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# FOX CROSSING

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## Design Guidelines & Community Rules

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### **FOX CROSSING HOMEOWNERS ASSOCIATION**

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## **COMMUNITY ORGANIZATION**

Every resident of Fox Crossing is a member of the Fox Crossing Homeowners Association (the “Association” or “HOA”), the entity responsible for the management of all common areas and related homeowner’s facilities 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 “CC&R’s”). The CC&R’s set forth procedures, rules, and regulations that govern the community. These guidelines for community living are an extension of the CC&R’s and are designed to be used in harmony.

The Board of Directors (the “Board”) is charged with the responsibility for overseeing the business of the Association. The Board has a wide range of powers including the ability to adopt rules and regulations governing the use of common areas and to employ a management company to assist in the operation of the Association. The Architectural Committee (the “Committee”) was established by the Board to review all improvements within Fox Crossing including new construction and modifications to existing properties. The Committee has adopted Design Guidelines and standards to evaluate proposed construction and change activities.

## **ARCHITECTURAL REVIEW PROCESS**

The purpose of the Architectural Committee (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 includes backyards that are visually open to other lots or Association common areas through a view fence. The Design Guidelines promote those qualities in Fox Crossing 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.

Changes, additions, or modifications to a site or a building exterior of a residential property require the **prior** written approval of the Committee as set forth in these Design Guidelines and Community Rules. Residents with proposed changes should refer to the HOA website at [www.foxcrossinghoa.com](http://www.foxcrossinghoa.com) or contact the management company with whom the Association has contracted for full Association management to obtain the necessary architectural guidelines and submittal documentation.

Simply stated, **no improvements, alterations, repairs, additions, or other work, including any exterior painting, is to occur on any lot or exterior of any home from its improved state existing on the date such property closed escrow without the prior approval of the Committee.** The responsibility of the Committee is to ensure the harmonious, high quality standards of Fox Crossing is implemented and maintained. Any owner requesting approval of the Committee shall follow the application procedures listed below. The approval required by the Committee of any construction, installation, addition, alteration, repair, change or other work shall be in addition to, and not in lieu of, any approvals or permits which may be required under any federal, state

or local law, statute, ordinance, rule or regulation. To avoid design changes and delays it is strongly recommended conceptual design approval be received from the Committee prior to City submittal. All architectural requests will be returned either approved, denied, or with a request for more information within forty-five (45) days of receipt of your request. Homeowners have 120 days to complete approved Architectural Submittals. If the architectural change has not commenced or been completed within the 120 days, then a new Architectural Submittal must be submitted for approval. Any project exceeding the 120 days will require written permission from the Committee for project time extension. Any projects not completed in a timely manner are subject to compliance review and fines. **Remember, Owners must have written approval before proceeding with a proposed project.** Homeowners may appeal the decisions of the Committee to the Board for consideration, in which case the decision of the Board shall prevail.

## GENERAL PRINCIPALS

The following community rules summarize a few 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 help make living at Fox Crossing an enjoyable experience.

### GENERAL PROPERTY RESTRICTIONS

Members may rent only the entire lot or dwelling unit. Rental must be made only to one family. No Lot can be leased for a period of less than thirty (30) days. Members are responsible for the inclusion of a provision in the lease agreement requiring the Lessee to comply with the CC&R's and these rules. As property record holders, Members are ultimately responsible for all compliance with the CC&R's and these Rules on their property. In residential areas, no gainful occupation, trade or other nonresidential use may be conducted on the property, and no person is allowed to enter the property for the purpose of receiving products or services related to such usage.

### VIOLATION ENFORCEMENT

One of the most sensitive issues in a planned community is the enforcement of the CC&R's and other rules, which are violated, either knowingly or unknowingly, by its Members. The Fox Crossing Association's Board of Directors adopted a Fine Policy effective September 1, 2005. The policy may be revised as necessary by The Board. The Board of Directors has a fiduciary duty to enforce the Association's governing documents. The Fine Policy is designed to encourage member compliance and to provide for the imposition of monetary penalties for violations of the governing documents. . However, The Board recognizes the fact that violation enforcement utilizing the Fine Policy will not always guarantee member compliance. Therefore, The Board may choose to take legal action, if required, to ensure that violations are resolved. While cooperation and building a community is the goal at Fox Crossing, there are occasions when the Board may take action to protect the rights of other Members and the community as a whole.

## 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, light and air, and other aspects of design, which may have a substantial effect on neighboring properties.

## BUILDING REPAIR

No building, structure or improvements 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, subject to the approvals required by Article 5 of the CC&R's. Construction materials and vehicles may be temporarily stored in areas approved by the Committee.

## 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. At no time shall the landscape of the homeowner block the public sidewalk, street, light poles, or public street signs. All landscape is to be maintained on the homeowner's lot and may not encroach on another lot, common area or public sidewalks and streets. Please see "Landscape" under Miscellaneous Items section for additional requirements.

## NUISANCE

Homeowners are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors as defined in the CC&R's Article 4 Section 20.

## **BUILDING ARCHITECTURE**

**Any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.**

## 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, color, and construction details.

## ATTACHED PATIO COVERS, SHADE & OTHER STRUCTURES

All additions to a home including patio covers, shade structures and other building additions must be submitted to the Committee for written approval prior to construction. To be considered by the Committee, a proposed addition to a single-family home cannot be higher than its existing roof line. Any alteration or addition to a residence must match architectural details, windows, colors, materials (stucco and roof tile) and setbacks of the homes in the subdivision and, in particular, those of the immediate neighborhood. Built up, "rolled" or shingled roofing materials are not

permitted unless fully screened from view using a parapet.

### DETACHED RAMADAS, GAZEBOS, PERGOLAS AND PALM SHELTERS

The Committee must approve Ramada's, Gazebo, Pergola and Palm structures in writing prior to construction. They are subject to the following guidelines:

1. Maximum square footage allowed is 150-square feet under roof.
2. It must be set back a minimum of 5 feet from all exterior walls.
3. Materials, colors, and design must match in character and quality to the house.
4. Maximum height allowed is 10 feet at the highest point of the structure.
5. Any lighting must be approved by the Committee.

### ROOF AND WALL-MOUNTED EQUIPMENT

No devices of any type, such as evaporative coolers or air conditioning units shall be placed on any wall or roof with the exception of approved solar panels.

## **MISCELLANEOUS ITEMS**

### AIR CONDITIONING

No window air conditioning units are allowed at any time.

### ANTENNA & SATELLITE DISHES

Unless governed by 47 C.F.R. Section 1.40000 (Over-the-Air Reception Devices Rule), any antenna, dish, or other device for the transmission or reception of television or radio signals or any form of electromagnetic radiation (including but not limited to antennas or dishes for AM/FM radio, amateur ("Ham") radio, Citizens Bank ("CB") radio, Digital Audio Radio Services ("DARS") signals, non-local television broadcast signals, and any antennas or dishes in excess of one meter (39.37 inches) used for any purpose) and all associated equipment shall not be visible from neighboring property and are prohibited without prior written approval of the Committee. All non "customer- end antennas", hub or relay antennas, or antennas used to transmit signals to an/or receive signals from multiple customer locations shall be reviewed on a case-by-case basis, but under no circumstances shall be permitted on any residential lot without prior written approval.

Any device governed by 47 C.F.R. Section 1.4000 shall be mounted with minimum visual impact and shall comply with the following criteria:

- Shall be installed in the following order of preference so as to provide an acceptable quality signal and not otherwise unreasonably increase the costs of installation.
  - Mounted inside the roof structure
  - Located in the rear yard area
  - Located in the side yard area
  - Mounted on rear roof area
  - Mounted on side roof area
  - Front yard or fence mounting of a device is prohibited if any other location on the Lot would provide an acceptable quality signal and not

- otherwise unreasonably increase the costs of installation.
- Under no circumstances may a device be mounted on, in, over, or otherwise encroach upon, a shared wall or common area.
- The mounting of any device must comply with all applicable safety ordinances and codes.
- All of the associated cords and wiring must be securely fastened and painted to match the principal exterior color of the house.

### BASKETBALL GOALS

*Permanent Goals* -- Homeowners must submit an application to the Committee for approval prior to the installation of a permanent basketball goal. Permanent goals will be allowed in front yards, adjacent to the driveway. Strict guidelines will be adhered to regarding the quality of equipment and installation and special attention will be paid to the placement of the pole on the lot. Backboards may be transparent or a standard solid color; any highly visible logo material is prohibited. Any sports equipment that is visible to neighbors must be kept in good condition and be well maintained. No lighting designed to illuminate basketball goals shall be installed without prior written approval of the Committee.

*Portable Goals* -- Portable goals do not require Committee approval. Portable goals may be used in front yards, adjacent to the driveway. Goals used on sidewalks or subdivision streets must be removed and stored when not in use. Backboards may be transparent or a standard solid color; any highly visible logo material is prohibited. Any sports equipment that is visible to neighbors must be kept in good condition and be well maintained. No lighting designed to illuminate basketball goals shall be installed without prior written approval of the Committee. Portable goals may not be stored laying down in areas visible from neighboring properties, streets, sidewalks or common areas.

### CLOTHESLINES

Clotheslines or other outside facilities for drying clothes are not permitted unless they are erected, placed and maintained in accordance with Article 4, Section 4.8 of the CC&R's. Second floor balconies may not be used to dry clothes, towels, sheets, or any other items.

### DOORS, GARAGE DOORS, SCREEN DOORS AND SECURITY DOORS

The Committee must approve doors, screen doors and security doors in writing prior to installation. Doors must be of durable, high quality material (e.g. wrought iron, powder coated steel, etc.) and in a color that matches or complements the body of the house. A picture or brochure and color sample must be submitted with the request. Garage door replacement (emergency or maintenance) may be done without prior approval ONLY if replacing the door with the same make, model and color. Upgraded or designer garage doors must be prior approved in writing.

### DRIVEWAYS

All driveway changes and additions require prior written approval of the Committee. All concrete must be kept clean and clear of debris, oil, rust, and other stains. Decorative

seals and coatings on driveways are prohibited.

To retain a landscaped aesthetic harmony, when installing a “wing type” concrete addition as a wing off a portion of the existing driveway to the side gate area, the remaining area nearest to the street must be maintained of landscape material (trees, plants, granite, grass, etc). Driveway additions that extend to the City sidewalk must provide a valid encroachment permit from the City of Chandler with ARC request.

### DRONES

All homeowners must abide by all Federal, State and Local regulations regarding the use of drones. Out of respect for the privacy of our homeowners and residents, no drones equipped with an imaging device may be used to record images over privately-owned property without the property owner’s written consent. All persons flying drones will be held responsible for any damages caused by drone use.

### FIREPLACES

Installation of permanent outdoor fireplaces, barbeque pits, fire-pits, etc. requires advance written approval by the Committee. Outdoor fireplaces may not exceed fence height and shall be at least five (5) feet away from any fence line. Any outdoor fireplace shall not exceed 24” in height above the dividing block wall or view fence.

### FLAGS AND FLAGPOLES

Display of flags shall be permitted by a bracket mounted to the front portion of the house or by a commercially-manufactured, free-standing, vertical flagpole.

1. The following flags may be displayed:
  - a. United States of America
  - b. An official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard
  - c. POW/MIA flag
  - d. Arizona State flag
  - e. Gadsden flag
  - f. Arizona Indian Nations
  - g. Seasonal Flags or banners may only be displayed on a pole in a bracket mounted to the front of the house.
2. Installation of a bracket mounted to the front portion of the house shall not require approval of the Architectural Committee.
3. Installation of a vertical, free-standing flagpole shall require approval of the Architectural Committee, and shall conform to the following provision:
  - a. Vertical, free-standing flagpoles may only display the flag of the United States of America, or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard; or the POW/MIA flag, or the Arizona State Flag, or an Arizona Indian Nations flag.
  - b. At most a single vertical flagpole may be placed in the front and/or back yard (at the most one flagpole in each).
  - c. Only commercially produced structures may be installed. These must be structures that comply with standard regulations concerning height, design, dimensions, shape, size, etc. A vertical flagpole shall be limited to a height of

- fifteen (15) feet, and shall have a minimum setback of ten (10) feet from any property line.
- d. The base of the flagpole shall be buried in concrete to assure adequate support. Tie downs shall not be used.
  - e. The flagpole must be maintained in good condition in accordance with community standards, and kept neat in appearance. Nothing may be done that attracts additional attention to the structure, such as painting the flagpole a bright color, attaching banners, balloons, or stickers.
4. All flags shall be flown in accordance with the Federal Flag Code (Title 4-Flag and Seal, Seat of Government, and the States, 4USC1).
  5. Flags may be illuminated (in accordance with the Federal Flag Code), but the lighting shall not cause excessive glare or excessive light spillage onto nearby lots or streets.

### GATES

Gate maintenance may be performed without ARC approval as long as the material being used is of a color and design to match or complement the surrounding structure. All new gates or gate expansions require Committee approval. Submit with sample pictures, construction materials and colors. Gates should be the same type or an upgraded style and design. Color must match or complement the surrounding structure. Shrubs, trees, or other plants should be located between the house and the gates, where possible.

### GUTTERS AND DOWNSPOUTS

Gutters and downspouts will require written approval by the Committee prior to installation. The finish on the gutter must match the adjacent surface of the home in color. High quality materials that offer long life are necessary, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts, drainage path anticipated, the quality of material to be used, and warranty by the manufacturer. Proper drainage must be ascertained with all installations.

### LANDSCAPING

All changes to front yard landscape must be submitted for prior approval. Any rear yard landscape in view fence lots must also be submitted for prior approval.

*Artificial Turf* -- Artificial turf of good quality and installation is permitted and must be approved in writing by the Committee prior to installation. Provide company brochures and turf samples with the submittal. A minimum 10-year warranty must be provided by vendor with a copy of warranty attached to the submittal.

*Block Walls* - Block walls should never be used as retaining walls. No dirt or rock berms or mounds shall be created next to shared or common walls. To further prevent wall deterioration water should not be in direct contact with walls. Any damage from such use will be the full responsibility of the owner. Homeowners must maintain exterior block walls in good condition at all times. Failing stucco must be patched and repainted as necessary. If paint has faded and does not match, entire wall must be repainted.

*Front Lawns* – Due to the ongoing drought conditions, over seeding is not mandatory at this time. However, all members with grass areas in their landscaping are required to maintain a weed-free lawn throughout the entire year. Homeowners will be notified if this policy changes and over seeding is required in the future.

*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, such as, trees, shrubs, flowers, etc. Homeowners are also responsible for the removal of trash, weeds, and noxious grasses along with the removal of trash. At no time shall the landscape of the homeowner block the public sidewalk, street, public street signs or light poles. All landscape is to be maintained on the homeowner's lot and may not encroach on another lot, common area or public street or sidewalk.

*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 in writing by the Committee. Any ornamentation, used as holiday decoration can be installed no earlier than 30 days prior to the holiday, and must be removed no later than 15 days after the holiday.

*Planters* -- Homeowner must maintain planters in good condition at all times. All damage must be repaired and repainted as needed.

*Redesign* -- Any redesign of existing landscaping must be submitted to the Committee for approval prior to installation or construction.

*Rock or Granite* – Landscape rock or granite may consist of decorative boulders, rip rap, and decomposed granite or river rock. No landscape rock may be less than one-half inch. Quarter minus granite will not be allowed in any front yard area. All rock must be of neutral or natural colors. No lava rock or white rock will be allowed. Provide quality color photos, brochures or rock samples for approval.

*Trees and Shrubs* -- A minimum of 5 items of foliage (any combination of plants, shrubs, trees or ground cover) must be maintained in all front yards and in all back yards of view fence lots. All trees and shrubs must be trimmed to provide a minimum 8ft clearance (per City Code) access to the public sidewalk, street, or neighboring property. Homeowners are expected to be “Good Neighbors” by promptly maintaining all trees and landscape so as not to be a nuisance or cause damage to any neighboring property or pools. Palms must be trimmed regularly with fronds extending no lower than the 9 to 3 o'clock positions.

## LIGHTING

*Outdoor Lighting* -- All exterior lighting including garage coach lights, must be approved in writing by the Committee. Lighting shall have shields (especially wall mounted “flood” lights) to prevent any light from exiting the property or disturbing neighbors. Standard low voltage lighting for the rear yards of interior lots (not visible from neighboring property) does not require approval. Members are encouraged to use the

lowest wattage necessary to reduce light pollution.

*Decorative Holiday Lighting* -- All Holiday themed lighting must be consistent with the holiday being celebrated. Appropriate lighting may be installed no earlier than 30 days prior to holiday, and must be removed no later than 15 days after the holiday.

#### MACHINERY AND EQUIPMENT

No machinery or equipment of any kind shall be placed, operated or maintained upon any lot except machinery or equipment used during the period of approved construction.

#### PAINTING

- All painting must be submitted for prior approval.
- Colors must be chosen from the Association-approved color palette. **These colors replace any of the original builder color schemes. Many older and outdated colors have been retired and repainting existing colors is not permitted.**
- Chips of the Dunn-Edwards paint colors you choose from the approved color palette must be attached to the Painting Request Form.
- It is preferred that the garage doors be painted the same color as the body. If you are requesting the garage doors be painted one of the fascia/pop out color options from the scheme, it must be noted on the form and prior approved by the ARC.
- A minimum of two colors must be chosen with body and garage door being the first color and at least the fascia being the second color. A 3-color or 4-color scheme may be attained by choosing additional colors for the pop outs and entry door.
- Front door colors may not be used as trim colors on fascia/pop outs, garage doors or coach lights unless listed as such within the scheme being used.
- Paint manufacturer selection other than Dunn-Edwards **MUST** be professionally color matched to the Dunn-Edwards samples attached. A post-completion color inspection will be performed.
- Homeowner is advised to use quality paint for durability in Arizona climate. Suggested are the following Dunn-Edwards exterior paints: Acri-Hues (Good); Spartashield (Better); Evershield (Best).
- Fox Crossing residents receive a **37% discount** off list price of Dunn-Edwards paint products when using account #188531-000. This discount applies only for retail purchases made directly by Fox Crossing homeowners.
- Painting Request Forms meeting all of the guidelines listed may be approved by the community manager and do not need to wait for the monthly ARC committee meeting.

As a guideline, repainting is required when:

- Color differences on any surface are obvious and easily visible from neighboring properties, street, sidewalk, greenbelt or common area.
- Damaged surfaces are repaired. Both repaired area and adjoining surfaces must closely match in color or entire area should be repainted.
- Any surface is chipped and/or the paint is falling off and is obvious and easily visible from neighboring properties, street, sidewalk, greenbelt or common area.
- Stucco damage on any surface that is obvious and easily visible from neighboring properties, street, sidewalk, greenbelt or common area. Damaged stucco areas must

be professionally repaired and retextured before repainting.

- Rust, mineral deposits, from any source is obvious and easily visible from neighboring properties, street, sidewalk, greenbelt or common area. Cleaning is an acceptable alternative to repainting stains and discoloration if the original color is restored.
- New garage doors are installed or repairs are made to existing doors. If original paint colors do not match, then entire door should be repainted with approved color.

### PARKING

Please see Vehicles and Arizona Dawn Special Provisions

### PETS

Residents are allowed to keep a reasonable number of generally recognize 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. Also, no structure for housing such animals may be visible from neighboring property. Pets must remain on leashes at all times while on Association property. All owners must clean up after their pets, including debris from grooming. All pet owners must comply with city and state laws and ordinances.

### PLANTERS AND WALKWAYS

Planters, paved walkways, and other landscape features visible from neighboring property must be submitted to and approved in writing by the Committee. Surface textures and colors are to complement the paint color and materials of the house.

### PLAY STRUCTURES

Play structures, including climbing structures, trampolines, sport courts and nets, etc. may be erected in rear yards only and are subject to prior review and approval by the Committee, they will be 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. Maximum height allowed to top support bar or highest point of structure, is 10 feet.
3. Maximum height of any deck/platform is to be 4 feet above ground.
4. All proposed lighting must be restricted to the owners' property and not negatively impact neighboring property.
5. The distance from the ground elevation to the top of the perimeter fence must be measured and submitted with plans.
6. The Committee will take the appearance, height, and proximity to neighboring property into consideration.
7. Any shade canopy must be solid tan or earth tone color.
8. Regular maintenance of the play structure is required, such as staining or painting as needed.
9. Submit a brochure or picture with Projects Request.
10. Trampolines may not be stored on edge or leaning against structures. All trampoline netting must be maintained in good condition at all times.

## SIGNAGE

All signs must be ground-mounted. No signs may be illuminated.

*Advertising* -- Advertising signs are permitted only during active construction but for no longer than 7 days. Signs must be commercially produced and may be no larger than 18 by 24 inches. No advertising signs may be placed on common area property.

*For Sale and For Rent* – Standard size For Sale and For Rent signs are allowed in the front yard only. No signs may be displayed in back yards, on shared walls or on common area walls. No *For Sale* or *For Rent* signs are permitted on common area property. Signs must be commercially produced and may be no larger than 18 by 24 inches.

*Garage Sale* -- Garage sale signs do not require approval providing they are put up no more than one day in advance of the sale and removed by dusk the day the garage sale ends. Signs encompassing multiple weeks/weekends are not permitted. Failure to remove signs and adhesives may result in violations and fines.

*Open House* – Open house signs may be posted between the hours of 7AM and 7PM only and must be removed daily. A maximum of 6 signs are allowed inside the subdivision.

*Political* -- Election signage may be displayed no more than seventy-one (71) days prior to the election and must be removed no later than three (3) days after the election. The signs dimensions may not be any larger than 18 by 24 inches. No more than one (1) election sign is allowed per Lot.

*Security* -- Ground mounted signs indicating the presence of a security system do not require approval providing they do not exceed one (1) square foot in size. Signs must be commercially produced.

## SOLAR ENERGY DEVICES INSTALLATION GUIDELINES

All Solar Energy Devices must receive prior written approval of the Committee. The objective of the Guidelines provided herein is to define requirements for Solar Energy Devices that are installed on residences and other structures within the Fox Crossing Association. These guidelines are intended to encourage Solar Energy Devices while, at the same time, protect values by ensuring that Solar Energy Devices are visually consistent with the existing architecture, including colors, of the Fox Crossing Homeowners Association. A “solar energy device” is defined by Arizona Revised Statute 44-1761 or future amendments thereto.

Homeowner shall abide by all Federal, State and Local requirements when installing all solar devices. Since solar devices cannot be prohibited it is the goal of the Committee to guide and protect the homeowner from costly mistakes. We recommend the following:

- Hire a licensed contractor and check the contractor’s status on [www.azroc.gov](http://www.azroc.gov)

- Review Arizona Revised Statute 44-1762 *“Solar energy device warranties; installation standards; inspections”*. The statute is extremely informative. All Solar Energy Devices, their installation and use, shall comply with A.R.S. Section 44-1762. That statute applies to all Solar Energy Devices sold or installed in the State of Arizona and requires among other things, (1) prescribed warranty periods given by the seller or installer, (2) a written statement of performance data of the Solar Energy Device provided by the seller or installer, (3) a certificate of compliance with the statute provided by the seller or installer, (4) compliance of the Solar Energy Device with any consumer protection, rating, certification, performance, marketing, installation, and safety standards adopted by the State of Arizona, (5) proper licensing of installer of Solar Energy Devices, and (6) installation requirement of Solar Energy Devices, including satisfying all applicable fire, safety, and building code, and consumer protection standards.
- Discuss the weight of the solar system, your roof structure and age. It may be advisable to replace the roof prior to installing the solar panels.
- Solar Energy Devices shall be made commercially (not homemade), and shall be certified by an independent accredited testing laboratory per nationally or internationally recognized standards, such as those established by the Solar Rating and Certification Corporation (SRCC), PowerMark Corporation (PCM) or the Institute of Electrical and Electronic Engineers (IEEE).
- Permit must be provided for Association files.
- Homeowner must make every effort to match and paint any parts of the structure possible to improve the visual impact

### STORAGE SHEDS

Sheds that are installed in the back yard **do not** require the approval of the Committee as long as they meet the following guidelines:

- May not be visible from the sidewalk, street or common area
- Must be used for storage purposes only
- Shed must be commercially manufactured and be the same color as the house or of muted blended colors
- Shed may be no taller than 7-feet at the highest point and must not exceed 120 square feet.
- Placement should avoid diverting drainage onto a neighboring property.
- No materials may be stored on top of the shed.

### SUNSCREENS AND BUG SCREENS

Prior approval is required for screen installation. Screen color samples, frame color samples and color photo of home must be submitted with request.

All sunscreen installations must meet the following guidelines:

- Screens should be replaced when they become worn, torn, billowed or unsightly.
- Screens must be of high-quality material and workmanship.

- Frames must match or complement the existing window frame color.
- Sunscreen material may be tan, beige, brown or black.
- Bug screen material may be charcoal or black.

### SWIMMING POOLS AND SPAS

*Backwashing and Draining* – City of Chandler ordinance requires that pool water discharge be confined to the owner’s lot or drained into the owner’s clean out drain. Violating this rule will result in an immediate fine of \$150.00 per occurrence. The homeowner is responsible for any actions of their pool service vendor in this regard.

Homeowners are asked to contact the City of Chandler Code Enforcement office or Community Manager to report pool draining offenses. See website for current contact information.

Dumping or backwashing swimming pool or spa filtering systems into drainage ditches, common landscaped areas, drainage ways, or public streets is **strictly prohibited**.

If necessary, a dry well should be excavated and filled with rocks to provide for the required volume. In the event a hole is made in a wall to backwash into prohibited areas, the Association may repair the wall and other related damage and clean up at the Member’s expense.

*New Pool Construction or Pool Renovation* -- Prior written approval is required for pool construction or renovation. Prior to construction of a swimming pool, a homeowner should contact the management company to coordinate the point of construction access. In all cases, residents will be required to enter through the side yard wall, from the front of their homes. Access through common area walls is prohibited. All construction must be completed within one hundred twenty (120) days from the date of excavation.

Any walls removed during construction shall be contained on the Owner’s lot. Removal of walls abutting a Common Area shall not be allowed, unless such removal is the only method that access can be obtained. Such instances shall require prior written approval by the Committee. Any wall removed shall be replaced in its original state immediately after construction is completed including the paint.

All pool equipment shall be screened from view of neighboring property, streets, and common areas with walls that match the architectural character and color of the house or existing wall. If pool equipment is placed near view fencing, space must be allowed to accommodate the screening wall.

Any plants or vegetation removed during construction shall be replaced by the same type plant of an equivalent size to the original immediately after construction is completed. Any irrigation components (lines, irrigation heads) removed or damaged during construction shall be replaced immediately after construction is completed with components of equivalent quality and type.

## TRASH AND RECYCLING CONTAINERS AND COLLECTION

No garbage or trash shall be kept on any lot except in covered containers of a type, size and style, which are approved by the Committee. All trash containers must be emptied regularly. These containers must be stored in garages with the door closed or behind side yard walls except for days of collection by the City of Chandler. Containers cannot be put out for collection before 6:00 p.m. the day before the scheduled collection. Containers must be removed from the curb the day the collection is completed.

*Bulk Trash Pickup* – Bulk trash pickup must follow City of Chandler guidelines. It may not be placed curbside until the night before pickup is scheduled.

*Abandoned Items* - Abandoned or “free” items may not be left curbside without prior notification of the management company. Items may not be left curbside for longer than 24 hours. Any disposal of such items will be charged to the homeowner.

## VEHICLES – See also FOX CROSSING ARIZONA DAWN SPECIAL PROVISIONS

Vehicles and Parking -- It was the intent of the Declarant to limit parking on the streets. No motor vehicle owned or leased by an Owner, Lessee, Resident or visitor of a Lot may be parked on the streets if space for the parking of the motor vehicle is available in any of the following areas:

- The garage situated on the Lot of the Owners, Lessee or Resident;
- The driveway on the Lot constructed as part of the initial construction of improvements on the Lot by the Declarant; or
- A driveway expansion constructed on the Lot with approval of the Architectural Committee.

As used in this Section(a) “Motor Vehicle” means a car, van, sport utility vehicle, bus, truck, recreational vehicle, motor home, motorcycle, all-terrain vehicle, utility vehicle, pick-up truck or other motor vehicle; and (b) “Streets” means the street identified on the Plat as Tract I which is part of the Common Area to be owned by the Association. No Motor Vehicle of any kind may be parked, kept or stored on the Common Area or on any landscaped area of an individual lot.

No Motor Vehicles designed or used for carrying merchandise, supplies or equipment designed or used for carrying merchandise, supplies or equipment for commercial purposes may be parked on the Common Area or on a Lot, except for the temporary parking of the Motor Vehicles of contractors, subcontractors, supplies or vendors of the Association or the Owners, Lessees or Resident.

Motorized Scooters, ATV’s, Golf Carts and similar Play Vehicles – All motorized vehicles, including gas and electric powered scooters, ATV’s, motorcycles, go-carts and similar play vehicles are prohibited from entering onto any vacant parcel, common area (including parks), bike paths and walkways except maintenance vehicles authorized by the Association. Residents are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Members may be billed for the repair of any damage

to landscaped areas that occurs as a result of the prohibited use of a motorized vehicle in these areas. This charge could be in addition to a fine for the violation.

Boats, Campers, Trailers And Trucks -- No motor vehicle classed by manufacturer rating as exceeding 1 ton, mobile home, recreational vehicle, trailer, travel trailer, camper shell, boat, or other similar equipment may be parked, maintained, repaired or stored on any lot or on any street in Fox Crossing so as to be visible from neighboring property, street, or greenbelt space.

No Motor Vehicle of any kind may be stored on a Lot except in a garage, and no Motor Vehicle of any kind may be stored on the Common Area. For purposes of illustration but not of limitation, a Motor Vehicle shall be deemed stored if it is covered by a cover, tarp or other material.

Temporary parking of recreational vehicles, boats, trailers, and vehicles owned or leased by an Owner, Lessee or resident may be parked in the driveway on a Lot for the purpose of loading or unloading only, subject to such limitations as may be established by the Board. Under no circumstances may a recreational vehicle, boat, trailer or similar equipment be parked for longer than 72 hours.

Inoperable Vehicles -- No inoperable or unregistered Motor Vehicle shall be allowed on any Lot in such a manner as to be visible from neighboring property. No Motor Vehicle shall be constructed, reconstructed or repaired on any Lot in such a manner as to be visible from neighboring property, and no inoperable Motor Vehicle may be stored or parked on any Lot in such a manner as to be visible from neighboring property. Except for emergency repairs, no Motor Vehicle shall be constructed, reconstructed or repaired on the Streets or any other part of the Common Area.

#### FOX CROSSING ARIZONA DAWN SPECIAL PROVISIONS

***Fox Crossing Arizona Dawn** (Also known as Fox Crossing Unit 5) is the area of Fox Crossing defined by a separate entrance at the intersection of South Nebraska Street and West Ocotillo Road. This area of the Fox Crossing community has private streets with special provisions and limitations.*

*Fox Crossing Arizona Dawn Speed Limit* -- No motorized vehicle of any kind may exceed the fifteen (15) mile per hour speed limit.

*Fox Crossing Arizona Dawn Parking* -- Owners, Lessees, Residents and visitors are restricted to parking in garages and on driveways. Residents are not permitted to park in the designated visitor parking areas. **No parking of any kind is permitted on any street in the Fox Crossing Arizona Dawn Community, including the T-drives or cul-de-sacs leading to individual driveways. Any vehicle illegally parked will be subject to towing.** Any visitor's vehicle parked in visitor parking for longer than 72 hours will be subject to towing.

The streets in Fox Crossing Arizona Dawn are private streets and, as such, the above parking and speeding provisions are subject to enforcement by the Homeowners

Association. The Board shall have the right and power to adopt rules and regulations governing and further restricting the parking of Motor Vehicles on Lots or the Streets and implementing the provisions.

#### VIEW FENCES AND BLOCK WALLS

Homeowners with view fences and block walls visible to neighboring property must maintain a neat and orderly backyard. If the view fence or block wall is damaged or destroyed through acts of the homeowner or his agents, the homeowner will be held financially responsible for all necessary repairs. Please exercise particular care when watering near the view fence and block wall because you may be 100% liable for the repair or replacement costs if the fence sustains rust damage due to watering. Landscape planted near the view fence should not be allowed to touch the fence material as rusting may occur. All foliage should be kept trimmed back from the fence at all times. Lights or other objects may not be permanently attached to the fence. Only plastic-coated holiday lights may be temporarily attached using zip ties and must be removed promptly after the holiday. For permanent lighting please see the "Lighting" section.

#### WINDOWS

Windows – Replacement glass -- Repair and replacement of broken or damaged glass: All glass replacement must match the existing glass color, style and pattern.

Windows - Replacement windows -- No replacement windows may be installed without prior Committee approval. Window frames must match the aesthetics of the community and the color of the home. White frames are not permitted. Please include brochures with frame color samples and a color photo of the home when submitting for approval.

Window Coverings Exterior -- Such as awnings, roller shades, and similar must be approved by the Committee prior to installation. Color, style and shape must be consistent with the color scheme of the home. Multi-colored (more than one (1) color) awnings and roller shades are prohibited. Installation of awnings and roller shades will not be permitted in the front of any home. Awnings and roller shades may be installed on the side and back of the home. Material and framing must be kept well-maintained at all times.

Window Coverings Interior -- No window covering materials, including, but not limited to, aluminum foil, reflective screens or glass, mirrors, sheets, blankets, newspapers, or similar type items, shall be installed or placed upon the inside of any windows of any residence or other structure. All interior window coverings must be kept well-maintained at all times.

#### YARD SALES

Yard sales may not be a business and shall be limited to no more than 2 per year with each sale being no more than two days. All parking policies must be observed and residents may not cause hazardous conditions with parking or be a nuisance to neighbors. All posted signs must be removed immediately after sale.