

# **Navarro Groves Community Association**

## **Design Guidelines And Association Rules and Regulations**

**February 6, 2018**

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## Overview

### Community Organization

Every Resident of Navarro Groves is a Member of Navarro Groves Community Association (the “Association”). The Association is an Arizona nonprofit corporation formed to manage and maintain the Common Areas and to perform all duties and exercise all rights imposed on or granted to the Association by the Declaration of Covenants, Conditions, Restrictions, Assessments, Charges, Servitudes, Liens, Reservations and Easements for Navarro Groves (the “CC&Rs”). The CC&Rs, as amended from time to time, provide for Design Guidelines and Rules and Regulations to interpret, clarify, and implement the restrictions detailed in the CC&Rs (the “Design Guidelines”). In the event of any conflict between the Design Guidelines and the CC&Rs, the CC&Rs shall control.

The Board of Directors of the Association (the “Board”) is responsible for the administration of the Association. The Architectural Committee is appointed by the Board, as set forth in the CC&Rs to review all Improvements within Navarro Groves, including new construction and modifications to the existing Improvements.

The Architectural Committee has adopted the Design Guidelines and standards to evaluate proposed construction activities. The purpose of the Design Guidelines are to assist Owners in gaining approval for structural and landscape Improvements and repairs, and are necessary to enhance Property values, desirability, and attractiveness of the Property located within the Association. These Design Guidelines may be amended by the Architectural Committee and reissued from time to time. *Following the guidance detailed in these Design Guidelines does NOT eliminate the need for submission of plans for approval by the Architectural Committee except as specifically noted herein.*

### Design Review Process

Any change, addition, or modification to a Lot or a building exterior of a residential Property requires the prior written approval of the Architectural Committee. Residents with proposed changes must contact the management company, with whom the Association has contracted for the day-to-day management of its affairs, to obtain the necessary submittal documentation.

**Simply stated, no Improvements, alterations, repairs, additions, or other work, including changes in exterior color, are to be constructed on any Lot or exterior of any home from its improved state existing on the date such Property was first conveyed by Declarant to a Purchaser without the prior written approval of the Architectural Committee. The responsibility of the Architectural Committee is to ensure the harmonious, high quality image of Navarro Groves is implemented and maintained. Any Owner requesting approval of any construction, installation, addition, alteration, repair, change or other work to their Lot or home shall follow the application procedures listed below. Approved submittals will be returned to the applicant within sixty (60) (CC&R Section 3.4(e)) days of receipt of an application meeting all the requirements. Owners shall diligently pursue approved work so that**

**it is completed within sixty (60) days of issuance of the approval or such additional period of time as may be approved by the Architectural Committee at the time of issuance.**

**Application Procedure**

The following information must be included in each application:

- ❑ Application Form completed and signed (copy enclosed), additional copies can be obtained from the Association’s management office.
- ❑ Plot Plan – A site plan indicating dimensions relating to the existing dwelling and Property lines (setbacks, etc.) and the proposed Improvement to be installed.
- ❑ Elevation Plans – Plans showing finished appearance of the Improvements in relation to the existing dwelling and Property lines.
- ❑ Specifications – Description detailing materials to be used with color samples attached; drawing or brochure of the proposed Improvement indicating dimensions and color.

Applications and plans must be submitted to:

**Navarro Groves Community Association  
c/o Vision Community Management  
16625 S. Desert Foothills Pkwy  
Phoenix AZ 85048  
Online: [www.WeAreVision.com/NVG](http://www.WeAreVision.com/NVG)  
Office: (480) 759-4945  
Fax: (480) 759-8683**

It is the Owner’s responsibility to ensure that any proposed construction is coordinated with, and where applicable, approved by all city, county, state and federal government agencies. The Architectural Committee, the management company and the Association assume no responsibility for obtaining these reviews, approvals, or permits. An approval by the Architectural Committee does not indicate or imply the request complies with local zoning or building code requirements. The Design Guidelines are independent of the obligation of Owners to comply with all applicable laws, ordinances, codes and regulations.

NOTE: Only Lot Owners may request approval.

## **Design Guidelines**

### **General Principles**

The purpose of the Architectural Committee is to insure consistent application of the Design Guidelines, as set forth in the CC&Rs. The Architectural Committee monitors any portion of any Lot or parcel that is Visible From Neighboring Property, the street, or the Association Common Areas. The Design Guidelines promote those qualities in the Navarro Groves that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship among structures, vegetation, topography and overall design of the community.

All buildings and structures erected within the Association, and the use and appearance of all land within the Association, shall comply with all applicable municipal requirements (including any zoning requirements), as well as the requirements contained in the CC&Rs.

### **Design Compatibility**

The proposed construction must be compatible with the design characteristics of the Property itself, adjoining properties and the neighboring setting. Compatibility is defined as harmony in style, scale, material, color and construction details.

### **Workmanship**

The quality of workmanship evidenced in construction must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the Architectural Committee assume no responsibility for the safety or livability of any construction by virtue of design review.

### **Building Architecture**

In general, any exterior addition or alteration to an existing residence shall be compatible with the design character of the original structure.

### **Building Repairs**

No building or structure shall be permitted to fall into a state of disrepair. The Owner of every home or structure is responsible at all times for keeping all buildings located on the Lot in good condition and adequately painted or otherwise finished. In the event any building or structure is damaged or destroyed, the Owner is responsible for immediate repair or reconstruction. Roofs must also be kept in good repair at all times.

### **Awnings**

The Architectural Committee must approve all awnings. Awnings over windows shall be canvas or similar material, of solid color on both sides which match the color of the body of the exterior of the home or roof color and may only be installed on the sides and/or rear of the home. All awnings must be commercially manufactured or the equivalent, and requests for the Architectural Committee's approval of the same must include: (i) a drawing with the location of the proposed awning installation, (ii) a sample of the material to be used, and (iii) the color and design of the proposed awnings. The Owner is responsible for

maintenance and repair of any installed awnings. The Association retains all rights to determine when an awning must be repaired and/or replaced due to weather fading, tearing, ripping, and other states of disrepair.

### **Basketball Goals**

Permanent and portable basketball goals will be considered if they meet the following guidelines:

1. Permanent goals must be pole-mounted. Backboards shall not be attached to the house, garage, or roof.
2. Poles must be black, white, or painted to match the color of the body of the home.
3. Backboards must be of a predominantly neutral color (gray, black, or white) or painted to match the color of the body of the home. Clear Plexiglas backboards are acceptable.
4. Only nylon or similar cord nets are acceptable. Metal or chains are expressly prohibited.
5. Poles installed or used in the front of the home must be placed on the exterior side of the driveway.
6. Portable goals cannot be placed or used in Common Areas, the street or upon sidewalks at any time.
7. Portable goals must be removed and stored on a daily basis when not in use and shall not be Visible From Neighboring Property.
8. Basketball courts may not be painted or permanently outlined on any concrete and/or asphalt surface in the front, side yard, or motor court area.
9. Equipment shall only be used during daylight hours, and lighting for night use is prohibited.
10. All equipment must be constantly maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped or peeling paint, and other states of disrepair are a violation.
11. Poles installed in rear yards must comply with all above applicable guidelines. Submittals for rear yards with view fence will be considered with appropriate screening.

The Architectural Committee reserves the right to rescind its approval, should the backboard cause a nuisance, such as traffic, noise or damage to any adjacent Property or Common Area.

### **Clotheslines**

Clotheslines or other outside facilities for drying clothes are not permitted unless they are placed exclusively in the rear yard and not Visible From Neighboring Property.

### **Driveway Extensions**

Driveway extensions will be reviewed on a case-by-case basis with strong consideration of any impact on the architectural features of the neighborhood. The maximum driveway width (existing and addition) shall not exceed thirty (30) feet of contiguous area. Approved driveway extensions will be for the purpose of access to side/rear yard gates only. Use of driveway extensions for permanent parking of vehicles is not allowed. All driveways must be kept clean and free of debris, oil, rust, and other stains. The use of planting material between the street and driveway extension is required to minimize the effect of additional hardscape.

### **Flagpoles**

Prior to installing a flagpole on any Lot, the Owner of the Lot shall submit a written request including specific plans detailing the height, type, location, method of installation, color and any proposed flag and flagpole illumination to the Architectural Committee for approval. The Architectural Committee shall not unreasonably deny an Owner's request to install a flagpole, but retains the right to approve the flagpole subject to the following guidelines:

1. Only one (1) permanent, removable, wall mounted or freestanding pole will be permitted per Lot.
2. The height of a flagpole can be no taller than the height of the highest point of the roofline.
3. Wall mounted flag poles shall be a maximum of five feet (5') long with attaching brackets painted to match the attachment area and will not require prior approval.
4. Flag size may not exceed 3' x 5', and no more than two (2) flags shall be displayed at one time. Pursuant to A.R.S. § 33-1808(A), as it may be amended from time to time, the following flags shall be permitted (so long as displayed in a respectful manner): the American flag or an official or replica of a flag of the United States Army, Navy, Air Force, Marine Corps or Coast Guard, the POW/MIA flag, the Arizona state flag, an Arizona Indian nations flag, and the Gadsden flag, all other flags are prohibited.
5. Flags must be removed during inclement weather.
6. All equipment including poles, ropes, pulleys, and flags shall be maintained in good condition at all times.
7. If the flagpole, or its installation, causes physical damage to any other Lot or the Common Areas, the Owner of the Lot shall be responsible for all damage caused.

The Association permits display of a reasonable number of additional American flags on the following National Holidays only (to be removed no later than 5:00 p.m. of the following day): Memorial Day, Flag Day, July 4, Labor Day, Veterans Day.

### **Fences and Walls**

Plans for new or improved fences or walls must be submitted to the Architectural Committee prior to construction. Subject to Section 5.22 and 5.23(f) of the CC&Rs and applicable laws, plans to raise the height of a common wall must be submitted to the Architectural Committee for prior approval with written consent from the adjacent neighbor(s). Owners requesting the height adjustment are solely responsible for engineering new wall footings and submitting engineering plans with each request. Copies of all applicable municipal and other approvals must be submitted with the requests. Walls Improvements must match the existing walls in texture and color. Boundary wall Improvements or modifications are prohibited.

### **Gates**

Double gates at the side of the home may be installed to allow wider access to rear yards with prior written approval from the Architectural Committee, provided that the installation of such gates does not require boundary wall modifications. All gates (double or single) shall be the same material, design and color as the originally installed single gate. Shrubs, trees and plant material must be installed and maintained between the street and the gate access whenever possible.

### **Gutters and Downspouts**

Gutters and downspouts will be considered for approval if the finish matches the color of the home. The Association strongly recommends use of high quality materials that offer long life as the gutter must be maintained in good condition. Downspouts must be directed so as not to drain on to neighboring Property.

### **HVAC**

Except as initially installed by the Declarant, no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any Lot without the prior approval of the Architectural Committee. All units must be ground mounted, located within the perimeter of the rear yard and screened or concealed so that they are not Visible From Neighboring Property.

### **Outdoor Fireplaces**

Outdoor fireplaces may only be installed and used in rear yards and require the prior approval of the Architectural Committee. Outdoor fireplaces may not exceed seven (7) feet in height and may not be closer than five (5) feet to the Property line. Proposals for the installation of outdoor fireplaces and barbecues must include materials, colors and the location and distance from neighboring Lots. The style, color and materials of the proposed Improvement shall complement the style, color and materials of the community. Each Owner is responsible for assuring that the operation of the fireplace is in compliance with all applicable ordinances, codes and laws. The Architectural Committee may require neighbor approval of such Improvements.

### **Outdoor Lighting**

Any outdoor lighting installed on a Lot or home must receive advance approval from the Architectural Committee. Permanent lighting sources shall not be directed towards streets, Common Areas or neighboring Property. Lighting mounted on the front or side of a building shall be in decorative fixtures that diffuse light and shall not contain colored bulbs or bulbs with wattage greater than sixty (60) watts or eight hundred (800) lumens.

### **Patio Covers**

Roofing material color shall match that which was installed by the Declarant on the original roof of the home. The color of supports and material shall match the color of the body or trim of the home. Structures must be professionally installed, and match the exterior color of the home. A setback to sidewalls that complies with applicable regulations must be maintained.

### **Ramadas and Gazebos**

Ramadas and gazebos may be erected in rear yards with the prior approval of the Architectural Committee, subject to the following guidelines:

1. Maximum square footage (under roof area) is one hundred and twenty (120) square feet.
2. Maximum roof height is ten (10) feet at the highest point.
3. The structure must be set back a minimum of five (5) feet from any common wall.
4. The structure must be painted a natural cedar or match the color of the home and be maintained in good condition.
5. Any roof tile must also match the tile on the home.
6. Lighting of the structure must be approved by the Architectural Committee prior to installation.

### **Play Structures**

Play structures may be erected in rear yards only with the prior approval of the Architectural Committee, subject to the following guidelines:

1. Structures must be set back a minimum of seven (7) feet from any common wall.
2. Maximum height allowed to the top support bar, highest point of structure or shade canopy is ten (10) feet.
3. Maximum height of any deck or platform is to be four (4) feet above ground.
4. The distance from the ground elevation to the top of the common wall must be measured and submitted with plans.
5. The Architectural Committee will take appearance, height, and proximity to neighboring properties into consideration.
6. Any shade canopy must be solid tan or earthtone color.
7. A brochure or picture must be included with each submittal.

## **Pools and Spas**

Pools and spas require the prior approval of the Architectural Committee as provided below:

1. Common walls on Lots bordering Common Areas may not be torn down to allow access to rear yards.
2. Access must be gained by removing a portion of the front wall on the side of the home.
3. Gates, walls and any front yard landscaping that is removed or damaged must be returned to their original condition in a timely fashion.
4. All pool and spa motors and associated equipment must be screened or concealed so they are not Visible From Neighboring Property, and placed in a location so that noise generated from such equipment will be the least disruptive to neighbors.
5. Lots with view fence must include an equipment screening plan for approval by the Architectural Committee.
6. Except for hot tubs or whirlpool spas, above-ground pools are not permitted.
7. Plans and specifications for a pool or spa, as prepared by the pool or spa contractor, must include any proposed fencing.
8. To the greatest extent possible, hot tubs and spas shall be located in such a manner that they are not Visible From Neighboring Property.
9. Backwash water from pools and spas (including water drained from pools or spas in order to perform maintenance on pools or spas) must be contained wholly on an Owner's Lot and may not be permitted to seep or flow onto an adjacent Lot or Common Area (including streets). The Owner of the Lot shall be responsible for all damage caused to an adjacent Lot or Common Area due to backwash, including erosion.
10. Pool ladders, slides, rock waterfalls, etc. that exceed the height of the fence or wall must have the prior approval of the Architectural Committee. Such items shall not exceed eight (8) feet in height and must be set back a minimum of five (5) feet from the Property lines.

## **Pool Fencing and Equipment**

The specifications for rear yard pool fencing installation on a Lot with view fencing shall be neutral earth tone color to match or blend with the existing color of the home or fencing. Pool fence enclosures must meet all city, county, state and federal requirements, and an Owner shall submit a proposal for a pool fence enclosure only after being assured by the applicable municipal authority that the proposed fence enclosure will not violate those requirements.

Pool equipment on Lots with view fencing must be screened so as to not be Visible From Neighboring Property. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four (4) feet in height and is painted to match the exterior color of the home. All other screening material requires the approval of the Architectural Committee.

### **Satellite Dishes**

An antenna one (1) meter or less in diameter or diagonal measurement which is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MMDS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Lot subject to the provisions of 47 C.F.R. Section 1.4000 of the Code of Federal Regulations (“Federal Regulations”).

Should applicable law prohibit the Architectural Committee from requiring prior approval for the installation of certain antennas, the preferred locations, in descending order of preference, are as follows

1. The antenna must be placed on the Lot in such a manner as to not be Visible From Neighboring Property unless it is impossible to do so without impairing the user’s ability to receive signals from a provider of DBS, MMDS or TVBS.
2. If the antenna cannot be placed on the Lot in such a manner as to not be Visible From Neighboring Property without impairing the user’s ability to receive signals from a provider of DBS, MMDS or TVBS, then the antenna must be screened by landscaping or by some other means to reduce to the greatest extent possible its Visibility From Neighboring Property without impairing the user’s ability to receive signals from a provider of DBS, MMDS or TVBS.
3. If the antenna is mounted on a residence or other structure and is Visible From Neighboring Property, the antenna must be painted a color that will blend into the background against which the antenna is mounted, unless the painting of the antenna would impair the user’s ability to receive signals from a provider of DBS, MMDS or TVBS.
4. An antenna that is less than one (1) meter in diameter and is designed to receive video program services from MMDS or an antenna designed to receive TVBS may be mounted on a mast, provided that the mast may be no higher than twelve (12) feet above the roofline or the height necessary to establish line of sight contact with the transmitter, whichever is lower. If the mast or antenna is Visible From Neighboring Property, the mast or antenna must be painted a color that will blend into the background against which the antenna is mounted, so long as the painting of the antenna does not impair the user’s ability to receive signals from the MMDS or TVBS provider.

### **Security Doors, Screen Doors and Sunscreens**

Metal security/screen doors need not be submitted for approval provided they are painted to match the exterior color of the home or are a neutral “earth tone” color.

Silver colored aluminum security/screen doors and/or wire screen mesh doors are strictly prohibited on front doors.

Bronze, gray, charcoal, brown or beige sunscreen material may be installed and not submitted for approval provided that the window frame matched the sunscreen material or the existing window frames.

Reflective window films are expressly prohibited. Bronze or charcoal non-reflective window tinting may be installed without the Architectural Committee's review.

### **Signs**

No sign of any kind which is Visible From Neighboring Property shall be installed or displayed on any Lot or Common Area without the prior written approval of the Architectural Committee as to size, color, design, message content, number and location except:

1. Such signs as may be used by Declarant in connection with the development and sale of Lots in the community;
2. Such signs as may be required by legal proceedings, or which by law may not be prohibited;
3. One temporary sign per Lot no larger than thirty (30) inches by twenty-four (24) inches used exclusively to advertise the Lot for sale;
4. Political sign (as defined by A.R.S. §33-1808) with a maximum aggregate total of nine (9) square feet; provided that no political signs may be displayed earlier than seventy-one (71) days before an election day or more than three (3) days after an election day;
5. Such signs as may be desired by Declarant or required for traffic control, construction job identification, builder identification and subdivision identification as are in conformance with the requirements of the City;
6. Security signs are acceptable but they may not exceed eighty (80) square inches;
7. All other signs must be approved in advance in writing by the Architectural Committee.

All signs shall conform to applicable municipal ordinances and other governmental requirements. **Signs advertising landscaping or pool contractors, etc., must be removed within forty-eight (48) hours of completion of work.**

### **Solar Panels**

The Association recognizes the Owners' right to install and use solar energy devices, as set forth in A.R.S. § 33-1816, and hereby adopts these guidelines in order to regulate the placement of solar energy devices that are governed by A.R.S. § 33-1816 and A.R.S. § 44-1761. If the solar energy device is one of the devices listed in A.R.S. § 44-1761, the placement of the solar energy device must be approved in advance by the Architectural Committee. Such solar energy device must comply with the following guidelines, to the extent that they do not impair the functioning of the device, or adversely affect the cost or efficiency of the device:

1. No solar energy device may encroach upon the Common Area or the Property of another Owner.
2. A solar energy device must be placed in the rear patio or on a portion of the roof facing away from the street so as not to be Visible From Neighboring Property.
3. The solar energy device must be shielded from view so as not to be Visible From Neighboring Property to the maximum extent possible. The landscaping or

structure used to shield the solar energy device must be approved in advance by the Architectural Committee.

4. The solar energy device must comply with all applicable city, county and state laws, regulations and codes. The Association must be provided with a copy of any applicable governmental permits.
5. Placement and installation must be pursuant to the manufacturer's instructions.
6. In order to protect against personal injury and property damage, the solar energy device may not be placed in a location where it may come into contact with a power line.
7. In order to protect against personal injury and property damage, all solar energy devices must be properly grounded and secured.
8. In order to protect against personal injury, solar energy devices may not block or obstruct any driver's view of an intersection or street.
9. The Owner is responsible for all costs associated with the installation and maintenance of the solar energy device and shall keep the device in good repair.
10. The Owner is responsible for all damage caused by or connected with the solar energy device.
11. The Owner must hold the Association harmless and indemnify the Association in the event that someone is injured by the solar energy device.

### **Storage Sheds**

Storage sheds require the prior written approval of the Architectural Committee and are subject to the following guidelines:

1. Storage sheds are subject to rear setbacks of a minimum of five (5) feet from any Property line.
2. Sheds may not be Visible From Neighboring Property, the streets or the Common Areas.
3. Quality materials and construction shall be required.
4. Sheds must be in harmony with the exterior of the residence including siding, color, and roofing materials.

### **Window Coverings Criteria**

Permanent draperies or suitable window treatments must be installed on all front-facing windows within sixty (60) days of occupancy. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material shall be installed or placed upon the outside or inside of any windows. Exterior window coverings, shelf openings, or treatments used to decorate must be compatible with respect to materials and color, and with the style and color of the home, and require the prior written approval of the Architectural Committee.

## **Landscape Guidelines**

### **Front Yard Landscaping**

Unless installed by the **Declarant**, within ninety (90) days from the close of escrow, each Owner shall install landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot and any public right-of-way areas lying between the front or side boundaries of the Lot and an adjacent street. All landscaping Improvements installed in such areas must be approved by the Architectural Committee prior to installation. The area from the street to the back of the sidewalk, shown as the Private Sidewalk Easement, is maintained by the HOA. No changes to this area are permitted by the homeowner.

### **Fine Grading and Mounding**

Fine grading and mounding is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the home. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the approved grading and drainage plan. Mounding must appear natural.

### **Rear Yard Landscaping**

Unless installed by the **Declarant**, within ninety (90) days from the close of escrow, each Owner of a Lot where the rear and/or side yards are enclosed with wrought iron view fence and Visible From Neighboring Property shall install all landscaping Improvements, together with any sprinkler system or drip irrigation system sufficient to adequately water the landscaping Improvements, on such rear yard and/or side yards. All landscaping Improvements installed in such areas must be approved by the Architectural Committee prior to installation.

Rear yard landscaping Improvements on Lots that are not Visible From Neighboring Property shall be completed within one hundred eighty (180) days from the close of escrow and do not require the approval of the Architectural Committee.

### **Front Yard Landscape Minimum Standards**

Front yards shall be designed to include minimum quantities and sizes of plant material. The following minimum plant material sizes and quantities are required; however the Architectural Committee may consider variations of these requirements if turf, courtyard walls or other items are installed not allowing for the minimum requirements specified in which the completed landscape plan results in an attractive front yard:

**Trees** 0

**Shrubs** 3

**Cactus/Succulents** 6

1. Plants must not include any plant/material listed in the Prohibited Plant Materials. (listed below)
2. Owners are to select low shrubs/groundcover along driveway and street frontages to maintain visibility. Plants exceeding two (2) feet in mature height shall be located at least eight (8) feet back from public sidewalks or curbs.
3. Surface select boulders may be grouped in clusters, with varied sizes, buried 1/3 below grade and incorporated with grades to mimic a natural outcropping. Boulders may not exceed three (3) feet in height and shall have a natural oval character that is compatible with specific decomposed granite. Colored and lava rocks are prohibited.
4. Owners may use low voltage lighting to highlight entry walks, or accentuate trees where permitted by all applicable laws and ordinances. Colored bulbs and lenses are prohibited. Light source shall be adjusted to minimize glare on adjacent properties, the streets and Common Areas.
5. Ornamentation such as driftwood, skulls, wagon wheels, sculptures, and others are not permitted in front yards.

### **Rock and Ground Cover**

Decomposed granite used in the community shall be of a neutral earth tone color, artificially colored rock or granite is prohibited. No more than two (2) different colors of one-half (1½) inch screened granite rock is allowed in the front yard and rock shall not spell out any words or names. All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth.

River rock shall be three (3) to six (6) inches in diameter and cover not more than ten percent (10%) of front yard landscaping. Rip rap that matches or complements the front yard decomposed granite, placed in a “run” must also meet the percent (10%) maximum coverage.

### **Boulders**

Use of boulders to create a natural setting is permitted subject to the following criteria:

Boulders must be “surface select” granite boulders and must be buried with one-third of the boulder being underground. Boulders shall be installed in a naturalistic manner and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite and contouring.

### **Turf**

Turf is an approved ground cover permitted in front and rear yard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least five (5) feet are recommended between walls, fences, structures and turf or spray irrigation. Great care should be taken to avoid spraying of walls, fences and other structures that may cause damage and void any warranty. Drainage shall flow away from all walls and any structures, and Owners shall maintain proper grading on the Lot to eliminate any undue drainage onto neighboring Lots. Irrigation systems shall not produce excessive watering on walls so as

to cause structural damage to common walls.

### **Artificial Turf**

High quality and natural-looking artificial turf is an acceptable landscape option to provide the appearance of a well-kept lawn without the cost of irrigation and routine maintenance. Any application or request to use artificial turf in front yards and rear yards Visible From Neighboring Property must be approved by the Architectural Committee in writing prior to installation.

The Architectural Committee will consider applications for the use of artificial turf on a case-by-case basis, subject to the following guidelines:

1. Artificial turf must be of a high quality material, suitable style and color for the purpose intended and must appear seamless, natural and well groomed.
2. Appropriate front yard uses are strictly for lawns and landscape elements.
3. Artificial turf and natural turf are not allowed in the same yard which is Visible From Neighboring Property.
4. Specialized surfaces for putting greens, play areas, bocce ball and other uses are allowed in rear yards only and must be installed as permanent construction. Rear yards Visible From Neighboring Property require the prior approval of the Architectural Committee.
5. Artificial turf must be installed by a professional, qualified contractor. Owners and Do-it-Yourselfers are not allowed to install artificial turf.

### **Maintenance Requirements for Artificial Turf**

Owners must maintain the appearance of the artificial turf in a clean, “like-new” condition. Periodically, leaves and other debris shall be raked or removed in order to keep the artificial turf looking similar to natural turf. The Association retains the right to determine when the artificial turf must be replaced due to weathering or other types of damages. Artificial turf must be replaced with the same turf originally approved if replacement or repair is required.

### **Submittal Requirements for Artificial Turf Applications**

Applications for the use of artificial turf must be submitted to the Architectural Committee for review and approval PRIOR to any installation. Construction or installation may not commence until such approval is granted in writing by the Architectural Committee.

#### **Submittals must include:**

- Application Form:** The completed application form must be signed by the Owner and must include the contact information of the contractor that will be installing the artificial turf.
- Site Plan**
  - Location of the proposed artificial turf.
  - Dimensions for the proposed Improvements.
  - Proposed plan for drainage of the affected area.
- Manufacturers Specifications**
- Sample of Artificial Turf:** 12” x 12” minimum size
  - This must be a sample of the actual turf to be used.

- Label the back of the sample with the Owner's Name and Address.
- Label the back of the sample with the Product Name and Manufacturer.

The Architectural Committee may, at its discretion, maintain a collection of samples and specifications of artificial turf products that have been deemed acceptable and approved by the Architectural Committee, and Owners and Applicants may request a list of these products. The Architectural Committee does not endorse or warranty any artificial turf products.

### **Irrigation**

With an average rainfall of less than nine (9) inches, most plant material requires a supplemental irrigation system to sustain plant life yet preserve our precious water supply. Each Owner shall provide a complete irrigation system compatible with the front yard design. All landscape irrigation must be underground, automatic and low water use drip systems with time clocks cycled for efficient deep watering, except for turf and flower bed areas which may use spray systems with 100% head-to-head coverage. Overspray onto sidewalks and streets is strictly prohibited, and great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty. All irrigation and drip system lines must be covered under gravel or within plant material. Exposed irrigation or drip system lines are prohibited. Any irrigation lines that are not in use must be capped.

### **Landscape Lighting**

Lighting, other than that installed by Declarant, must be approved by the Architectural Committee. The following outlines the minimum standards for lighting:

1. Lighting shall be shielded such that the light shines primarily on the Lot on which it is installed. Lights which create glare Visible From Neighboring Property are prohibited.
2. Lights shall be screened whenever possible with walls, plant materials or internal shielding to allow the light to be seen, but not the fixture itself.
3. Only low-voltage landscape lighting is permitted, and fixtures shall not exceed an illumination intensity of more than one (1) foot-candle power as measured from the closest Property line.

### **Prohibited Plant Materials**

The following vegetation types and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights and weed-like characteristics of excessive growth, high water demands or other similar traits. Under no circumstances is it permissible to plant a prohibited plant or allow it to remain within the front yard or backyard of any Lot within the community, unless specifically noted below.

### **TREES**

<b><u>Common Name</u></b>	<b><u>Botanical Name</u></b>
Australian Bottle Trees	Brachychiton populneus
Australian Willow	Geijera parviflora
Canary Date Palm	Phoenixd/canariensis
Cottonwood	Populus
Cypress	Cupressus
False Cypress	Chamaecyparissus
Olive trees other than “Swan Hill” variety	Olea Europaea
Jacaranda	Jacaranda mimosifolia
Mexican Fan Palm	Washingtonia robusta
Mexican Palo Verde	Parkinsonia aculeate
Mimosa	Algizia Julibrissin
Oleanders other than dwarf variety	Nerium Oleander
Thevetia	Thevetia species
Windmill Palm	Trachycarpus foruniei
Mulberry trees, all varieties	Morus L.
Eucalyptus trees, all varieties	

Note: All Citrus, Palms, Oleanders, Pines, Juniper and Cedar, whose mature growth height may reasonably be expected to exceed ten (10) feet will be prohibited for aesthetic reasons. Dwarf varieties, and those specimens whose mature growth height may reasonably be expected to be maintained at less than ten (10) feet, may be installed in rear yards only.

### **Ground Cover**

<b><u>Common Name</u></b>	<b><u>Botanical Name</u></b>
Fountain Grass	Pennisetum setaceum
Pampas grass	Cortaderia selloana

### **Maintenance**

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and

replacement of dead or dying plants, removal of weeds and noxious grasses, and removal of trash, leaves, and debris.

### **Water Features and Statuary**

Lawn ornamentations, including but not limited to, landscape sculptures, statues, outdoor art, decorative water features, waterfalls, fountains, ponds, animal replicas, pottery or similar landscape elements, or any material or object applied to a wall, fence, gate or other Improvement on a Lot, whether permanently installed or not, are considered Improvements and part of the landscaping and therefore subject to the prior written approval of the Architectural Committee before installation. Items such as fountains and statuary are permissible within the rear yard (as long as they are not visible above the fence line). Fountains in the front yard may not exceed four (4) feet in height. Statuary is not allowed in the front yard except for seasonal decorations which must be removed in a timely manner (see Holiday Lighting). It is recommended that water features be chlorinated. The Architectural Committee reserves the right to limit the size and quantity of statuary in rear yards where the Improvement is Visible From Neighboring Property. Statuary must be of earth tones, no painted finishes, and must be approved in advance by the Architectural Committee.

### **Hardscape**

The Architectural Committee must approve any hardscape items proposed for front yard installation. Hardscape items that will be Visible From Neighboring Property, the streets, or the Common Area in the rear yard also require prior approval.

## **Association Rules**

The following Association rules summarize some of the common provisions found in the CC&Rs as well as rules established by the Board pursuant to its rulemaking authority set forth in the CC&Rs.

### **General Property Restrictions**

No Owner may lease less than his, her or its entire Lot, and no Lot may be leased for a period of less than three (3) consecutive months. All leases must restrict occupancy to a Single Family Residential Use and be in writing. No gainful occupation, trade or other non-residential use may be conducted on the Property for the purpose of receiving products or services related to such usage. Owners must notify the Association of any lease within fifteen (15) days of the effective date of the lease, and provide the Association with the following: (a) name of tenant, (b) date and term of the lease, and (c) current address of the Owner. The Association shall have the right to charge an administrative fee in connection with the Association's record keeping of each new lease.

### **Trash/Recycling Containers and Collection**

No garbage or trash shall be kept on any Lot except in covered containers. These containers must be stored so that they are not Visible From Neighboring Property, the street, or Common Areas, except up to twenty-four (24) hours in advance of collection and not later than twenty-four (24) hours after collection. No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot. Notwithstanding the foregoing, garbage or trash placed on any Lot solely in connection with any bulk trash pickup program shall be acceptable so long as such garbage or trash is placed neatly on the Lot and is made available for collection no earlier than the weekend immediately prior to the weekday of collection.

### **Pets**

Residents are allowed to keep a reasonable number of generally recognized domesticated house or yard pets. Animals cannot be kept or raised for commercial purposes and they are not allowed to make an unreasonable amount of noise or become a nuisance to neighbors. Dog runs must have the prior approval of the Architectural Committee. Dogs must be kept on leashes at all times while on the Association's Property and all Owners must clean up after their pets. No structure for the care, housing, or confinement of any pet shall be maintained so as to be Visible From Neighboring Property. Upon the written request of an Owner, the Board shall conclusively determine, in its sole and absolute discretion, whether a particular animal, bird, poultry, or livestock is a generally recognized as a domesticated house or yard pet and whether such a pet is a nuisance.

### **Holiday Lighting**

Temporary holiday decorations are permitted from Thanksgiving through January 15. Other holiday lighting must receive the approval of the Architectural Committee prior to being installed.

### **Seasonal and Decorative Flags**

Seasonal and decorative flags, which are house mounted below the roofline, do not require approval. Seasonal flags must be removed within ten (10) days after the date of the holiday, and all flags must be maintained in good condition at all times. Seasonal or decorative flags that are determined by the Board, in its sole discretion, to be offensive to neighbors or the Association must be removed. Sports flags will only be allowed to be displayed on the day prior to and the day of the specified team's most recent game.

### **Machinery and Equipment**

No machinery, fixtures, or equipment of any type, including, but not limited to heating, cooling, air-conditioning and refrigeration equipment, may be placed on any Lot without screening or concealment so they are not Visible From Neighboring Property, the street or Common Areas. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be removed when not in use and stored so as not to be Visible From Neighboring Property, the street or Common Areas.

### **Vehicles**

No motor vehicles classed by manufacturer rating as exceeding one (1) ton, mobile homes, recreational vehicles, travel trailers, tent trailers, camper shells, detached campers, boats, boat trailers, hang gliders, ultra lights, or other similar equipment or vehicle may be parked, kept, placed, or maintained on the street or any Lot so as to be Visible From Neighboring Property, the street or Common Areas. The provisions of this section shall not apply to pickup trucks of less than one (1) ton capacity with camper shells not exceeding seven (7) feet in height measured from ground level and mini-motor homes not exceeding seven (7) feet in height and eighteen (18) feet in length which are parked and used on a regular and reoccurring basis for basic transportation or in conjunction with a Resident's occupation, provided the vehicle is in good repair and any and all "tools of the trade" stored in or upon the vehicle are not visible.

No automobiles, motorcycles, motorbikes or other vehicles shall be constructed, reconstructed or repaired upon any Lot, parcel or street, and no inoperable vehicles, including but not limited to vehicles with flat tires, may be stored or parked on the street or any Lot, so as to be Visible From Neighboring Property, the street or Common Areas; provided, however, that the provisions of this section shall not apply to emergency vehicle repairs or temporary construction shelters or facilities maintained during and used exclusively in connection with the construction of any Improvement approved in writing by the Architectural Committee.

### **Parking**

Vehicles of all Owners, lessees, and Residents, and of their guests and invitees, are to be kept in garages, carports or the residential driveways of the Owner, whenever such facilities are sufficient to accommodate the number of vehicles on the Lot. In the event the garage and driveway is insufficient for parking, temporary parking shall be allowed on the street directly adjacent to the Lot; provided however, in no event shall overnight on-street parking be allowed.

**Speakers**

Outside speakers will only be allowed if they are concealed in the patio cover and secluded from view. Residents are required to keep the volume as low as possible so as not to disturb the peaceful enjoyment of neighbors.