



VACTOR RANCH COMMUNITY ASSOCIATION

Guidelines for Solar Energy Devices in Vactor Ranch

Due to Owners' requests for information about adding a solar energy device (SED) to their homes, the Board of Directors of the Vactor Ranch Community Association (the "Association") has adopted the following guidelines for the installation of SEDs. According to the Arizona Planned Communities Act [ARS §33-1816], the Association cannot prohibit the installation or use of a solar energy device, which is defined in ARS §44-1761. However, the Association can adopt reasonable rules regarding the placement of a solar energy device:

1. Per the CC&Rs of Vactor Ranch, the prior written approval of the Architectural Review Committee (ARC) is required prior to installation of any device (including SEDs) on a Dwelling Unit. Section 2.03 of the CC&Rs states:

No exterior devices, additions, structures or accessory buildings other than initially installed by Developer shall be constructed on the exterior of a Dwelling Unit (including the roof) without the written authorization of the Board.

Further, Section 3.05 of the CC&Rs prohibits:

. . .any exterior addition to, or change in, or alteration of, said Owner's Dwelling Unit, or the exterior color scheme thereof, be made until the plans and specifications showing the nature, kind, shape, height, materials, color, and location shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board, or by an Architectural Committee.

2. Any Owner who desires to install any SED on his/her Lot must submit plans and specifications to the ARC for its approval prior to entering into any contract with an SED contractor for such installation. All plans must show the location of such devices on the Lot and/or on the Dwelling Unit.

3. Solar panels should be placed on the ground in a screened area (such as walled back yard) whenever possible and may only be placed on the roof if there are no ground-based alternatives. They should never be placed on the ground side of the house nearest the street unless a walled area has otherwise been approved. If placed on the roof, they must be placed in such a way as to minimize visibility from the street whenever possible. If the SED has glass panels they must not reflect sunlight onto any other Lot or create bright reflections that might negatively impact others. All material supporting the devices should be colored or anodized to match the roof color or wall color as is appropriate or when adjacent to the panel(s) they may be painted the panel color if black. No reflective bright work will be permitted. Any SED placed on the roof must be placed as close to the roof as possible and be slanted with as low a profile as possible which permits it to be effective.

4. All SED installations will be reviewed and approved in accordance with the current Arizona statutes and requirements in effect at the time of the review by the ARC.

5. In evaluating any application for the installation of an SED, the Association may obtain the services of a licensed solar energy contractor to assist the ARC in reviewing the proposed system. It is the policy of the Association to allow SEDs to be installed on the Lot in the least conspicuous location possible on the Lot. Any charges incurred by the ARC to obtain the assistance of a licensed solar energy contractor to evaluate the plans and advise the ARC will be reimbursed by the Owner who is submitting the plans for the proposed SED system.

6. In addition to other required information, the application for ARC approval of an SED must include the following:

(a) A copy of the site plan showing the Dwelling Unit, roof diagram, and proposed location of the SED and auxiliary equipment;

(b) Elevation drawing of Dwelling Unit showing what the installed SED will look like;

(c) Manufacturer photographs or cut sheets of all components including dimensions, colors, and materials; and

(d) Plans of proposed landscaping or attractive screening for outside control devices that are attached to the wall of the Dwelling Unit and for ground-mounted devices. Owners may replace existing ARC-approved SEDs with new devices of a similar size and appearance without making a new application to the ARC.

These Guidelines for Solar Energy Devices shall become effective on January 13, 2020, and supersede all previous guidelines or rules pertaining to the installation of Solar Energy Devices in Vactor Ranch.

Approved and DATED this 13 day of January 2020.

Board of Directors
VACTOR RANCH COMMUNITY ASSOCIATION
an Arizona non-profit corporation

Reviewed and Restated to conform to current laws and best practices, January 6, 2020:
Carolyn B. Goldschmidt, Esq, Attorney at Law, Goldschmidt & Shupe
6700 North Oracle Road, Suite 240, Tucson, AZ 85704