

**Members of our Design Review Committee met, following our HOA Board Work Session 9/25 and Board Meeting 10/9, to discuss further the issues with patio lighting, the acceptable use of patio lighting, when permissible, and guidelines necessary for their use. Our comments are summarized following a review of the section of our applicable CCRs and Design Guidelines.**

**From our CCRs:**

D. Exterior Lighting: Each Owner shall be responsible for the maintenance and repair, including replacement of light bulbs, of all exterior lighting fixtures located within the Owner's Lot (or located outside the Owner's lot if the lighting is substantially or exclusively of benefit to, and is metered to, such Owner's lot.

Section 10.6 Nuisances. ...refers to ... "excessively glaring or bright lights". Refer to our CCR's for more information. More specific information regarding lighting is included in the Design Guidelines Rules, written July 23, 2010, Revised March 22, 2020. See below. Our CCRs further state that the Design Review Committee, in its sole discretion, shall have the right to determine the existence of any such nuisance.

**From our Design Guideline Rules from the Cielito Lindo Website:**

- Decorative Items Holiday and seasonal flags and decorations: Decorative, holiday, and seasonal flags and decorations are considered by these Guidelines to be temporary and shall be displayed for no more than sixty (60) days. Flags and decorations shall be maintained in good condition.
  - The DRC may regulate size, quantity, location, color, appropriateness or condition of flags or decorations and may require removal of a flag, or flags, and decorations.
- Decorative art on houses is also subject to approval from the DRC with regard to size, quantity, location, color, appropriateness and condition. Given the virtually infinite range of possibilities, the DRC suggests that owners seek guidance before installation.
- Water features, statuary, and large art pieces are generally permissible only within lot walls and only if they are not visible by others and are limited by considerations suggested above. Owners may seek guidance from the DRC. Water features should be treated to prevent the growth of mosquitoes and bacteria.
- The following items do not require DRC approval: Patio furniture, tables, chairs, lounges and umbrellas, flowerpots, bird feeders on the patio, grills on the patio, fire pits and chimineas on the patio.
- Lighting Low wattage (40 watts or less), yellow, bug lights are required in outdoor fixtures. This type of lighting allows all of us to enjoy the desert night skies and conforms to the Arizona-wide "dark skies" initiative.
- Brighter lights than the above shall be used only to light a dinner or party **and shall not be used regularly, on a timer, or when owners are absent.** Spotlights or security lights and motion detectors that violate these guidelines require written approval of the DRC.

- All lighting should, as far as possible, not light a neighbor's home, patio, or immediately surrounding common area.
- Lights out please at 10:00PM. Same as pool hours. Exception could be New Year's Eve...then just after midnight...If you choose to be up that late!
- Decorative ground lighting shall be low-profile, low voltage, shielded, directed downward within a limited radius, and preferably yellow...but not required. If garage windows are not covered, interior garage lights should never be left on all night or when owner is not present.
- **DRC Comments:** There is overall agreement with what is stated in our Design Guideline Rules...and request that every homeowner comply with these rules.
  - Further...patio lights can be very enjoyable. But the line has been crossed, resulting in issues/complaints due to not following our existing guidelines. Lighting is left on for long periods and sometime even all night long. Owners/residents need to be at home when the lighting is used...as noted above... *Brighter lights than the above shall be used only to light a dinner or party and shall not be used regularly, on a timer, or when owners are absent. Spotlights or security lights and motion detectors that violate these guidelines require written approval of the DRC.*
  - Not all decorative lights are brighter lights...ex. The entry to the Barrio...lights on the trees. Opinions shared during our HOA meeting are that they look nice and inviting, and within the parameters for and conform with the Arizona-wide "dark skies" initiative.
  - Holiday lights: There is a time limit...refer to Decorative Items Holiday and seasonal flags and decorations at the top of the first page and using the hyper link below will bring you to the complete document.
- If you have any questions about the use of 'party' lights, please contact Kevin Baker, DRC Chair for clarification. We want to avoid the necessity of submitting a Design Modification Request for every homeowner. However, as noted above...Our CCRs further state that the *Design Review Committee, in its sole discretion, shall have the right to determine the existence of any such nuisance.* Please be respectful of your neighbors...talk to them before you proceed with the installation of this type of lighting...and use this lighting only when you are home.

[Design Guidelines Revised 03222020.pdf \(cielitolindohoa.com\)](#)