

**ARCHITECTURAL GUIDELINES**  
**FOR**  
**THE ESTATES AT GAINNEY RANCH**  
**HOMEOWNERS ASSOCIATION**

**Adopted by the Estates Architectural Committee  
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# **TABLE OF CONTENTS**

<b>SECTION 1</b>	<b>INTRODUCTION</b>
<b>SECTION 2</b>	<b>REVIEW PROCESS</b>
<b>SECTION 3</b>	<b>STRUCTURAL and LANDSCAPE CHANGE SUBMITTAL REQUIREMENTS</b> <ul style="list-style-type: none"><li>A. Structural Change Submittal Requirements</li><li>B. Landscape Plan Change Submittal Requirements<ul style="list-style-type: none"><li>1. Drawing Checklist</li></ul></li><li>C. Coverage Area</li><li>D. Meeting with the GRCA Maintenance Department</li><li>E. Plant Palette Guideline<ul style="list-style-type: none"><li>1. Approved Plant List; with Exhibit I</li><li>2. Artificial Turf</li><li>3. Drawing – Landscape Plan Typical Residence</li></ul></li></ul>
<b>SECTION 4</b>	<b>DESIGN GUIDELINES AND STANDARDS FOR THE ESTATES</b> <ul style="list-style-type: none"><li>A. Architectural Character</li><li>B. Walls and Fences</li><li>C. Landscape Requirements</li><li>D. Drainage</li><li>E. Lighting</li><li>F. Construction</li><li>G. Exterior Accessories<ul style="list-style-type: none"><li>Exhibit A – Side Wall Design</li><li>Exhibit B – Rear Wall Design with Pool</li><li>Exhibit C – Rear Wall Design without Pool</li></ul></li><li>H. Exterior Paint Colors</li><li>G. Exterior Stone Veneer</li></ul>
<b>SECTION 5</b>	<b>GAINEY RANCH CONSTRUCTION POLICIES</b> <ul style="list-style-type: none"><li>A. Article I Gainey Ranch Construction Policies</li><li>B. Article II Gainey Ranch Construction Procedures</li><li>C. Article III Gainey Ranch Operational Procedures</li><li>D. Exhibit D Supplemental Estates Rules for Contractors</li></ul>

# **SECTION 1**

## **INTRODUCTION**

A. The Estates was conceived as a distinctive neighborhood of custom, single family homes. The homes were designed to conform to a stringent design standard which was intended to reflect a design that was site-sensitive using elements of mass, shadow, color and texture.

B. Colors and materials were limited to a select palette, as specified in the original Design Guidelines and Standards which were applied to all new construction within the community. Site and landscape design continue to be an important part of the residential statement of The Estates.

C. There shall be no implied view corridors across adjacent lots.

D. The intent of design for the community is to reinforce the park-like setting created by the Gainey Ranch golf course. For this reason, the guidelines for The Estates prohibit:

1. Designs that, in the opinion of the Architectural Committee, do not visually relate with either surrounding homes or the design theme from the golf course or that detract from neighbor's privacy.

2. Changes to originally built structures that, in the opinion of the Architectural Committee, materially change the original character, design elements, relationship to neighbors or landscaping or color themes.

E. These guidelines establish the framework for a cohesive neighborhood that help protect and add to the value and special enjoyment that is the foundation for each custom home residence in The Estates.

F. Construction in The Estates is to be performed in accordance with GRCA Construction Rules and in accordance with the approval of the GRCA Master Architectural Committee and The Estates Architectural Committee, in a good and workmanlike manner and in compliance with the Satellite Declaration of Covenants, Conditions, Restrictions and Easements for The Estates at Gainey Ranch (the "CC&R's"), these Architectural Committee Rules and all applicable statutes, codes and ordinances. Any contractor who violates any portion of these Architectural Rules or fails to construct its improvements, or to otherwise perform its work, in The Estates in a good and workmanlike manner, in a manner consistent with the quality standards established in Gainey Ranch, and in The Estates, and in conformance with all applicable statutes, codes and ordinances may have its right to construct improvements on Gainey Ranch, and in The Estates, temporarily suspended by the Architectural Committee or may be

permanently barred by the Architectural Committee from, making any improvements in The Estates.

Any such suspension and/or bar shall be at the sole discretion of the Architectural Committee on the basis of information presented or known to it. However, no suspension or bar shall be imposed unless and until the contractor has been given the opportunity to present to the Architectural Committee its position with respect to the circumstances giving rise to the possible bar and/or suspension. Such bar or suspension may be implemented in such a manner as may be deemed appropriate by the Architectural Committee, including, but not limited to, a refusal to approve the construction or improvements to be built, in whole or in part, by any suspended or barred contractor.

1. Any contractor aggrieved by the decision of the Architectural Committee to suspend or bar such contractor may appeal the decision in writing to The Estates Board of Directors but such suspension or bar shall be in effect during the appeal period. Such appeal must be made within ten (10) days after the written decision is given to the contractor by the Architectural Committee. The written appeal shall include the basis for such appeal and shall include all documents supporting the aggrieved contractor's position. The Board shall meet within fifteen (15) working days after receipt of the appeal at which time the contractor will be given the opportunity to present its case to the Board. The Board will respond with a final written decision to the contractor within five (5) working days following the contractor's meeting with the Board.

## **SECTION 2**

### **REVIEW PROCESS**

A. No improvements, alterations, repairs, excavations, grading, landscaping or other work which in any way alters the exterior appearance of the Property, including changes to exterior colors, or the improvements thereon, from its natural or improved state shall be made or done without the prior written approval of the Architectural Committee, except as otherwise expressly provided in the Master Declaration. No building, Dwelling unit, wall, fence or other structure shall be modified, erected, maintained, improved, altered or made without prior written consent of the Architectural Committee. All subsequent additions to or changes or alterations in any building, Dwelling unit, fence, wall or other structure, including the exterior color scheme, and all changes in the grade of Lots, shall be subject to the prior written approval of the Architectural Committee. No changes or deviations in or from the plans and specifications once approved by the Architectural Committee may be made without the prior written approval of the Architectural Committee.

B. The Architectural Committee shall adopt rules and guidelines upon which all requests for actions or approvals from the Architectural Committee must be submitted. The Drawing Checklist (Section 3) shall indicate the form, requirements for submittal and the number of copies of each set of plans, specifications, site plans or other documents which must accompany submitting applications.

C. The Architectural Committee will determine the appropriateness of requests as they relate to the existing design theme described by the project's original builder/developer.

D. The Architectural Committee shall make every reasonable effort to review applications submitted to them and to furnish a written decision setting forth the reasons for its decisions to the MAC within fifteen (15) working days from the date the application is received by the Architectural Committee. However, no application will be considered unless the application includes a complete plan submission which conforms to the guidelines in Sections 2 and 3 of The Estates Architectural Rules and, specifically, to the Drawing Checklist and the sample landscape plan indicated on the "Landscape Plan Typical Residence" included in the Architectural Rules, Section 2 (E) (3). An application that does not comply with the Rules will be returned to the GRCA Architectural Coordinator with a request for a complete plan resubmission from the Owners which comply with the Rules.

E. Any construction or landscaping not specifically approved in writing by the Architectural Committee and/or the MAC must be re-approved, modified or removed as requested by the Architectural Committee at the owner's expense.

F. The Architectural Committee is responsible for determining if the proposed construction and/or landscaping are consistent with the design guidelines. The owner assumes all liability and responsibility for proper engineering, design, construction, applicable city, state, county, federal, etc. permits and approvals and the Architectural Committee shall have no duty or responsibility for any of these items.

G. Upon final approval of submitted applications the owner will provide a full set of approved plans, specifications, details, etc., to the MAC for its files.

H. Any approval of plans, specifications or proposed construction given by the Architectural Committee shall be only for the purpose of permitting construction of proposed improvements in The Estates. Such approval shall not constitute an approval, ratification or endorsement of the quality of architecture or engineering soundness, or design quality of the proposed improvements or of their compliance with any applicable law and neither the Architectural Committee, The Estates Homeowners Association, nor the GRCA shall have any liability for any defects in the plans, specifications or improvements.

I. Owner is responsible for maintaining the property, in the opinion of the Architectural Committee, in a current state of acceptable maintenance. This includes the timely replacement of dead plant materials with plantings of the same specie and of appropriate size and the removal and replacement of plant material that has over grown the space/area in which it was planted. This is of particular importance in areas fronting the street and/or in areas which may impact neighboring properties. Any changes in plant specie from that which was originally approved by the Architectural Committee must be resubmitted to the Committee for approval. If, in the opinion of the Architectural Committee, owner has not complied with this requirement, owner will be informed of a violation of the Architectural Rules and required to remedy the violation and/or submit a plan of remediation to the Architectural Committee for approval within fifteen (15) working days from the receipt of the notice of violation.

J. Typical Steps in Review Process:

1. Homeowner review of Architectural rules
2. Homeowner submits request which conforms to the requirements of the Architectural Rules to GRCA Architectural Coordinator
3. Architectural Coordinator forwards request to The Estates Architectural Committee for review. The Committee responds with its Findings to the Master Architectural Committee (the "MAC") within ten days of receipt of the request.
4. If The Estates Architectural Committee approves the request; the Coordinator will schedule the request to be reviewed by the MAC. If The Estates Architectural

- Committee disapproves the request, the Coordinator will send written notice of disapproval, including a listing of the elements to be corrected on the request, to the homeowner for correction. The homeowner then corrects the plan and resubmits to the Architectural Coordinator.
5. This process will be repeated until The Estates Architectural Committee approves the request; whereupon the request then will be scheduled for MAC review.
  6. The MAC will review the request, and the Findings submitted by The Estates Architectural Committee. If the MAC approves the request, the Coordinator will send a letter of approval to the homeowner listing any conditions which have been made as part of the approval.
  7. The home owner contractor(s) must then arrange a meeting with the GRCA Maintenance Department to provide proof of appropriate insurance coverage and to review the GRCA Construction Rules and Procedures and Security Rules with GRCA staff. This must be done before installation is commenced.
  8. Installation of the approved plan.
  9. Homeowner communicates in writing to the GRCA Architectural Coordinator that the plan installation has been completed. (See the GRCA Master Architectural Rules, Section 2, Article I, Paragraphs N and O.)
  10. The Estates Architectural Committee and the GRCA Consulting Landscape Architect will also review the property to determine conformance with the approved plan and communicate any discrepancies to the Coordinator.
  11. If the homeowner has not installed the plan according to the approved plan, then the above referenced Section 2 of the Master Architectural Rules is applicable and the homeowner is required to bring the property into conformance with the approved plan. The homeowner may also submit an “as built” plan for review and action by The Estates Architectural Committee; however, these submissions are not generally approved.
- K. The Architectural Committee may change and/or delete any of the preceding rules and procedures as it deems necessary to apply or enforce the rules and standards.

## **SECTION 3**

### **STRUCTURAL and LANDSCAPE CHANGE SUBMITTAL REQUIREMENTS**

This section identifies the submittals and meetings set forth in Section 2 of these Rules which are required of each lot owner wishing to alter the existing structures or installed landscaping on the lot. Each lot owner desiring to make changes to the existing structures or installed landscaping on their property must submit their request according to the following requirements.

#### **A. STRUCTURAL CHANGE SUBMITTAL REQUIREMENTS**

In accordance with the Architectural Rules, the following submittals will be filed with the Architectural Committee:

- 1) Preliminary Plan Design. The Preliminary Plan Design must be reviewed and approved prior to preparation of final plans. This submittal must include:
  - a. Site Plan showing utilities, building location, amenities pools/spas, walls, existing grades, exterior lighting, and existing hardscape.
  - b. Preliminary changes to floor plan.
  - c. Preliminary Elevations; including colors and materials.
  - d. Preliminary Landscape Plan in the form specified in Section 3, B.
  - e. Preliminary Engineering showing any proposed changes to grading or drainage.
  - f. Other special details.
- 2) Final Plan Submittal. Following the approval of the preliminary design, final plans shall be prepared and submitted. Final approval by both The Estates Architectural Committee and the MAC is required prior to the start of any construction activity. In addition, all plans are to have necessary City of Scottsdale permits and approvals prior to start of construction. The following information must be included in the final submittal:
  - a. Final Architectural Plans
  - b. Final Landscape Plans.
  - c. Final Engineering Plans.
  - d. Samples of materials to be used.
  - e. Other Final Special Details.
- 3) Pre Construction Meeting. The Owner and Contractor must meet with a representative of the GRCA Maintenance Department to review GRCA Construction Policies and Security Policies. See Section 5 of the Architectural Rules.



B. LANDSCAPE PLAN SUBMITTAL REQUIREMENTS

All residential landscape projects submitted to The Estates Architectural Committee for review must comply with the Drawing Checklist provided and Landscape Plan herein before being evaluated for approval. A Drawing Checklist and Landscape Plan for a Typical Residence may also be obtained from the GRCA Administration Office. Any drawing that does not meet the requirements of this checklist will not be considered. This requirement is consistent with the requirements of the GRCA Master Architectural Committee (the “MAC”).

1. DRAWING CHECKLIST

a. Owner Name, Community Name, Lot Number, Street Address, Owner Contact Information and Contractor Name and Contact Information.

b. North Arrow

c. Residence Footprint on lot

The exterior footprint of the residence; indicating the location of entry area, doors and windows.

d. Drawing Scale

Minimum plan shall be no smaller than one inch to ten feet (1” = 10’- 0”)

e. Property lines

f. PUE – public utility easements

g. Existing Hardscape are to be shown

Sidewalks, Streets, Driveways, Walls, Pathways, etc.

h. Existing Plant Material

Common Name is Acceptable – Dash Symbol

i. Proposed Material

1) Location

2) Size

3) Common and Botanical Names

4) Quantity

5) Plant Material shall be shown at 75% of mature size

j. Proposed Hardscape

Location, Dimension, Details and Specification of Materials

k. Proposed Lighting Fixtures

Type, Location, Watts, and Cut Sheets

1. Construction Notes

m. Signature Block

Owner and Contractor signatures that state: "This plan shall be installed as approved. Any deviation from the approved plan requires re-approval by The Estates Architectural Committee and the MAC prior to installation."

n. Two (2) sets of plans, details and specifications are to be submitted.

C. COVERAGE AREA

The area covered by buildings shall not exceed seventy-five percent (75%) of the net lot area.

D. MEETING WITH THE GRCA MAINTENANCE DEPARTMENT

Before any work may be started at the property the Contractor(s) that will be performing the work must meet with the GRCA Maintenance Department to review the Construction Requirements for the Community and provide appropriate documentation (Liability Insurance, Worker's Compensation Insurance, etc.) to the Association.

E. PLANT PALETTE GUIDELINE

Although the proposed plant palette may be in accordance with these guidelines, never-the-less, the owner proposed landscape plan and installation is subject to prior written approval of the Architectural Committee. Once a plan is approved by the Architectural Committee, no changes or deviations shall be made without the prior written approval of the Architectural Committee.

1. Approved Plant List

The Estates Architectural Committee has identified plants, on the attached Exhibit I, as being compatible with the stated landscape theme for The Estates. Any proposed species not identified on this list shall require specific reasons for requesting a variance; but, generally will not be allowed.

2. Artificial Turf

The Estates will follow the Artificial Turf Guidelines set by the Gainey Ranch Community Association and the Master Architectural Committee. Requests for use of artificial turf will require an Architectural Submission and must be approved prior to any work being done. The submission must include:

- A sample of the product to be used, including model, name and style.
- Complete product specification sheet from the manufacturer.
- The manufacturer's warranty on the product being submitted.
- Photo(s) or landscape drawing(s) of the areas to be covered by the artificial grass.
- Proper drainage plan if required.

- Photo(s) of proximity area as well as description of the method of installation and the number of square feet of the artificial turf and total square feet of the landscape area.

The complete Artificial Turf Guidelines can be obtained by contacting the Architectural Coordinator at the GRCA.

# Exhibit I

THE ESTATES AT GAINEY RANCH						
Approved Plant List (2022)						
LARGE TREES						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Cercidium praecox	Palo Brea (Sonoran Palo Verde)	20	20	M	Yellow	Flower Litter, Thorn
Fraxinus uhdei	Shamel Ash	25	25	L		Deciduous
Nerium oleander	Standard Oleander	3-20	10-15	L	Pink, red	Evergreen (tree + shrub)
Olneya tesota	Ironwood	25	25	L	Purple	Slow Growing, Thorns
Parkinsonia "Desert Museum"	Thornless Palo Verde	25	25	H	Yellow	Fast grower, requires constant pruning, flower litter
Prosopis	Rio Salado Mesquite	25-35	20-40	M		Deciduous, Leaf Litter
Prunus pissardii 'atropurpurea'	Purple Leaf Plum	25-35	25-35	L	White	Evergreen, full sun, mod-full water
Ulmus parvifolia	Chinese Elm	30	30	M		Deciduous, Leaf Litter
MEDIUM TREES						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Acacia aneura	Mulga Acacia	14-18	12		Yellow	Mod-Fast Growing, Full Sun, Drop Pods
Chilopsis linearis	Desert Willow	15-30	10-20	M	varies	Deciduous, can look messy, needs thinning
Ficus Benjaminia	Weeping Fig/Ficus	14	10	L		Frost Sensitive
Ficus microcarpa "Nitida"	Chinese Banyan	18	14	L		Easily Shaped, frost sensitive
Lagerstroemia indica	Crepe Myrtle	15-20	8-12	L	Showy	Hot weather tree, like north exposure
Nerium oleander	Standard Oleander	3-20	10-15	L	Pink, red	Evergreen
Pithecellobium flexicaule	Texas Ebony	18	18	L		Drops seeds in spring; slow growing
Pittosporaceae phyllireoides	Willow Pittosporum	12-20	10-15	L	Yellow	Evergreen, Tolerates heat & aridity
Pyrus calleryana 'Bradford'	Bradford Pear	18	16	L	White	Deciduous, great fall color
Quercus virginiana	Southern Live Oak	15	20	L		Evergreen, full sun
Quercus virginiana 'Heritage'	Heritage Live Oak	12	12	L		Evergreen
Sophora secundiflora	Texas Mountain Laurel	10-15	10-15	L	Violet	Evergreen, deciduous, pods, heat tolerant
SMALL TREES						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Caesalpinia cacalaco	Casalote/Mexican Bushbird	10	8-10	L	Yellow	slow growing, seeds/pods poisonous, full sun
Caesalpinia Mexicana	Mexican Bird of Paradise	10-15	10-15	M	Yellow	Full sun, seeds/pods poisonous
Eriobotrya japonica	Loquat/Japanese Plum	10-30	12	M	White	Evergreen, leaf drop
Fortunella margarita	Kumquat	6-15	10	L	White	Bees, blossom & fruit drop/ slow growing
Ligustrum japonicum	Japanese Privet	10-12	8	L		Sun tender when young/fast growing

# THE ESTATES AT GAINEY RANCH

SMALL TREES - continued	Common Name					
Nerium oleander	Standard Oleander	3-20	10-15	L	Pink, red	Evergreen/silver-green leaves
Photinia carolina	Carolina Laurel Cherry	15-20	15	L	White	Evergreen, full sun, mod-reg. water
Pistacia lentiscus	Mastic Tree	16	14	L		Evergreen, slow grower
Podocarpus macrophyllus	Japanese Yew Pine	12	8	L		Evergreen, slow grower
Vitex angust-castus	Chaste Tree	14	14	L	Purple	Deciduous & evergreen, full sun, mod water
Xylosma species	Tree Xylosma	12	12	L		Broadleaf, evergreen, best w/no reflecte heat

## PALMS

Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Bismarckia nobilis	Bismark Palm	20-40	12	L		Evergreen, Slow growing, large
Chamaerops humilis	Mediterranean Fan Palm	6-15	10	L		Evergreen, fruit clusters, winter hardy
Cycas revoluta	Sago Palm	6	2-10	L		Evergreen, fruit clusters, hardy
Phoenix canariensis	Canary Island Date Palm	varies	20	M		Evergreen, biannual pruning, fruit clusters
Phoenix dactylifera	Date Palm	varies	15	M		Evergreen, biannual pruning, fruit clusters, slow growing
Phoenix roebelenii	Pigmy Date Palm	8	6	L		Evergreen, biannual pruning, fruit clusters
Trachycarpus fortunei	Windmill Palm	10-12	6	L		Evergreen, biannual pruning, fruit clusters, dislikes ext. heat
Washingtonia filifera	California Fan Palm	varies	20	M		Evergreen, biannual pruning, fruit clusters, very tall

## SHRUBS & GROUND COVER

Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Abelia grandiflora	Glossy Abelia	4-6	4	L	White	Broad leaf evergreen, frost sensitive, full sun
Alyogyne huegelii	Blue Hibiscus	5-8	5-8	L	Pink-Blue	Evergreen, mod water, prune as needed
Amaryllidaceae	Agapanthus-Lily of the Nile	5	2	L	Purple	Frost sensitive, regular water, northern exposure only
Aptenia cordifolia	Hearts & Flowers			L	Red	Succulent shrub groundcover
Apocynaceae	Mandevilla	12	3-5	M	Pink-Blue	Evergreen shrub, full sun/partial shade, regular water
Asparagus densiflorus 'Meyer'	Asparagus Fern (Foxtail Fern)	2	3-6	L		Tolerates dryness, can train on trellis
Aspidistra elatior	Cast Iron Plant	2-3	2-3	L	Brownish	Evergreen, shade, mod-reg water, minimal care
Aucuba japonica	Japanese Aucuba	3-8	3-8	L	Maroon	Broadleaf evergreen, red berry clusters, grows in low light
Baccharis centennial 'Starr'	Dwarf Desert Broom	5	5	L		Extremely Drought Tolerant, Full sun
Baileya multiradiata	Desert Marigold	1.5	1.5	L	Yellow	Self sows
Bougainvillea species	Bougainvillea	varies	varies		Yes	Constant flower & leaf litter, low water, full sun
Bulbine frutescens	Yellow Bulbine	1-2	2-3		Yellow	Partial/full sun, little water, good ground cover
Buxus microphylla 'Japonica'	Japanese Boxwood	4	4	L		Evergreen, dwarf shrub
Calliandra species	Sierra Starr Fairy Duster	5	5-6	L	White/Pink	Evergreen shrub, showy flowers, full sun, water varies
Callistemon viminalis 'Little John'	Dwarf Bottlebrush	3	2	L	Red	Evergreen, flowers resemble bottle washers
Caprifoliaceae tinus, spesuspensum	Viburnum	12	8	L	Pink	Evergreen, full sun-partial shade, reg water

THE ESTATES AT GAINEY RANCH						
SHRUBS & GROUND COVER - continued	Common Name					
Carissa species	Natal Plum	1-2	2	L	White	Frost sensitive, shaping required, red fruit, sun, reg water
Cassia artemisoides & nemaphilla	Feathery & Green Cassia	3-5	5	L	Yellow	Evergreen shrub, full sun/light shade, very drought tolerant
Coccolus laurifolius	Cocculus	15	15	L		Evergreen shrub, sun or shade, needs reg water
Callistemon citrinus 'Little John'	Dwarf Bottlebrush	3	5	L	Red	Full sun, regular water, very little pruning
Convolvulus cneorus	Bush Morning Glory/Silver Bush	2	3	L	White	Evergreen, full sun, mod water, Prune severely
Cordia boissieri	Texas Olive/ White Cordia	10-25	10	L	White	Evergreen shrub, full sun, mod water
Dietes bicolor	Evergreen Iris	4	3	L	Yellow/White	Evergreen, bright morning sun
Dodonea viscosa	Hopbush	15	12	L	Yes	Evergreen, great tall hedge, requires shaping, aridity tolerant
Eremophilla maculata	Valentine Bush-Spotted Emu Bush	4	4	L	Red	Evergreen, flowers late fall thru winter, heat tolerant
Eriobotrya species	Loquat/ Japanese Plum	6	6	L	White	Glossy, broadleaf evergreen
Euonymus japonica	Evergreen Euonymus	8-10	6	L	Green/White	Evergreen shrub, generally kept lower, mod-reg water
Feljoa sellowiana	Pineapple Guava	12-15	12-15	L	White	Flowers white w/red center, filtered sun, drought tolerant
Gardenia jasminoides 'Veitchi'	Gardenia	3	3	L	White	Evergreen, fragrant flowers
Hibiscus rosa-sinensis	Chinese Hibiscus	5	5	L	Varies	Evergreen shrub, not good in west exposures, aphids
Ilex cornuta burgordii 'Nana'	Dwarf Burford Holly	6	6	L		Evergreen shrub, red berries
Ilex vomitoria	Dwarf Yaupon Holly	10-20	3-5	L		Evergreen shrub, fast growing
Lantana species	Bush Lantana	2-4	3-4	M	Yes	Evergreen shrub, excellent for color, frost tender
Larrea tridentata	Creosote Bush			L	Yellow	Native shrub, scraggly, little-mod water, spreads
Lavandula stoechas & dentata	Spanish & French Lavender	1-3	3	L	Blue	Evergreen shrubs, very drought tolerant
Lavandula angustifolia	English Lavender	1-2	2	L	Blue	Evergreen shrub, hardiest lavender
Leucophyllum candidum	Thundercloud/Silver Cloud Sage	4	3	L	Purple	Dense, mounding shrub, fast growing
Leucophyllum frutescens	Heavenly Cloud Texas Sage	4	4	M	Lt Purple	Shrub, shaping required, full sun, infrequent watering
Leucophyllum laevigatum/pruinatum	Chihuahuan & Sierra Bouquet Sage	6	6	L	Violet	Evergreen shrub, low-maintenance, fragrant, open sprawling
Leucophyllum langmaniae	Lynn's Legacy Sage	5	5	M	Lavender	Evergreen shrub, masses of flowers, shaping required
Ligustrum japonicum	Japanese Privet	4	4	L		Broadleaf evergreen, glossy leaves, fragrant, drought tolerant
Lonicera japonica 'Halliana'	Hal's Honeysuckle	1-2	20	M	White	Evergreen, full sun-partial shade, mod water, invasive
Muhlenbergia rigens	Deer Grass	4	4	L	Yellow-Purple	Perennial grass, full sun/partial shade, little-no water
Myoporum pervicacium, trailing	Myoporum	8"	6'	L	White	Evergreen groundcover, full sun, little-mod water
Myrtus communis 'Boetica'	Twisted Myrtle	to 12	to 8	L	White	Evergreen shrub, little to no pruning, bluish berries
Nandina domestica	Heavenly Bamboo Varieties	1.5-6	1.5-3	L	varies	Needs shade, little watering
Nerium oleander	Oleander	6	4		Yes	Evergreen, fast growing, mod litter
Olea europaea 'Little Ollie'	Dwarf Olive	12	12	L		Evergreen shrub, creates small hedge mass, full sun
Paphiopedilum	Lady's Slipper			L	varies	Partial shade or bright indirect light
Pennisetum setaceum	Fountain Grass	5	5	L	Pink-Purple	Perennial grass, full sun/partial shade, no irrigation
Phacelia campanularia	California Desert Blue Bells	2	1-2	L	Blue	Drought tolerant; periodic water
Photinia fraseri	Fraser's Photinia	5	4	L		Broadleaf evergreen
Pittosporum species	Pittosporum	2-8	5-6	L	White	Frost tender, full sun - partial shade, mod-reg water
Plumbago auriculata	Cape Plumbago	3	3	L	Purple/Pink	Evergreen shrub, full sun-partial shade, little-reg water
Poinciana gilliesii	Yellow/Red Bird of Paradise	8	8	L	Red/Yellow	Evergreen shrub, little/mod water, full sun

THE ESTATES AT GAINNEY RANCH						
SHRUBS & GROUND COVER continued	Common Name					
Pyracantha fortuneana	Pyracantha Varieties	varies	varies	L	White	Evergreen, Red berries, flowers attract bees
Raphiolepis indica	Indian Hawthorne Varieties	3-12	4-12	L	Yes	Evergreen, full sun-light shade, reg water
Rosa species	Rose	4	3	M	Yes	Private courtyard or backyard only, Plant in masses
Rosmarinus officinalis	Upright Rosemary	2	3	L	Varies	Evergreen shrub, full sun, little-mod water
Ruellia brittoniana 'Katie'	Desert Ruellia species	1	1	M	Purple	Evergreen, dwarf, noninvasive
Ruellia simplex	Mexican Petunia	3	3		Blue-Purple	Evergreen shrub
Russelia equisetiformis	Coral Fountain Firecracker Plant	Up to 5	Up to 5		Red	Bright indirect light/partial shade, mod-reg water
Simmondsia chinensis	Jobba	6	6			Evergreen shrub, full sun, little water
Sophora secundiflora	Texas Mountain Laurel	6	6	L	Purple	Berries poisonous, slow grower
Tecoma hybrid	Orange Jubilee	12	8	M	Orange	Semi-deciduous, full sun, versatile (hedge, shrub)
Tecoma stans	Arizona Yellow Bells/Elder	3-6	3-6	M	Yellow	Perennial shrub, full sun, evergreen
Tecoma stans 'Gold Star'	Gold Star Yellow Bells	6	6	M	Gold	Perennial shrub, full sun, flowers profusely
Tecoma Capensis	Cape Honeysuckle	6-8	4-5	M	Orange	Flower litter, requires shaping, little water
Trachelospermum asiaticum	Asiatic Jasmine				yellow-white	Evergreen, mainly ground cover, light shade, reg water
Vauquelinia californica	Arizona Redwood	20	15	L	White	Evergreen, Full sun, little-mod water
Xylosma congestum 'Compacta'	Dwarf Xylosma	6-8	6-8	L		Broadleaf evergreen, mod water, tolerate heat

ACCENTS & SUCCULENTS						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Agave desmettiana	Smooth Agave	2.5	2	L	Stalk	3-8 yr lifespan, thorny
Agave gemmiflora	Twin-flowered Agave	2.5	2.5	L	Stalk	3-8 yr lifespan, thorny
Agave parryi	Parry's Agave	3	3	L	Stalk	3-8 yr lifespan, thorny, looks like artichoke
Agave vilmoriniana	Octopus Agave	4-6	4	L	Stalk	3-8 yr lifespan, thorny
Aloe species	Aloe	2	2	L	Coral	Partial sun, little water
Aptenia cordifolia	Hearts & Flowers				Red	Fast grow ground cover,, relative to ice plant
Asteraceae; Osteospermum fruticosum	Trailing African Daisy	1/2	4	L	varies	Full sun, mod-reg water
Baileya multiradiata	Desert Marigold	1.5	1.5	L	Yellow	Perennial flower, Self sows, good container plant
Cereus hildmannianus	Hildmann's Cereus cactus	15	10	L	White	Fast growing, sub for organ pipe cactus, low water
Dasylirocn acrotiche	Green Desert Spoon	4	6	L	White	Full sun, little water, forms neat clumps
Dasylirocn longissimum	Mexican Green Grass	6-8	6-8	L	White	Evergreen shrub, full sun, little water, fountainlike clump
Drosanthemum floribundum	Ice Plant	1/2-1	3	L	Red/Pink	Succulent perennial, full sun, little-mod water
Echinocereus engelmannii	Engelmann's Hedgehog Cactus	1	2	L	Magenta	Vibrant spring color, low water
Euphorbia rigida	Gopher Plant/Caper Spurge	2	2	L	Yellow	Use en mass, full sun, drought tolerant
Feorocactus cylindraceus	Barrel Cactus	1-1.5	2	L	Yellow	Sun, low water
Gazania rigens	Gazania	1/2-1	1/2-1	L	Red/Orange	Perennial flower, Self sows, mod-reg water, full sun
Glandularia gooddingii & tenusecta	Southwestern Mock Vervain	1/2-1	3	L	pink/blue	Perennial, full sun, mod water, low and spreading
Hesperaloe funifera	Giant Hesperaloe	4	3	L	Red	Great accent, needs space, sharp tips

THE ESTATES AT GAINNEY RANCH						
ACCENTS & SUCCULENTS Continued	Common Name					
Hesperaloe parviflora	Red & Yellow Yucca	3	2.5	L	Red/yellow	Full sun/partial shade
Liliaceae cernuum	Nodding onion	2-3	2-3		Lilac	Requires reg water, summer blooms
Liriope muscari	Lily Turf	1/2-1	1-3	L	Purple/White	Evergreen perennial,shade,not frost tolerant
Lophocereus schottii	Senita Cactus	10	10	L	pink/blue	Slow growing, Flowers at night,low water
Melampodium leucanthum	Blackfoot Daisy	1	1	L	White	Clumping, full sun, mod water
Opuntia acanthocarpa	Buckhorn Cholla	4	5	L	Red/yellow	Moderate growth, medium thorns, low water
Opuntia basilaris	Beavertail Prickly Pear	1	3	L	Magenta	Low spreading, small thorns, low water
Opuntia engelmannii	Englemann's Prickly Pear Cactus	4	8	L	Yellow	Shrublike,Medium thorns, low water
Opuntia ficus-indica	Prickly Pear Cactus	12	18	L	Yellow	Shrub tree, tree like sculptural
Opuntia robusta	Giant Prickly Pear	10	10	L	Yellow	Schrublike, Pads grow to 1' across
Opuntia santa-rita	Purple Prickly Pear Cactus	4	5	L	Yellow	Schrublike, pads take on purplish color
Pachocereus schottii	Totem Pole Cactus	12	10	L	Pink	Sculptural,slow growing, no thorns, low water,night bloom
Pachocereus marginatus	Mexican Fencepost Cactus	10	6	L	Pink	Columnar,Bold, dramatic accent
Pedilanthus species	Lady Slipper	3	3	L	Orange	Bird-like flower
Penstemon eatoni	Eaton's Penstemon/Firecracker	3-5	3		Pink	Thrives in hot/dry, lives 3-4 yrs
Portulacaria afra	Elephants Food	to 12	to 12	L		Succulent
Salvia greggii	Autumn Sage	1-4	1-4	L	Multi	Evergreen or deciduous shrub, lives 4-5 yrs
Salvia leucantha	Mexican Bush Sage	4	4	L	White	Evergreen shrub,cut back before spring,limit water
Stenocereus thurberi	Organ Pipe Cactus	10	10	L	Pink	Columnar,Striking,blooms at night
Strelitzia reginae	African Bird of Paradise	4	3	L		Beautiful flower
Tephrocactus articulatus	Pine Cone Cactus	1	3	L	White/pink	Sprawling,good container plant, sculptural
Tetrameuris acaulis	Angelita Daisy	1	1.5	L	Yellow	Perennial,full sun,little-mod water
Trichocereus huascha	Red Torch Cactus	2	3	L	Orange/red	Clumping, spectacular flowers
Trichocereus candicans	Argentine Giant	2	3	L	White	Sprawling, flowers 6-8" across
Trichocereus terscheckii	Cardon Grande	15	8	L	White	Treelike,similar to Saguaro- grows faster, med thorns
Verbena peruviana & rigida	Peruvian & Sandpaper Verbena	1/2-2	3-4	L	varies	Annual, full sun, mod water
Vinca major	Periwinkle	1/2-1	3-6	L	Blue	Perennial, partial sun, little-mod water, groundcover
Yucca rostrata	Beaked Yucca	5	4	L		Accent plant, thorny
Zephantes candida	White Rain Lily	1	1	L	White	Perennial,evergreen,full sun,reg water
Zephantes graniflora	Pink Rain Lily	1	1	L	Pink	Perennial,evergreen,full sun,reg water

VINES						
Botanical Name	Common Name	Height	Width	Maint	Flower	Remarks
Antigonon leptopus	Queen's Wreath/Coral Vine	Vine	Vine	M	Coral	Requires trellis,full sun,mod-reg water
nonia capreolata	Tangerine Beauty Crossvine	to 60	Vine	L	Multi	Attaches to anything, cut back before spring growth
Bougainvillea species	Bougainvillea	30	20	H	Multi	Evergreen shrubby Vine,full sun,reg water
Campsis radicans	Trumpet Vine		Vine	L	Orange	Flower Litter
Ficus pumila	Climbing Fig		Vine	M		Creeping,vining habit, hardy,fast growing



THE ESTATES AT GAINNEY RANCH						
VINES Continued	Common Name					
Gelsemium sempervirens	Carolina Jasmine	20	20	L	Yellow	Full sun/partial shade,reg water,also a groundcover
Hardenbergia violacea	Lilac Vine	20	20	L	Lilac	Partial shade,mod water, trellis
Hardenbergia violacea	Lilac Vine	20	20	L	Lilac	Partial shad, mod water, trellis
Jasminum mesnyi	Primrose Jasmine	6-10	6-10	L	Yellow	Evergreen ,full/partial sun,reg water
Jasminum nitidum	Angelwing Jasmine	10-15	3-4	L	White	Part shrub,part vine,full sun, reg water
Jasminum polyanthum	Pink Jasmine	20	20	L	Pink	Evergreen vine,full sun,also a ground cover
Lonicera japonica 'Halliana'	Japanese Honeysuckle	20	20	L		Evergreen,full sun,mod water;very invasive
Macfadyene unguis-cati	Cat's Claw Vine			Vine	M	Yellow
Mascagnia macroptera	Yellow Orchid Vine			Vine	L	Yellow
Pandora jasminoides	Bower Vine			Vine	L	White
Passiflora foetida	Passion Vine	10	10	L	Multi	Evergreen,full sun,requires trellis
Podranea ricasoliana	Pink Trumpet Vine	10	10	L	Pink	Small rose flowers, requires trellis
Rosa banksiae	Lady Bank's Rose	20	20	L	White,Yellow	Immune to disease, requires wall or trellis, full sun, mod water
Solanum jasminoides	Potato Vine	12	5	L	White	Fast growing,trellis, doesn't like frost
Trachelospermum jasminoides	Star Jasmine	20		L	White	Light shade;also groundcover

**Note:**

Annual flowers and plants are permitted, provided that they are in a container or bedded in a defined planting area.  
The container or planting bed must be connected to a dedicated drip system to ensure proper watering.



# **SECTION 4**

## **DESIGN GUIDELINES AND STANDARDS FOR THE ESTATES**

### **A. ARCHITECTURAL CHARACTER**

1. Residences will relate to one another in their use of building elements and materials, colors form and scale.
2. All facades visible from the golf course will be designed as primary facades.
3. Landscaping, including planters and walls, are considered to be an integral part of the overall architectural expression.
4. All free standing shade structures, along with other architectural elements, must be approved by the Architectural Committee for color, design and location.
5. Rear yards must be compatible with the golf course environment, and highly contrasting elements such as brightly colored umbrellas and banners, tile, graphics, sculpture, lighting, recreational equipment and chimneys generally will not be allowed.

### **B. WALLS AND FENCES**

1. Property, building and garden walls must be stucco or an alternate approved by the Architectural Committee.
2. Open fences, gates, railings, etc. must be approved for pattern and design, including height, location, finishes and color.
3. Non-golf course lots – Walls, unless otherwise approved, will be solid masonry with dashed finish stucco to match Gainey Ranch project walls. Side Yard (property line) walls between the 20' front yard and the rear property line shall not exceed 7' 4" and must be a minimum of 6' 8" as measured from the finished grade, as determined by the Architectural Committee. Rear Yard property line wall shall be a minimum of 6' 8" and shall not exceed 7' 4". (See Exhibits A, B, C)

Golf course lots – Walls, unless otherwise approved will be solid masonry walls with dashed finish stucco to match Gainey Ranch project walls. Side Yard (property line) walls between the 20' front yard and 25' from the rear property line shall not exceed 7' 4" and must be a minimum of 6' 8" as measured from the finish grade, as determined by the Architectural Committee. Walls within 25' of the rear property line will conform to the standard wall design, Exhibit A. The rear yard wall will be 2' in height and heights above 2', not to exceed 4' 6", or such height required by city codes, must consist of the standard Gainey Ranch square tubular metal fence detail.

4. Front yard walls – Walls in the front yard will be considered on a site-by-site basis and require specific approval from the Architectural Committee.

5. All walls shall reflect a consistent overall theme with regard to materials, colors and configuration compatible with the design of the residence and concept for The Estates.

C. LANDSCAPE REQUIREMENTS

1. The intent of this guideline is to provide a “screening” layer of trees to “veil” and soften differing architectural facades while providing a continuously cohesive design statement among The Estates. Landscaping adjacent to the street shall be in accordance with the overall, established landscape theme of The Estates. The streetscape shall consist of a continuous ground plane of turf and/or shrubs. Each lot frontage shall include (at the time of planting) a minimum of two mature 36” box trees or one mature 36” box tree per 40’, or portion thereof, where lot width exceeds 80’, in accordance with the overall Estates street landscape theme.

D. DRAINAGE

1. Drainage from lots, including all landscape overflows, pool or spa backwashing and any other nuisance drainage, shall be discharged into existing systems by a manner approved in writing by the Architectural Committee. Owner shall be responsible for any damage to, or increased maintenance cost incurred by, the damaged properties, including floods, erosion and siltation and nuisance flows, caused by uncontrolled runoff, etc. from the lots.

2. Lots were pre-engineered for proper drainage by the Developer. It is the responsibility of the homeowner to maintain the drainage as designed.

E. LIGHTING

1. All landscape lighting is to be indirect. All light sources are to be concealed and directed away from neighboring views.

2. Architectural lighting and lighting of all pool areas, patios or other areas must be reviewed and approved by the Architectural Committee. Light levels must be directed away from neighboring homes and adjacent golf course, and approval, if granted is on a specific use and time basis.

3. Outdoor security lighting is defined as a light that is activated by motion in the area covered by the beam and only stays on for a brief prescribed amount of time.

a. Security lighting must be reviewed and approved by the Architectural Committee prior to installation.

b. Fixtures must have a light shield and light levels must be directed away from neighboring properties.

c. The fixtures must be mounted on the wall of the residence or ground mounted. Roof mounted lights will not be approved.

F. CONSTRUCTION

Refer to Section V, Gainey Ranch Construction Policies.

G. EXTERIOR ACCESSORIES

1. Amplifiers - No radio, stereo, television, personal music device, broadcasting or loudspeaker unit, and no amplifier of any kind may be placed upon or outside of, or be directed to the outside of any building without prior written approval from the Architectural Committee.

2. Basketball Backboards - No basketball backboards shall be allowed.

3. Flagpoles

a. Flags and flagpoles are permitted. However, the size and placement of the flagpole will need to be approved by the Estates Architectural Committee and the MAC prior to installation.

b. Flagpoles shall be an appropriate height and painted a dark bronze color approved by the Architectural Committee.

c. Only the United States and State of Arizona flags may be displayed and such flags shall be of reasonable size, as determined by the Architectural Committee.

d. Flags shall be an appropriate size based on the height of the flagpole.

e. All displays of the American or State of Arizona flag must be in a manner consistent with the Federal Flag Code.

f. Lighting, if any, shall be directed away from neighboring views and the light source must be concealed.

4. Statues, Fountains, Artificial Plants or Similar Structures

No statues, sculptures, artificial plants or other decorative items may be placed at the front of, or adjacent to, garage doors or in any of the front yard landscaping, unless submitted and approved by the Estates Architectural Committee and the MAC (Master Architectural Committee). Each submittal will be reviewed on a case-by-case basis.

5. Decorative Pots - Must conform to the architecture of the home. Only living plant material is allowed in the pots and is to be maintained year round by the homeowner.

6. Accessories - No accessories shall be installed or placed on top of any front courtyard walls. Accessories include, but are not limited to: pots, plants, candles, statues, sculptures or other decorative items.

7. Artificial Plants or Metal Plants/Cactus - are not permitted as a design element facing or visible by common or golf course areas. The exception is artificial grass which is allowed but must be the “approved grass” for the Estates.

8. Holiday Decorations - cannot be set up before November 15th and must be removed no later than January 8th. Holiday lighting must be non-blinking/non-twinkling **white** lights only. This applies to front yards and back yards visible from the golf course or by homes across from you on the golf course.

9. Additional Accessories - If there are any other accessories you would like to place at the front of your home, these must be submitted to the Estates Architectural Committee and will be approved on a case-by-case basis.

10. Utility and Service Lines - No gas, electric, power, telephone, water, sewer, cable television or other utility or service lines of any nature or kind may be placed, allowed or maintained upon or above the ground on any lot except to the extent, if any, that underground placement may be prohibited by law or would prevent the subject line from being functional. However, above ground service pedestals, splice boxes, switch cabinets and transformers will be permitted where required for public utilities.

11. Tennis/Sport Courts - No tennis/sport courts will be allowed anywhere in The Estates.

12. Swimming Pools, Spas, Hot Tubs And Similar Structures

a. No swimming pool, spa, hot tub or similar structure hereinafter collectively referred to as pool, may be constructed without the prior written approval of the Architectural Committee.

b. Water discharged from pools must be accomplished by a filter system that does not allow the water to leave the lot.

c. In the event that the pool must be drained, arrangements should be made with the City of Scottsdale for drainage through the City sewer system.

d. No grade change, which adversely affects drainage, will be permitted.

e. Pool mechanical equipment will be screened and will not be visible from neighboring property. Pool motor equipment located less than ten feet from a neighboring home shall have a noise isolation device(s) installed.

f. Pool decking shall not exceed 12” above the original delivered pad grade.

g. Lighting must be reviewed and approved by the Architectural Committee prior to installation. Light levels must be directed away from neighboring property.

h. All plans must meet City of Scottsdale design criteria and code requirements prior to approval by the Architectural Committee.

13. Sun Control - Glass may be clear or tinted. Tinted glass requires special approval. Reflective glass will not be approved.

14. Mechanical Equipment

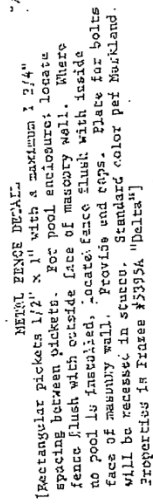
a. No mechanical equipment will be openly visible. The Architectural Committee must approve all solar energy devices visible from neighboring property or public view; subject to applicable laws.

b. All vent pipe stacks protruding above the plane of the roof must be screened and/or painted to match the roof.

c. Ground-mounted air conditioning units shall be concealed by a sound enclosure on all sides visible to the public and/or neighboring views. Locations and screens need to be approved by the Architectural Committee.

15. Additions or Alterations - Any additions or alterations to any Property, building, structure, lot or parcel must be approved in writing by the Architectural Committee prior to commencement of any construction or alteration. Any repainting or redecoration of exterior surfaces will also require submission of color scheme to the Architectural Committee for approval prior to application.

16. Compliance with the City of Scottsdale Code - All buildings and structures constructed in The Estates, and the use and appearance of land within The Estates, shall comply with all applicable City of Scottsdale Code requirements.

REAR LOT/GOLF COURSE  
(PROPERTY LINE)

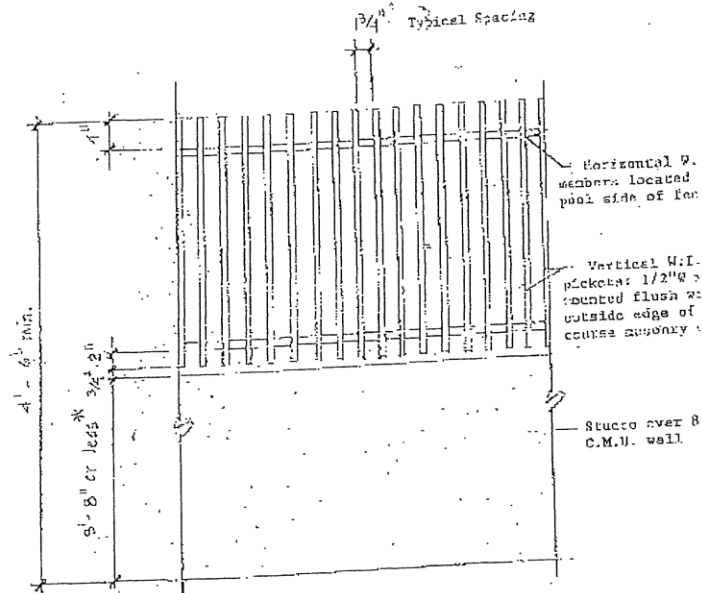
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EXHIBIT B

REAR YARD WALL DESIGN  
(FOR GOLF COURSE LOTS WITH POOLS)

Note: This is the requirement for pools constructed prior to July 15, 1992.  
See Exhibit C in the General Guidelines for the current standards.



GAINNEY RANCH  
WALL DESIGN  
(FOR GOLF COURSE LOTS WITH POOLS)

\*(Where masonry portion measures 45" or greater above grade, standard Gainney Ranch W.L. design may be used. See Exhibit C)

Note: All dimensions taken on golf course side of wall.  
Standard color per Markland Properties is Frazer #5395A "Delta"

6/27/92

## **Section 4 - H**

### **Exterior Paint Colors**

#### **Amendment to Architectural Guidelines Effective March 10, 2022**

The Estates desires to secure its stated objective of maintaining a custom home community with a varied exterior color palette. As provided for in The Estates at Gainey Ranch Architectural Rules, all requests for changes to existing exterior colors on homes, walls, hardscape, etc., must be submitted to The Estates Architectural Committee for approval. To assist the homeowner in this process the following guidelines are provided:

1. No existing exterior house color in The Estates may be repeated.
2. A “List of Exterior House Colors in The Estates” is maintained in the GRCA Administrative Offices. Contact the Architectural Coordinator at 480-951-0321 for a copy of the list. Any color included on the list may not be repeated on another home in The Estates community.
3. An existing house color may be materially modified by adjusting its color value and submitting it to the Architectural Committee for review. Please note that such modification does not assure that the Architectural Committee will approve the color.
4. Homeowners that desire to repaint their home using the existing color of the home may submit a request directly to the GRCA Architectural Coordinator and request “Staff Approval” of the request.
5. Changes in colors of other exterior structures or hardscape elements; such as walls, sidewalks, driveways, cabanas, barbecue enclosures, etc. must also be submitted to the Architectural Committee for approval. Each request will be considered on its individual merits.
6. Colors should fall within the LRV (light reflective value) range of 20 to 60. The LRV range is for house stucco and common walls only and does not include roof tiles or other surfaces. Any other surfaces will be evaluated on a case by case basis.
7. Paint colors must be a neutral tone, following a desert palette that will complement the surrounding homes and community. Bright, loud or unusual colors are not allowed.

8. Paint must be a flat finish.
9. The Estates' HOA Board may issue a stop work order and require re-submittal and review for any deviations from what was approved or any work not approved. All stoppages in work shall be corrected within 1 week.

## **Section 4 - G**

### **Exterior Stone Veneer**

#### **Amendment to Architectural Guidelines Effective April 1, 2022**

Artificial stone veneers are not permitted within The Estates. Only natural stone and natural stone thin cut veneers shall be accepted. Veneer materials shall be installed in such a manner that there are no exposed unfinished edges of the veneer. Thin cut veneers must utilize corner pieces at all outside corner conditions. Individual units of stone shall have a minimum edge exposure or return of 4" at all exposed corners.

1. Acceptable stone patterns for The Estates include fieldstone, stacked, cobblestone and ashlar patterns. Flagstone and river rock patterns are not acceptable.
2. Stone shall only be used as an accent material. It is not permitted for entire facades of a residence.
3. Stone veneers will not be allowed to vertically stop mid-wall; massing must return or die at an inside corner. Wainscoting will be considered on a case by case basis.
4. Stone veneers shall extend below the ground line to appear as if the wall is grounded. No "floating" stone details are permitted.
5. Site or landscape walls must have all sides wrapped in stone to give the appearance the wall is entirely made of stone. The application of stone to a single surface of a site wall is not allowed.
6. Field stone veneer patterns shall not be applied to pop-outs on buildings at door or window surrounds. Pop-outs shall only be clad or highlighted with a limestone or weathered cast concrete material. All headers shall have the appearance of being self-supporting.
7. All natural stone wall caps must have a minimum thickness of 3".
8. A small three-foot sample section of the veneer shall be erected and inspected by the Estates' Architectural Committee for conformance as to what was submitted. After the committee has approved this sample, permission will be granted to completed the project. The Estates' HOA Board may issue a stop work order and require re-submittal and review for any deviations from what was approved through the design review process. All stoppages in work due to deviations or mismatched samples shall be corrected within 1 week.

## **SECTION 5**

### **GAINNEY RANCH CONSTRUCTION POLICIES**

#### **ARTICLE I**

##### **A. INTRODUCTION**

Gainey Ranch was planned and created as one of the most sophisticated and prestigious master planned communities in the United States. The residents and guests of Gainey Ranch should receive privacy, security, quality construction and a superior living environment. Every aspect of the development of Gainey Ranch requires unusually high standards of design, safety, maintenance, appearance and construction. The Gainey Ranch Community Association is committed to maintaining these high standards and the overall quality of life planned for Gainey Ranch and the established Construction Policies shall apply to all persons and firms engaged in or responsible for construction or development on Gainey Ranch.

The term "contractor" is used herein to refer to all such persons and firms engaged in or responsible for construction on Gainey Ranch, including all property owners, developers, and/or general contractors responsible for construction activities. Such contractors shall be responsible for compliance with these policies by all persons and firms employed or otherwise permitted access to Gainey Ranch by such contractors, including all employees, agents, subcontractors, material suppliers, guests, etc. Gainey Ranch Community Association (GRCA) may monitor all construction activities for compliance with these policies and reserves the right to pass judgment upon compliance by such contractors and to enforce, amend or temporarily waive any or all policies at any time. Violations of these policies will be reported to the responsible contractor who shall take immediate action to correct the violation. If corrective action is not taken by the responsible contractor, GRCA shall have the right to suspend the work or any portion hereof; to evict the contractor and/or offending party for such time as GRCA shall deem appropriate; and/or to permanently refuse access to the contractor and/or offending party.

These policies shall be attached to and shall become a condition of all contracts, subcontracts and orders for construction activities on Gainey Ranch.

##### **B. CONSTRUCTION SITE**

1. The construction site shall be maintained in a safe, clean, orderly and dust-free condition at all times. All trash, debris, mud, refuse and other undesirable material shall be collected daily, placed in suitable containers and removed from the site weekly. No containers, dumpsters, storage units, office trailers, and / or port-a-johns, etc., shall be located on any site, driveway, street or any location in Gainey Ranch without the written approval of the GRCA. Written approval shall include the location and time limits for the item's removal. No debris shall exceed the height of the container so as to be unsightly or unsafe and all containers shall be covered at the end of the workday so as to prevent the blowing of debris out of the container. All temporary structures shall be promptly removed from the site upon completion of construction.
2. All residents, guests and properties including the golf course, all streets, landscaping, etc., shall be protected at all times from construction activities including blowing or falling materials, debris and trash, safety hazards, interruptions and other nuisances caused by construction activities. Any mud or dirt tracked onto streets shall be cleaned off daily.

3. Except when actually required for use in construction, all materials, tools, supplies, equipment, vehicles, etc., shall be kept in a storage yard or parking facility approved by GRCA. All storage yard sites shall be fenced and screened in an approved manner and all materials shall be neatly stacked.
4. Construction trailers may be utilized for field offices or for storage if approved by GRCA. Approval of the location, size, color, graphics, services, parking, etc., for all trailers must be obtained from GRCA prior to installation. Driveways and parking facilities for construction personnel and deliveries shall also be approved by GRCA prior to installation or utilization.
5. Construction signs shall be restricted to those signs necessary to identify the contractor's office or storage/delivery site. All signs shall be approved in advance by GRCA as to size, location and design.
6. The contractor shall provide drinking water and sanitary facilities for all construction personnel. Use of golf course facilities is strictly forbidden. Golf course irrigation water is treated effluent and is therefore not suitable for human consumption.
7. The contractor shall install a temporary electrical pedestal service to be used for all construction activity. Exceptions must be approved in advance by GRCA.
8. Contractor shall coordinate and schedule all construction activities so as to minimize all interference, interruption and nuisance to residents and guests of Gainey Ranch. Construction hours shall be limited to Monday through Friday, except holidays, from 6:30 a.m. until 5:00 p.m. These hours may be amended as appropriate during summer months.

#### **D. RESTRICTION TO JOB SITE**

1. Construction access to Gainey Ranch is restricted to construction personnel and vehicles, including deliveries, duly authorized by GRCA, or other property owners of Gainey Ranch. To gain access to Gainey Ranch, all vehicles including but not limited to contractors and subcontractors must be on the security acceptance list. Failure to provide security with such proof of authorization will result in denial of access to the site or eviction from the site as appropriate. The contractor shall be responsible for damages, accidents, injuries, etc., caused by or resulting from the actions and/or negligence of any person or entities permitted access to Gainey Ranch, including those whose services or work have been terminated by contractor for any reason.
2. Access shall be restricted to the service gate, which is located on the south side of Mountain View Road, (just east of Scottsdale Road). The service gate is generally open from 6:30 a.m. to 2:30 p.m. Monday through Friday and is closed on Saturday, Sunday and holidays. During winter and summer months these hours may be amended as appropriate.
3. Authorized access shall be limited to the specific work site for which access was deemed necessary, during work hours only. Access to the golf course or to other parcels or common areas and facilities is prohibited at any time.
4. Contractors are to proceed directly to the job site and are not to loiter within Gainey Ranch. Refrain from speeding or driving recklessly or carelessly. Violations shall be reason for immediate eviction from Gainey Ranch.

#### **E. CONDUCT OF CONSTRUCTION WORKERS**

1. All construction personnel shall maintain their appearance and conduct in an appropriate manner as determined by GRCA.
2. Workers are restricted to their respective job site while on Gainey Ranch, including lunch breaks, rest periods and other non-productive times. The golf course and other common amenities and facilities are off-limits at all times.
4. Workers shall not interfere with nor create a nuisance for any residents or guests of Gainey Ranch or their use and enjoyment of the facilities and amenities provided on Gainey Ranch, including but not limited to the use and enjoyment of the golf course. Artificial noisemakers such as radios, tape players, speakers, horns, fireworks, etc., are prohibited and are subject to confiscation by the Gainey Ranch security force and violators will be subject to eviction from the site and loss of future access to Gainey Ranch.
5. Absolutely no pets, children, alcoholic beverages, non-prescribed drugs, firearms or other weapons are permitted on any construction site on Gainey Ranch at any time. Violators will be subject to permanent eviction from the project and possible legal prosecution.

#### **E. ACCIDENTS AND PROPERTY DAMAGE**

Accidents or other events resulting in personal injury or damage to any property, landscaping or other improvements owned by the Gainey Ranch Community Association, the Gainey Ranch Golf Course or others resulting from construction activities of the contractor shall be immediately reported to Gainey Ranch Security at 948-9378. If the contractor responsible for such damage fails to repair or replace any such damage as directed within the time specified by GRCA or Security, then GRCA may repair or may hire outside contractors or agents to repair the damage. Upon request, the cost of such repair plus GRCA's administrative cost (35%) shall be immediately payable to GRCA by the responsible party together with interest at the rate of 18% on all such cost until paid in full.

#### **WEEKDAY, WEEKEND & HOLIDAY CONSTRUCTION HOURS**

##### **1. Monday through Friday**

Construction hours shall be limited to 6:30 a.m. until 5:00 p.m. during the months of May through October. During the months of November through April they shall be limited to 7:00 a.m. to 5:00 p.m.

##### **2. Saturday 8:00 a.m. until 4:00 p.m.**

No heavy construction or activities generating loud noise will be allowed on Saturday. Contractors desiring to work on Saturday must make the arrangements with Ed Gallo, of Gainey Ranch Security by 2:30 p.m. on the preceding Friday. Ed may be reached at his office, phone 480-596-0125 or at the West Security Plaza, phone 480-948-9378.

Construction traffic desiring to enter the large portion of Gainey Ranch must use the East or West Security Gates since the Mountain View Road (North Gate) construction entrance is closed on Saturday.

3. **Sunday and Holidays**

No construction activity is allowed on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

The Mountain View Road construction entrance is closed on Sunday and the above listed holidays.

4. **Exceptions**

Any exceptions to this policy must be approved in advance and will be reviewed on an individual basis. To request an exception, please call the Administrator, at the Gainey Ranch Community Association Office, phone (480) 951-0321.



## **SECTION 5**

### **ARTICLE II**

#### **GAINNEY RANCH CONSTRUCTION PROCEDURES**

All Gainey Ranch residential construction activities (interior or exterior) shall be preceded by a pre-construction meeting with GRCA Maintenance management to review and/or obtain a copy of the Gainey Ranch Construction Policies. (Refer to EXHIBIT F for Pre-Construction Meeting form)

Prior to construction, the GRCA may take photos of the sidewalks, driveway and adjacent planters. Upon completion of construction, GRCA shall inspect the site to determine if there was any construction damage to the site.

The contractor shall be responsible for promptly repairing any damage or causing the repairs to be made by others at the contractor's expense. If the contractor fails to make the repairs or reimburse GRCA for making such repairs, the homeowner shall be financially responsible for such construction damage.

The GRCA should issue a letter to the homeowner upon completion of the pre-construction meeting to inform the owner of their ultimate liability for any common area construction damage, and to remind the homeowner to inspect the site prior to making final payment to the contractor.

Upon observation of any interior or exterior construction activity by a Gainey Ranch patrol officer, the officer shall confirm with the construction superintendent that a copy of the Construction Policies was received along with the contractor's attendance at a pre-construction meeting. Whenever a security officer determines that either the Constructions Policies were not received or a pre-construction meeting was not attended by the contractor, an Incident Report shall be prepared and copies issued to the Maintenance Department and Master Architectural Committee Coordinator for the appropriate follow-up.

**SECTION 5**

**ARTICLE II  
EXHIBIT F**

**PRE-CONSTRUCTION MEETING**

<b>LOCATION OF PROPERTY:</b>	Satellite Name:	_____	Lot No.
		_____	
	Bldg. Permit #	_____	Date:
		_____	
<b>CONTRACTOR:</b>	Construction Start Date:	_____	
	Estimated Completion Date:	_____	
	Firm Name:	_____	
	Contact:	_____	
	Address:	_____	
	License #:	_____	
	Telephone:	_____	
<b>OWNER:</b>	Emergency Phone:	_____	
	Name:	_____	

### CHECKLIST OF ITEMS TO DISCUSS / COMMENTS

1. Identify key personnel and roles: GRCA, GRGC  
Architectural Review: Approval received? [ ] Yes [ ] No
2. Provide Gainey Ranch Construction Policies, including amendments and discuss:
  - a. Cleanup
  - b. Workman
3. Provide Home Alarm Installation Specifications – (Radionics Systems only)  
***Required by all contractors \_\_\_\_\_ initials***
4. Provide Cox Communications Pre-wire and Conduit letters.
5. **Access to Site:**
  - a. Elite Telephone Entry – explain system
  - b. Employees, Subs, Suppliers  
List provided to Security? [ ] Yes [ ] No
  - c. Gate/Construction hours
6. **Temporary Facilities:**
  - a. Trailer and Signage
  - b. Storage Yard
  - c. Parking
  - d. Water and Sanitary
  - e. Trash Containment
  - f. Port-A-John
7. Irrigation – On lots where there is existing turf between curb and sidewalk, install two (2) 4" sleeves under driveway(s). Coordinate irrigation shut-off and re-location with G.R.C.A. Maintenance.
8. Contractor is responsible for damage to existing improvements. Contractor hereby agrees the site is in satisfactory condition unless he notifies GRCA. in writing three (3) days of the date of Pre-construction Meeting.
9. Contractor hereby acknowledges receipt of the Gainey Ranch Construction Policies and any applicable amendments and agrees that these policies will be adhered to in their entirety.
10. Contractor must receive written permission from a lot owner(s) if use of a lot not owned by the contractor or its clients is necessary for staging, parking or any other purpose during construction. Final approval for use of any lot regardless of ownership will be contingent upon the Master Association receiving a copy of the written permission.

Meeting attended by the following representative(s) of Owner, Contractor, Gainey Ranch Community Association and Gainey Ranch Security.

_____	_____
(Name)	Owner/Contractor

_____	_____
(Name)	Owner/Contractor

\_\_\_\_\_  
Scott Williams – GRCA. Maintenance

\_\_\_\_\_  
Rick Humbert – Construction Coordinator

\_\_\_\_\_  
Ed Gallo – Gainey Ranch Security

Distribution:      Owner/Contractor  
                         Scott Williams, GRCA Maintenance  
                         Rick Humbert, GRCA Maintenance  
                         Ed Gallo, GRCA Security  
                         Diane Brunsfeld, Architectural Coordinator



## GAINEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

#### 500.01 Construction Patrol

A construction patrol is very similar to a residential patrol. However, the major focus is to determine if construction activity is in compliance with the established rules. The goal of construction patrols is to gain compliance from the construction sites. By providing a visible and frequent presence in the area, most issues are mitigated. Should a problem be discovered by the officer, they should advise the contractor of the issue and may issue a violation to the site.

The construction violation procedure is as follows:

1. A construction violation is visibly noted by Gainey Ranch Security.
2. An incident report is completed, correctly and in full.
3. The report is turned in, with photos if applicable.

**NOTE:** Compliance, not fines, is the number one goal of construction enforcement. Do not drive by a site, take a picture, and leave. All construction site supervisors have contact numbers in the computer database. Call them and let them know of the problem. A majority of compliance issues may be resolved this way. If the sites are not receptive to your calls, please issue an incident report. On the other hand, if a site is a repeat violator and does not make the effort to address previous violations, an incident report must be completed.

#### 500.02 Construction Access

Contractors and construction vehicles have specific times during when they may enter Gainey Ranch:

**Winter Hours:** 6:30 am through 5 pm Monday through Saturday. They are not allowed access to Gainey Ranch on Sundays or Holidays, with the exception of *emergency only*.

**October 2 – May 31**

**Summer Hours:** 6:00 am through 5 pm Monday through Saturday. They are not allowed access to Gainey Ranch on Sundays or Holidays, with the exception of *emergency only*.

**June 1 - October 1**

#### 500.03 Construction Personnel

Contractors and subcontractors desiring to enter Gainey Ranch through a remote gate (i.e. Vaquero Drive, North Meadow, North Meadow II, Arroyo Vista, 7400 Gainey Club Drive and 8989 Gainey Center Drive) should be treated the same as SERVICE PERSONNEL (see hours above) if going to an existing residence.

During construction or renovation of a residence, construction personnel may request access through a remote gate by calling the Security Plaza on the telephone entry system. It is expected that a list of the subcontractors will be submitted by the general contractor to comprise the Request Log or Authorized List during the construction process.



## GAINNEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

Access must be denied unless the contractor is listed on the Request Log or Authorized List or the owner/general contractor can be contacted to authorize entry. No construction personnel involved in construction of a new residence may be allowed to access through the East Vaquero Drive entry gates.

No Saturday construction activity is allowed except for contractors approved in advance by Security management. To protect the peace and quiet of Gainey Ranch residents, no construction activity is allowed on Sundays and the following holidays: New Years Day, Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, Thanksgiving and Christmas. **An EXCEPTION is a resident's emergency situation in addition to the regular emergency vehicles.** The emergency must be verified with the resident prior to Gainey Ranch granting access.

#### 500.04 Contractor's Ground Excavation

The **CONTRACTOR'S "DIG" INFORMATION FORM (APPENDIX 27)** must be completed prior to allowing Gainey Ranch entrance to any contractors intending to excavate anywhere on Gainey Ranch on behalf of any utility company. The completed form should be immediately delivered to the Maintenance Facility for the appropriate monitoring action and any required follow-through. When access is granted, be sure to log activity on your Gate House Vehicle Log.

#### 500.05 Construction Hours

##### 1. Monday through Friday

Construction activity hours are **6:30 a.m. to 5:00 p.m.** Hours may be adjusted during winter months. Parking rules for contractors and subcontractors shall be as follows:

- All vehicles need to park on one side of the street and in overflow parking.
- Vehicles cannot obstruct access to a street, sidewalk or garage.
- Damage to street by vehicle fluids or construction debris needs immediate attention and removal.

##### After 5:00 p.m. all contractors shall:

- Store all equipment and containers out of view and remove all exterior construction debris; clean exterior of property if needed.
- Remove trailers from driveway or street; store inside garage or remove from site until the next day.
- Schedule dumpster for pick-up if full.



## GAINEY RANCH SECURITY - OPERATIONAL PROCEDURES MANUAL

### CONSTRUCTION

#### 2. Saturday

Hours are **8:00 a.m. to 4:00 p.m.** No heavy construction or activities generating loud noise are allowed. Contractors with special requests must make arrangements with Security Captain no later than 2:00 p.m. on the preceding Friday. Security Captain may be reached at his office at 480-596-0125 or at the West Security Plaza at 480-948-9378.

Construction traffic desiring to enter the large portion of Gainey Ranch must use the East or West Security Plazas since the North Plaza is closed on Saturday.

#### 3. Sundays and Holidays

**No construction activity is allowed on Sundays or the following holidays:** New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

Any exceptions to this policy must be approved in advance and will be reviewed on an individual basis. To request an exception, please contact Security Captain (480-596-0125) or the Executive Director (480-951-0321).

## **Section 5 - D**

### **SUPPLEMENTAL RULES FOR CONTRACTORS** **OPERATING WITHIN THE ESTATES**

The Estates community appreciates the complexities encountered in remodeling a custom home in our area. The purpose of this list of rules is to make contractors aware of a set of construction rules designed to create a positive work experience for the contractor and the surrounding homeowners to the work site.

Infractions of these rules will be reported to the GRCA Security staff for enforcement. Contractors should also be aware that the CC&R's and Architectural Rules for The Estates provides for the suspension and/or barring of contractors who fail to observe the rules of the GRCA or The Estates.

We trust that adherence to these rules will create an atmosphere of cooperation and harmony while the work is being completed.

1. Parking of construction vehicles or personal transportation vehicles must not interfere with resident access to their homes or impede the owner from easily leaving their property. Vehicle parking must not interfere with access to trash barrels placed at the curb for collection.
2. Boom-boxes or music played out of contractor vehicles is prohibited.
3. Daily cleanup of the street is required and includes loose dirt, mud, building materials; particularly nails and screws; as well as daily cleanup of the construction site and policing of adjacent property to remove any construction debris and food and drink containers.
4. Property owners adjacent to the construction site must be protected from flying stucco, paint, and plastic sprays used in the construction process.
5. Dumpsters must be placed upon the driveway of the property under construction and must be emptied on a regular basis. The dumpsters should be covered at the end of the work day to prevent debris from blowing out of the container.
6. Sub-contractors must be informed of these Rules and supervised by the general contractor.