

## **COLONIA ENCANTADA ARCHITECTURAL GUIDELINES**

As Amended by the Board of Directors on November 9, 2022

Colonia Encantada, or Enchanted Colony, is a unique Scottsdale community modeled after Spanish-Mexican origins from homes in Cuernavaca and San Miguel de Allende, Mexico. Architectural details of wrought iron, clay roof tiles, Saltillo tiles and brickwork create the design sensibility underlying Colonia Encantada's architectural standards. The governing documents state:

“Neither the Architectural Control Committee nor the Board of Directors shall have the authority to change the existing architectural scheme and style of the structures, any colors of stucco, trim, awnings, cement, doors, wrought iron, driveways, tile or other standards which have been established, without the approval of a two-thirds majority of the Homeowners present in person or by ballot and entitled to vote at a meeting called for that purpose. This provision shall not be subject to amendment by the Board of Directors.”

Preserving this Spanish-Mexican heritage is the basis for the following architectural guidelines.

### **REQUESTS FOR CHANGE TO EXTERIOR APPEARANCE**

Homeowners seeking to update or change the exterior appearance of a unit must complete a Request for Approval Form and include any drawings, sketches or photographs that support the request. The Architectural Committee will respond within thirty business days. Approval must be received for all exterior changes, even if following the guidelines listed below. If a Homeowner fails to receive approval for a change, the Homeowner may be required to remove the modified item, restore the exterior to the original condition and/or pay a fine. Any changes made after initial approval must be resubmitted to the Architectural Committee. Design and workmanship must be consistent with the quality of the villas in Colonia Encantada.

### **CABLE, PHONE AND OTHER WIRES**

All cable, phone and other media and utility wires and boxes should be attached along the vertical and horizontal wall in the most inconspicuous location possible. They must be painted over in the same color as the wall upon which they are located. Any wires required by the building code to be contained in conduits or cables must be so contained.

### **COURTYARD DECORATIONS AND HOLIDAY LIGHTS AND DECORATIONS**

Decorations are not allowed outside individual courtyards, other than decorations for seasonal celebrations, as described below, which may be placed in homeowners' front yards. With the exception of small pots containing live plants, nothing may be hung from or placed on the exterior wall, window, door, balcony, atrium or patio or placed on a fence without written approval of the Architectural Committee. Wall planters should be earth tone. Furniture should be

in earth tones, black or black/bronze wrought iron if visible above the courtyard wall from ground level viewing from the street, common areas or neighboring properties.

Holiday lighting and decorations for holidays that fall in the month of December may be put up as early as the immediately preceding Thanksgiving, and should be removed by the middle of January. Holiday decorations and lighting for other specific and generally recognized holidays and days of celebration, such as Halloween, may be displayed during the month in which they fall, and should be removed within one week after the holiday. To avoid the risk of fire, homeowners are cautioned to avoid overloading electrical circuits with holiday lights. Lights should be rated for outdoor use with no exposed wiring.

### **COMMON AND COURTYARD WALLS**

Changes to common walls may not be made. The maximum height of courtyard walls is eight feet.

### **FLOWER, SHRUB AND TREE COVERS**

Covering frost-sensitive plants and trees is allowed when the danger of frost is reported in the media. Homeowners are encouraged to remove the covers the following morning, and must do so when the danger of frost has ended. The University of Arizona Extension Service recommends removal of covers to prevent plant dehydration.

### **FOUNTAINS**

Water pipes should not be installed on common walls with neighbors. Fountain design must be in keeping with the community style and be maintained year-round so that no standing water remains through the summer.

### **GARAGE DOORS**

Garage doors shall be kept closed at all times, except when immediate access to the garage is required.

### **GARAGE WINDOWS**

Garage windows must be covered on the inside with shutters or closed blinds of an earth tone in color. Windows must be kept clean. If discolored by the hard water of the sprinklers, they need to be periodically replaced. Homeowners whose windows are sprayed by irrigation water should complete a Request for Service Form for the Landscape Committee to adjust the sprinkler.

### **GATES AND HARDWARE**

Gates must be replaced with black wrought iron or cast iron in the style common to the community. A drawing of the proposed gate must be included with the Request for Approval Form.

### **LIGHT FIXTURES AND LIGHTING**

Fixtures must be in a black or black/bronze color and constructed of metal or wrought iron. The design should be in the style common to the community. The bulbs must not produce more than

**a total** of 460 lumens per fixture (40 watts if using incandescent bulbs, or 5 watts if using LED bulbs). The size of the fixtures should be the same as those in the community. All lightbulbs, including LED bulbs, must have a warm cast. No cool lighting is permitted. Exterior motion detector light fixtures must be painted to match the outside walls to which they are attached. They should be positioned in the least obtrusive location, so that the motion light, when activated, does not invade neighboring units. Homeowners should be mindful of the degree to which bright lights affect neighbors.

## **PAINTING OF EXTERIOR SURFACES AND EXTERIOR PAINT SPECIFICATIONS**

The painting of exterior surfaces includes, but is not limited to, stucco and precast areas, trim, windows, window casings, doors, fences, gates, eaves and/or driveways. Approved paint specifications are listed below. Please note that specific paint colors must be matched to the specific identified surfaces to be painted. Small touch-ups do not require Architectural Committee approval (e.g., nail holes, chips, etc.). Any painting beyond small touch-ups must be approved by the Architectural Committee. Driveway paint requires a custom color, which is provided by Champion Décor & Coatings, LLC. For the best results, driveway paint should be applied only in cooler weather. Please call the Architectural Committee chair for specifics.

Only use paints by Dunn Edwards. Paint colors are especially formulated for Colonia Encantada. Vendor: Dunn Edwards Paints, Phone: 480-483-3131, Location: 8686 E. Frank Lloyd Wright Blvd. (near N. Hayden Rd.). Color formulas in their computer system are listed as Colonia Encantada colors. If there are any questions, please ask to speak to the Store Manager. Color specifications are as follows:

Eaves – Color HR1 Exterior Flat

Pre-cast areas – Stucco Trim Color HR3 Exterior Flat

Stucco areas – Stucco Base Color HR2 Exterior Flat

Garage doors, window trim and exterior doors (except front door) – Color HR4 Exterior Semi-gloss

Front door – Old Masters – Dark walnut stain (NO paint)

Wrought iron fencing, railings and gates – Dunn Edwards Aristoshield – Semi-gloss black

Wooden gates – Must be painted to match stucco walls on each side of gate

## **EXTERIOR PAINT CYCLES**

The exteriors of all Colonia Encantada buildings and walls are to be repainted every eight years, based on paint and/or surface conditions. Painting of the Common Areas is paid for by the Association. Homeowners pay for the cost of painting their individual units. Homeowners may repaint their units more frequently, provided that they obtain prior written approval from the Architectural Committee. Homeowners should remember, however, that every house in Colonia Encantada must be painted on the eight-year cycle, regardless of when it previously was painted, except in unusual circumstances as determined by the Architectural Committee (e.g., the house was painted within a year of the time when it otherwise would be required to be repainted).

The evolution of premium exterior house paint has led to a longevity, in general, of ten to fifteen years. When considering the climate in the Southwest, and in particular Maricopa County, however, the longevity can decrease to five to ten years. The longevity of the paint is more specifically impacted by ongoing exterior maintenance, elemental damage, directional UV light exposure and the condition and type of surface to which the paint is applied. Colonia Encantada's stucco exteriors are forty years old, and require considerably more surface repair and maintenance, which impacts the paint, and if improperly repaired, results in unsightly surface conditions. In Colonia Encantada, there are two areas of almost every residence that deteriorate at an accelerated rate: all wood surfaces, including the eaves, and the lower portion of all exterior walls, which absorb moisture causing the stucco to peel.

The Architectural Committee will review our community's exterior paint conditions on an annual basis. Some residential units, as well as Common Area structures, may require an accelerated painting cycle, based on elemental damage as referenced above. The last full painting cycle for homeowners required repainting of all residences to be completed by March 31, 2020. As of November, 2022, therefore, the next eight-year cycle will begin on March 31, 2028 and must be completed by March 31, 2029.

## **DRIVEWAY PAINT SPECIFICATIONS**

The floor coating manufacturer for driveway surfaces is Slide Lok. The product used is polyaspartic, a two-component industrial floor coating. The approved custom color is identified under the name Colonia Encantada. The website is [www.slide-lok.com](http://www.slide-lok.com). Homeowners cannot buy the product; it must be purchased and applied by an approved contractor with knowledge of products and applications by the manufacturer.

Homeowners or contractors with questions may contact Jeff Nestle, Champion Décor & Coatings, LLC, 602-332-6327, or the Chair of the Architectural Committee.

## **DRIVEWAY PAINT CYCLES**

Because the conditions of Colonia Encantada's driveway paint surfaces are not predictable and tend to age differently from one driveway to the other, there is no fixed driveway painting cycle. Our history is that most driveway surfaces begin to show considerable deterioration between four and six years after painting. The longevity of current driveway paint is impacted by the condition of the prior paint surface, the quality of the application, cracks in the existing paint surface and sub-cement base, and oil leaks, etc. The Architectural Committee will endeavor to evaluate new and/or enhanced products that may increase longevity for our applications. The optimum times of year for painting driveway surfaces are spring and fall.

The Architectural Committee will review driveway surfaces throughout the year, recommending resurfacing as needed. Depending on the condition of a driveway's surface, repainting may be required sooner than the general range of four to six years.

## **PATIO UMBRELLAS AND AWNINGS**

Patio umbrellas must be in earth tones, which is also a requirement of the McCormick Ranch Property Owners' Association. New awnings or replacement of existing awnings must be approved by the Architectural Committee. Swatches of the awning material must accompany the application. Awning color and specifications are as follows:

Manufacturer – Sunbrella

Grade – Awning/Marine

Warranty – 10 years

Awning Colors – Tresco Linen (4695), Linen (4633), Oyster (4642)

Valance Colors – choice of any of the three awning colors

Edging/Braid Colors – Natural, Linen

Suggested Vendors – The House of Canvas, Inc., 623-934-2875 or Phoenix Tent and Awning Company, 602-254-6061

## **SATELLITE DISHES AND ANTENNAS**

To the extent permitted by law, satellite dishes and antennas should be located on the roof in the most inconspicuous location possible so as to be least visible to neighboring properties, streets or common areas while still providing for maximum reception. Satellite dishes should be painted the same color as specified for stucco areas (Stucco Base Color HR2 Exterior Flat). Satellite dishes that do not exceed one meter in diameter and are not visible from neighboring property do not require the approval of the Architectural Committee.

## **SIGNS**

Security signs may be installed within a homeowner's courtyard and, for Lots 1-19 along the golf course, within a homeowner's backyard. Street number identification signs must be compatible with or identical to the original street number identification signs provided by the builder. Other signs may be installed on a homeowner's property only with the approval of the Architectural Committee.

In accordance with Colonia Encantada's CC&Rs and Arizona law, including A.R.S. §33-1808, the following guidelines apply to political signs.

- a) Political signs do not require prior approval from the Architectural Committee, provided that they are posted in compliance with these provisions and/or Arizona law.
- b) Political signs are not restricted in number or size, but the number and aggregate size of political signage on a homeowner's property may not exceed the number and aggregate size limitations imposed on political signs by the McCormick Ranch Property Owners' Association or the City of Scottsdale.
- c) Political signs may not be installed earlier than seventy-one (71) calendar days prior to an election; may not remain later than fifteen days after the day of a primary election if the candidate does not advance to the primary election; and may not remain later than fifteen days after the day of a general election.
- d) Political signs may not be placed on Association-owned property.

## **SOLAR ENERGY DEVICES**

Solar energy devices must be approved in writing by the Architectural Committee before construction or installation. Any solar energy device governed by A.R.S. 44-1761 shall be mounted, to the extent practicable, so as to not be visible from neighboring properties, the common area or the street.

## **TARPS AND COVERS**

The use of tarps or covers is not allowed, except to cover a dumpster or dump trailer that has been approved by the Board to remain in a driveway in accordance with the Rules for Contractors in the Rules and Regulations for Colonia Encantada.

## **WINDOWS AND DOORS**

Any replacement or modification to windows and doors must be approved by the Architectural Committee, whose mandate is to replicate existing frames and grid patterns to the extent possible. Most manufacturers currently offer one or all of the following three products: wood, metal clad or vinyl. The only two product types that allow for custom painting to match our existing paint specifications are wood and metal clad. Vinyl products should not be used, as in all cases that we have encountered to date, they do not allow for custom paint without the risk of impairing the manufacturer's warranty.

## **HVAC (HEATING, VENTILATION AND AIR CONDITIONING) UNIT ENCLOSURE CRITERIA**

All mechanical items and exposed venting shall be enclosed so as to not be visible from ground level viewing from the street, common areas or neighboring properties.

- A. The enclosure shall be blended into the architecture of the building and rest on the roof surface.
- B. The enclosure shall be constructed and positioned on the roof in such a manner so that it is level and plumb with horizontal and vertical building components.
- C. The enclosure shall be painted or covered in stucco to match the color of the building or roof, whichever presents a more integrated architectural appearance.
- D. The enclosure should be constructed of exterior plywood or other comparable solid material, at least ½ inch thick.
- E. Horizontal louvers or vertical non-see-through slats may be approved in lieu of a solid plywood structure.
- F. The maximum height of an enclosure may not exceed four inches over the height of the HVAC unit.

The enclosure must be built to withstand local weather conditions. Homeowners must submit all mechanical enclosure designs to the Architectural Committee for review and approval before installation.

#### Ground Mounted Units

Ground mounted units shall be screened so as to not be visible from ground level viewing from the street, common areas or neighboring properties.

#### Side Mounted Units

The placement of all side mounted HVAC units must be approved by the Architectural Committee prior to installation.