quality image of Festival/Celebration is implemented and maintained.

Any owner requesting approval of the Committee shall follow the application procedures listed below. Submittals will be returned to the homeowner either approved, denied, or for more information within sixty (60) days of receipt of the request. If there is an emergency situation, please contact Kinney Management Services.

It is the homeowner's responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all county, local, state and federal government agencies. The Committee, the Management Company and the Association assume no responsibility for obtaining these reviews and approvals.

# ARCHITECTURAL GUIDELINES

## GENERAL PRINCIPLES

The purpose of the Committee is to ensure consistent application of the Design Guidelines. The Committee monitors any portion of any lot or parcel which is visible from other lots or parcels, the street, or Association common areas. This would include backyards which are visually open to other lots or Association common areas. The Design Guidelines promote those qualities in Festival/Celebration that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.

The responsibility of the Architectural Committee is to review and process all submittals made by homeowners in the development. When a submittal has been made the committee will review the request and make the determination if it can be accepted or denied as set forth in the Design Guidelines, and then the homeowners will be notified of the decision.

In the event that a request, submitted by a homeowner has been denied by the committee, the homeowner has the right to appeal the decision to the board. Once that process has been followed and if the board supports the Architectural Committee decision, then the decision will stand. A homeowner would be eligible to re-apply after waiting a period of three years.

## Protection of Neighbors

The interest of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, and other aspects of design, which may have a substantial effect on neighboring properties.

## Design Compatibility

The proposed construction must be compatible with the design characteristics of the property itself, adjoining properties and the neighboring setting. Compatibility is defined as harmony in style, scale, materials, and color and construction details.

## Workmanship

The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the Committee assume no responsibility for the safety or livability of new construction by virtue of design or workmanship.

## House Paint/Trim Colors

All paint colors must be approved in writing by the Architectural Committee via an Architectural Request Form (ARF). Homeowner can request a Paint Sample Packet from property Management Company. Once homeowner has chosen house paint colors from approved color packet, and ARF must be completed and sent to property Management Company. Upon written approval of the ARF by the Architectural Committee, homeowner may begin painting.

General house paint guidelines: Stucco area and under fascia portion must be painted same color as exterior house color. Garage door is to be painted the same color as the home exterior. Trim is considered to be the visible portion of the wood under the tile roof which faces outward on all sides of the house (that portion visible from standing in front of or at the side of the home). 1" wooden border around front door is considered trim and MAY be painted same color as house trim. Any other areas to be painted as 'trim' must have prior written approval by HOA Architectural Committee before painting begins. Please see "Front Doors" section for front door requirements. Exterior and trim of home-Dunn Edward or Frazee brands are preferred, but not required.

### **Patio Covers and latticework**

Patio covers, along with any permanent addition to a home, must be submitted to the Committee for approval prior to construction. Acceptable materials for use in Patio covers: wood, molded aluminum. No sheet aluminum or fiberglass will be allowed. Patio cover sides to match color of home, roof to complement tile roof. Cover to tie into roof trusses where physically possible. The construction must meet the City of Chandler's building code specifications. A copy of City of Chandler approved permit must accompany architectural request. Latticework is not acceptable if it is visible from the street, unless living, growing material covers the lattice. Lattice is to be painted a matching color to the house.

### **Metal Fascia**

Metal fascia is acceptable but must be approved and then painted an approved color.

### **Storage Sheds**

Backyard storage sheds detached from the house will be considered provided they are lower than the home's surrounding wall or fence so as not to be visible from neighboring property or from the street. Storage sheds, except those installed by the builder during original construction, must be submitted to the Committee for approval prior to construction.

### **Satellite Dishes**

While the Association cannot prohibit the use of satellite dishes, they do regulate the size and location of the "dish" on the following basis. Any "dish" larger than one meter (39 inches) that is visible from the street, neighboring property or the common areas is prohibited. Dishes are to be located in rear yards only. Homes with "view" fencing must locate the dish in the most unobtrusive location possible while still receiving a quality signal. Dishes that are visible from neighboring property, streets, or the common areas are to be painted to match the body color of the house. ARF for use of satellite dishes are to be submitted to the Committee with a diagram showing the location and size of the device.

### **Roof & Wall-Mounted Equipment**

No devices of any type, such as evaporative coolers or air conditioning units shall be placed on any roof, in front of the home, or be visible from the street. Electrical boxes, panels, conduits or irrigation controllers attached to the home must be painted the color of the house if placed in front of the house and are visible from the street.

### **Outdoor Fireplaces**

Installation of outdoor fireplaces requires advance approval by the Committee. Outdoor fireplaces may not exceed fence height. Permanent wood burning fireplaces are prohibited. Committee will consider any smoke nuisance to neighbors when making their decision.

### **Outdoor lighting**

Any outdoor lighting (including motion lights) installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval by the Committee. Permanent lighting sources shall be directed on homeowners' lot only, not toward streets, common areas or neighboring property.

### **landscaping**

Landscaping barriers may be acceptable and will be considered by the committee on a case-by-case basis. Barriers may be no higher than a maximum of 18". Wooden barriers are not allowed, brick or concrete block maybe acceptable. Block will be painted a similar color as the home.

### **Fences**

Fences, in addition to those constructed by the original homebuilder are not allowed along the side or front of property. Split rail fences are not allowed. Fences can neither be raised nor lowered in height, nor can they be used in conjunction with another structure without prior approval of the committee. In addition, according to the City of Chandler regulations the fence height is 6 feet. Any request to make a change to the height would require a building permit from the city, and also must have received approval from the committee before any change can be made. Likewise, no property owner may make any change to his fence without providing written approval from all adjoining property owners.

## **Ornamentation**

The utilization of non-living objects as ornaments in the landscape must be harmonious with the character of the neighborhood and must be approved by the Committee. Individual expression is encouraged so long as it does not detract from this goal. Temporary Christmas decorations are permitted but must be removed no later than the first week of January. Other temporary holiday decorations are permitted so long as they are removed no later than 15 days following the holiday.

## **Maintenance**

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash. Natural wildflowers are acceptable in landscaping as long as they are removed once they die in the spring or summer.

## **Maintenance of Landscape in Easements**

Many homeowners (particularly those on corner lots) have side yards (easements). "Easements" are generally between the sidewall and the street. These "easements" are actually a portion of the homeowner's lot. Maintenance of "easements", including the replacement of plants and weed control is the responsibility of the homeowner. Any changes to these areas require the approval of the Committee.

## **MISCELLANEOUS ITEMS**

### **Swimming Pools**

Prior to construction of a swimming pool, a homeowner should contact the Management Company to coordinate the point of construction access to assure damage to common landscaped areas and common perimeter walls is avoided. In most cases, residents will be advised to enter through the side yard wall, from the front of their homes. Any opening which affects a common Association wall shall require an architectural submittal and a deposit for such work, refundable after walls and landscape are repaired and returned to their original condition. The Committee may also require the Association to replace and repair any common wall that has been affected to ensure continuity within the community with the ability to charge back to the member for labor and materials.

Pools may not be backwashed into the drainage ditches, natural washes, common landscaped areas, drainage-ways or streets. All backwash water is to be retained on the owner's lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity. Swimming pool fence requirements are regulated by the City.

The City should be contacted to determine the safety fence requirement for pools. For safety reasons, all openings in walls must be securely covered during construction to prevent injuries.

Pool plans will not need prior approval unless there is a feature (pool slide or other structure) which would be visible above the top of the wall. All pool equipment shall be screened from view of neighboring property, streets and common area with walls which match the architectural character and color of the house or the existing wall. If pool equipment is placed near view fencing, space must be allowed to accommodate the screening wall.

### **Flagpoles**

Flagpoles are not allowed in residential areas. Homeowners are advised to use brackets mounted on the house or garage to display flags.

### **Basketball Goals**

Homeowners must submit an application to the Committee for approval prior to the installation of a basketball goal. Goals will be allowed as a permanent installation in front yards, adjacent to the driveway at mid-point, on the front entrance side of the driveway. Strict guidelines will be adhered to regarding the quality of equipment and installation and special attention will be paid to placement of the pole on the lot. Goal shall be placed no more than 12" from edge of driveway. Backboards may be transparent or a standard type with highly visible logo material prohibited. No lighting designed to illuminate basketball goals shall be installed without prior written approval of the committee. Portable Goals - are to meet the same criteria as permanent structures. Additionally, they may not be left outside more than two (2) consecutive days (48 hours). They must be put out of sight overnight.

### **Driveway Extensions**

Driveways may not be expanded without the prior approval of the Committee. Size of expansion can range from 12" to 24" on either side of existing driveway. Extensions which exceed 24" are discouraged. Committee will treat each case individually, depending on lot size and location. [Whether in Festival or Celebration] Extension must be between 16" to 24" from neighbor's property line, depending on individual lot size and configuration. A living plant must be planted in the ground between the extension and the property line. All driveways must be kept clean and clear of debris, oil, rust and other stains. The use of driveway extensions for parking a third vehicle is strictly prohibited.

### **Clotheslines**

Clotheslines or other outside facilities for drying clothes are not permitted unless they are placed exclusively within a fenced yard and not visible above the top of the block wall or otherwise concealed.

### **Window Coverings Criteria**

In no event shall the interior or exterior of any windows be covered with reflective material, such as foil, or with paper, bed sheets or other temporary coverings.

No enclosures, drapes, blinds, shades, screens, awnings, or other items affecting the exterior appearance of a house shall be constructed or installed in any home without prior written approval of Committee. The committee has given approval to all shutters, mini-blinds, and vertical blinds, of standard colors, installed on interior of windows.

### **Planters and Walkways**

Planters, paved walkways and other hardscape features visible from neighboring property must be reviewed and approved by the Committee. Surface textures and colors are to match the paint color and materials of the house. Walkways from driveway to back fence are not to be paved to structure wall, 4-8 "or more, to be left visible and landscape filler (gravel) used between concrete and structure. Walkway is to be 6" to 24" from neighbor property line, depending on lot configuration. Walkways will be considered on a case- b y - c a s e basis.

### **Ramadas and Gazebos**

Ramadas and gazebos may be erected in rear yards only subject to prior review and approval by the Committee, subject to the following guidelines:

- 1) Maximum square footage (under roof area) is 120 square feet.
- 2) The structure must be set back a minimum of 7 feet from any perimeter wall.
- 3) The structure to be painted to match the house color and maintained in good condition.
- 4) Any roof tile must also match the tile of the house.
- 5) Lighting of the structure must be approved by the Committee prior to installation.
- 6) Structure must not be visible from the street. Landscaping may be used to help in reducing visibility from the street.

### **Play Structures**

Play structures may be erected in rear yards only subject to prior review and approval by the Committee, subject to the following guidelines:

- 1) May be erected in rear yards only and structures must be set back a minimum of 7 feet from any perimeter wall.
- 2) The distance from the ground elevation to the top of the playground structure must be measured and submitted with plans.
- 3) The Committee will take the appearance, height, and proximity to neighboring property into consideration.
- 4) Structure must not be visible from the street.
- 5) Submit a brochure or picture if possible.
- 6) Committee will consider on a case-by-case basis

## **Gates**

Double gates may be installed to allow wider access ways to yards. Double gates should be the same type, design, and color as the originally installed single gates. Shrubs, trees or other plants should be located between the house and the double gates, where possible. Wooden slats in gates must be natural wood color or same color as home. All double gates require Committee approval except those installed by the builder during original construction. Cement driveways from street to double gates are prohibited.

## **Gutters and Downspouts**

Gutters and downspouts not installed by the builder will require approval. The finish on same must match the adjacent surface of the home in color and the vertical drain portion is positioned at the back of the home. High-quality materials that offer long life are recommended, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts, the quality of material to be used, warranty by the manufacturer, and the name and telephone number of the installer.

## **Front Doors. Screen, Security or Storm Doors**

Front Doors, Screen doors and "security doors" must be approved in advance by the Architectural Committee. Screen, security or storm doors should be of high-quality wrought iron. All doors should be in a color that matches the body of the house, white, off white or to match trim color black screen/security doors may be allowed. Brown wooden front doors may be allowed in Celebration, but homeowners must have prior approval for all door colors.

Overly ornate designs will be discouraged. Pictures or brochures should be submitted with the submittal application if available.. Alternate colors may be considered, and must receive written approval prior to installation. If homeowners are using paper to cover their interior doors with glass inserts for security reasons the paper must be white or the same color of the house. No covering is allowed on the outside of the door at any time.

## **House Numbers**

Any change in house numbers must be submitted to the Architectural Committee for approval before installation.

## **Window Screens**

Allowable colors: white, off-white, almond, ivory, black, tan and light gray. Approval by Architectural Committee is necessary before installation.

## **Garage Doors**

Garage doors must be submitted to the Architectural Committee before installation. They must be similar to current doors in the community and must be painted the same color as the house. Garage doors that have windows in the front may cover the windows for security reasons. Material used for covering the windows should match the color of the house and would require approval from the committee.

## **BUILDING ARCHITECTURE**

In general, any exterior addition or alteration to an existing residence must have prior approval from the HOA Architecture Committee. A City of Chandler approved, dated permit must be included with the architectural Submittal form. Any alterations shall be compatible with the design character of the original structure.

## **Solar Panels**

Solar panels must meet all City and State regulations, and must receive approval from the Architectural Committee, to include a completed architectural submittal form and the City of Chandler approved, dated permit. The installation must be provided by State licensed providers.

## **Additions to Guidelines**

Property owner's responsibilities: All property owners within the development of Festival/Celebration are responsible for complying with the CC&Rs and the Architectural Guidelines. Any violations or cost related to violations against the property is the full responsibility of the property owner.



## **COMMUNITY RULES**

The following community rules summarize some of the common provisions found in the CC&R's as well as rules established by the Board. Cooperation on the part of all residents in following these rules will make living at Festival/Celebration an enjoyable experience.

### **Initial landscape Installation**

Any other portion of a lot which is visible to other lots, the street, or Association common areas must be landscaped within ninety (90) days of close of escrow.

### **General Property Restrictions**

Owners may rent only the entire lot or dwelling unit. Rental must be made only to a single family. Trade or other non-residential use may be conducted on the property for the purpose of receiving products or services related to such usage; as long as it does not become a nuisance to other homeowners in the community. Owners must receive Board permission to apply for any re-zoning, variances or use permits.

### **Trash/Recycling Containers and Collection**

No garbage or trash shall be kept on any lot except in covered containers as provided by the City. These containers must be stored out of sight except for days of collection.

### **Pets**

Residents are allowed to keep a reasonable number of generally recognized house or yard pets. Animals cannot be kept or raised for commercial purposes, and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have prior approval of the Committee. Dogs must remain on leashes at all times while on Association property. All owners must clean up after their pets.

### **Machinery and Equipment**

No machinery or equipment of any kind shall be placed, operated or maintained upon any lot or any street.

### **Vehicles, Campers and Boats**

Motor vehicles classed by manufacturer rating as exceeding seven (7) feet in height measured from ground level and eighteen (18) feet in length, may not be parked, maintained or repaired on any lot or on any street so as to be visible from neighboring property. Mobile homes, travel trailers, camper shells, boats or other similar equipment or vehicle on property are not to be visible above the fence or visible from the street. Temporary parking of recreational vehicles, boats and similar equipment will be permitted, if it is apparent that the item(s) are being loaded or unloaded, or upon approval of the property management company if said vehicle is parked temporarily while visiting homeowner. All motorized vehicles, including ATV's, motorcycles, go-carts and similar vehicles are prohibited from entering onto any common areas. Vendors may park for a reasonable amount of time while rendering a service.

### **Parking**

Vehicles of homeowners and their guests are to be parked in the garage, driveway, or street. Neither inoperable vehicles nor those with expired tags shall be parked in driveways or streets. No vehicle shall be parked on landscaped areas such as grass or granite. Three vehicles parked side by side on a driveway is prohibited.

### **Building Repair**

No building or structure shall be permitted to fall into a state of disrepair. The owner of every home or structure is responsible at all times for keeping the buildings in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the owner is responsible for immediate repair or reconstruction. Roofs must be kept in good repair at all times.