The Springs at Santa Rita HOA Backyard Shade Structure Policy

(Approved October 13, 2026)

This policy reflects the requirements of Arizona House Bill 2342, which took effect in September 2026. This legislation limits the authority of planned community associations (HOAs) to prohibit backyard shade structures while allowing for the adoption of "reasonable" rules concerning their installation and use.

1. Purpose

The purpose of this policy is to establish guidelines for the installation, use, and maintenance of shade structures on residential lots within The Springs at Santa Rita HOA in compliance with A.R.S. § 33-1816.01 (as amended by HB 2342). This policy aims to balance individual homeowner property rights with the community's interest in maintaining aesthetic standards and safety.

2. Definitions: For the purposes of this policy, a "shade structure" includes, but is not limited to:

- Awnings
- Umbrellas
- Shade sails
- Pergolas
- Gazebos or similar structures designed primarily to provide shade.

3. General Authorization

In accordance with state law, The Springs at Santa Rita HOA shall not prohibit the installation or use of professionally manufactured or commercially available moveable or permanent shade structures in the backyard of a private lot.

4. Reasonable Rules and Restrictions

While the installation of shade structures is not prohibited, the Association reserves the right to adopt and enforce reasonable rules regarding these structures. To be considered reasonable, all rules must meet the following criteria:

- Municipality Alignment: The HOA rules regarding the height and setbacks of shade structures shall not be more restrictive than the applicable zoning ordinances of any locality that has jurisdiction in the unincorporated area of Green Valley, AZ.
- Location: This policy applies to backyard shade structures only.
- Height: Shade structures must be no higher than 10 feet.

- Aesthetics and Materials: The Association may require that shade structures be constructed of durable, high-quality materials and maintained in good repair. Structures must not create a public nuisance.
- Color and Design: Framing materials must be the standard colors offered by commercial manufacturers and builders of white, black, brown, tan. If it is attached to the house, it needs to be painted the same color as the house. Frames can be aluminum, steel, wood, vinyl or PVC, or composite materials. Shade materials must be of neutral, earth-tone colors to maintain aesthetic harmony with the community.
- Homeowners are reminded that installation of ceiling roller shades/awnings in the backyard of the home must comply with Section 3.8, Sun/Solar Shades of the current Owner's Handbook (found on page 6 of the Handbook).
- Maintenance: Homeowners are responsible for the ongoing maintenance of shade structures. Any structure that becomes torn, dilapidated, structurally unsound, or otherwise unsightly must be promptly repaired, replaced, or removed.

5. Architectural Review Process

To ensure compliance with this policy and existing community standards, all proposed installations of permanent or semi-permanent (moveable) shade structures must be submitted to the Architectural Review Committee (ARC) for approval PRIOR TO CONSTRUCTION OR INSTALLATION using the ARC Change Request Form found on the HOA website at https://www.thespringshoa.org/pdf/arc/ARC%20Request%20Form_260701.pdf .

Submission Requirements: Homeowners must submit the ARC Change Request form along with:

- A site plan showing the proposed location, dimensions, and distance from property lines
- Detailed specifications of materials and colors.
- A rendering or photo example of the proposed structure.

Review Criteria: The ARC will review applications based on the "Reasonable Rules" outlined in Section 4. Approval shall not be unreasonably withheld.

6. Liability and Safety

The installation and maintenance of any shade structure remains the sole responsibility of the homeowner. The Association assumes no liability for damages to or from the shade structure or injuries resulting from its installation or use, particularly in the event of high winds or severe weather. Homeowners are advised to ensure that any structure is securely anchored in accordance with manufacturer specifications and any applicable local building codes.