

5. Landscaping

Landscape/Remodel Projects that can be seen from the street or by neighbors must be reviewed and approved by the Architectural Committee, subject to the following guidelines:

- a. All properties are required to have operating, automatic, in-ground irrigation systems. Above ground, oscillating sprinklers are prohibited except on a temporary basis in the case of malfunction of the automatic system.
- b. The annual water and sewer fees for homes in this community are based on the actual water usage from mid-December through mid-March. To the extent possible, please try to conserve water but especially during this period.

5.2. Landscape Maintenance

- a. Landscape Maintenance Crews
It is the responsibility of homeowners to manage their landscape maintenance crews and assume responsibility for the actions of their crews.
 - It is illegal to dump cuttings anywhere in our community. If a crew is observed doing this, the responsible homeowner could receive a violation notice and possibly be fined. The homeowner will be assessed the cost of the cleanup of any such dumping.
 - In consideration of other homeowners, suggested professional landscape maintenance times are from Monday at 8:00 am until Saturday at 12:00 pm.
- b. Professional landscaping work (repair, maintenance and/or construction) is discouraged between Saturday noon and Monday morning.
- c. Tree Trimming
 - Trees should be trimmed when necessary so they do not become safety hazards, particularly during storms.
 - Single family homeowners are responsible for the trees on their property. Those located in the common areas are the responsibility of the Pointe Community Association.
 - Court Home owners are responsible for the trees within their courtyard/patio area.
- d. Tree Spraying
 - OLIVE TREES, which shall be sprayed once a year in late January through March (when the tree is 2/3 in bloom) to avoid fruit production.
 - Homeowners failing to spray are responsible for regularly removing all fruit and related litter from the sidewalk and street along their property line.
- e. Tree Roots
 - Tree roots may, over time, interfere with shared community water lines and/or damage sidewalks and roadways. Should this be the case, the tree owner will be responsible for all repairs and may be required to remove the tree(s).
- f. Palm Tree Trimming

- Palm trees must be trimmed once a year beginning in June.
 - All trimming must be completed by July 1st.
- g. Fruit Tree/Plant Litter
As fruit ripens, ALL must be removed so not to attract unwanted pests. The area around a fruit tree must be cleaned on a regular basis.
- Homeowners are also responsible for regularly removing all plant litter (blossoms, seed pods, leaves) from the sidewalk and street along their property line.
- h. Trimming Shrubs and Ground Covers
- Plants must be maintained regularly to prevent an overgrown appearance and to help them flourish and be at their most attractive.
 - Plant material is not allowed to encroach upon sidewalks, driveways, building entrances, gates, and neighboring properties. Regular trimming is critical to maintaining the well-manicured look of the community.
- i. Removal of Dead and/or Dying Plant and/or Plant Parts
- Plants must be trimmed regularly to remove dead branches and leaves. Dead plants should be removed as soon as noticed.
- j. Lawn Maintenance
- Lawns should be maintained, and the edges of the lawn must not grow into the pavement.
 - Lawns must be over-seeded with a winter rye seed in the fall if it is seen by the neighborhood. This seeding must be completed before December 1st to assure proper growth.
 - If a lawn has brown spots, the irrigation system should be checked to make certain adequate water is being distributed over the lawn. If brown spots seem to be an ongoing, continuous problem, the homeowner should seek advice from a landscape professional.
 - Rabbits and pets can contribute to brown spots. There are a variety of commercial resources and remedies that might help deal with these issues. All homeowners are encouraged to report pet owners who do not clean up after their pet.

5.3. The Wash

- a. Protected by Federal Law
The arroyo, as many call it, is a natural area and drainage course that runs through this community. It provides a habitat for birds, animals, insects, flora, and fauna, as well as privacy and open space.
- The wash is considered a common area. It was left undisturbed when the community was developed so homeowners could benefit from this amenity.
 - The wash is considered a wetland, as defined by the U.S. Army Corps of Engineers and is protected by the Clean Water Act, Section 404 and Phoenix City Code.
- b. Wash Guidelines
- Do not disturb the ground in the wash. Plants and trees may be cut, but roots must remain intact to reduce erosion.
 - Do not dump landscape cuttings into the wash.

- Do not drain pool water or any other liquid into the wash.
 - Do not place ANY debris in the wash, e.g., soil, silt, sand, rubbish, broken concrete, asphalt, oil, tires, batteries, construction material or litter.
 - If plants are planted on private property adjacent to the wash, erosion control methods must also be installed.
 - Homeowners not adhering to these requirements will be in violation of these Rules and subject to a fine.
- c. HOA Responsibility In and Near the Wash
- The wash is cleared twice a year by the HOA's landscape maintenance company.
 - The landscape maintenance crew is instructed to clean about a ten (10) foot wide strip down the middle of the wash. Within this strip, they clear out anything that impedes the flow of water and remove dead dry brush that might pose a fire danger.
- d. Drainage Ways
- Drainage ways are to be maintained by the Pointe Community Association.
 - Homeowners cannot plant or install items that prevent normal water flow through the drainage ways.
- e. Homeowner Responsibility In and Near the Wash
- It is the responsibility of homeowners with lots adjacent to the wash to keep their portions of the wash in good shape.
 - Property lines are not marked in the wash. Fences do not mark property lines, which has caused confusion among property owners who think fences mark the property lines. Many lots extend down into the wash.
 - All property owners landscaping along the wash should know where the edges of their properties are located. Homeowners are responsible for educating themselves as to their property lines along the wash or checking with the City of Phoenix assessor's office for the exact plat measurements of their property to determine its limits and its relationship to the Association Common Area(s) and the wash.
 - Property owners along the wash shall remove debris, leaves, dead plants and litter from that portion of their property that adjoins the wash.
 - No private vegetation, plantings and paving beyond a homeowner's property is permitted.

5.4. Hardscaping and Alternate Materials

As a general rule, the guidelines below apply to areas that can be seen from the street or from neighboring properties.

- a. Crushed Granite

If crushed granite is desired, it must be filtered granite sized 1/2" to 3/4" and be installed to a minimum depth of 2 inches throughout the yard.

- The only shades of granite allowed in this community are Madison Gold or Adobe Red.
- Granite colors and placement must be reviewed and approved by the Architectural Committee

b. Boulders

- Boulders for decorative and functional purposes are permitted but must be submitted to the Architectural Committee for approval prior to installation.
- The homeowner must state the number of boulders proposed, their sizes and configuration on the lot in sufficient detail for the approval process.
- It is suggested that boulders be slightly buried to achieve a natural look rather than being simply placed on top of the ground.

c. Rip Rap, River Rock and pea gravel

- Colors and placement must be reviewed and approved by the Architectural Committee
- Pea gravel approved 1/8" to 3/8" in size. The approved colors are natural buff, rust brown or shades of gray.

d. Pots and Planters

Require AC approval, if visible from the street or from neighboring properties, subject to the following:

- Pots and planters shall contain only live plants.
- Wood pots are not permitted.
- Pots located on common walls must be agreed upon by neighbors.
- Planters and/or borders shall be only of brick or stuccoes to match the house.
- All such planters and/or borders, if visible from the street, must be approved by the Architectural Committee prior to installation.
- All visible pots and planters must be properly maintained and damage caused by water must be repaired.
- Brick planters in front of Court Home properties are the responsibility of the Pointe Community Association.

e. Artificial Turf

After a test installation to analyze the viability of artificial turf in this community, the Architectural Committee has concluded that this material may be approved for certain installations visible from the street or neighboring property, subject to the following guidelines. Installations require Architectural Committee review and approval.

- Only Landscape Turf is allowed.
- Guidelines for Selecting and Installing Artificial Turf:
 - Artificial turf must be professionally installed.
 - Architectural Committee applications for installation of artificial turf must include a sample of the exact finished turf product.

- Only natural grass colors are acceptable; multi-toned natural grass colors are permitted.
- Artificial turf must be installed in such a way as to appear seamless and uniform.
- The pile height of the artificial turf shall be minimum of 1 ½ inches, not to exceed 2 inches.
- Artificial turf must be maintained in like new condition, color, and uniformity with no tears or seams visible.
- When artificial turf reaches the end of its lifespan and no longer appears natural in color and appearance, or has suffered irreparable damage or wear, the turf must be replaced.

f. Xeriscape

The use of drought tolerant plantings and other water conservation methods of landscaping are encouraged. However, it is important to note that xeriscaping is allowed, but zero scaping (no living plant material) is prohibited.

- Drawings of proposed plants and their locations must be identified when submitting an Architectural Form for landscape changes.