

# **TAPESTRY CANYON**

at

The Foothills at South Mountain Park

## **DESIGN GUIDELINES**

**Effective January 1, 2017**

*These Design Guidelines supersede and replace all prior versions of the  
Design Guidelines in their entirety*

# TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION AND PHILOSOPHY</b>	<b>1</b>
<b>2.0</b>	<b>THE BUILDING ENVELOPE</b>	<b>2</b>
<b>2.1</b>	<b>Definition</b>	<b>2</b>
<b>2.2</b>	<b>Natural Area</b>	<b>3</b>
<b>2.3</b>	<b>Transitional Area</b>	<b>3</b>
<b>2.4</b>	<b>Private Area</b>	<b>3</b>
<b>2.5</b>	<b>Street Zone</b>	<b>3</b>
<b>3.0</b>	<b>SITE DEVELOPMENT</b>	<b>4</b>
<b>3.1</b>	<b>Grading, Drainage and Utilities</b>	<b>4</b>
<b>3.2</b>	<b>Setbacks</b>	<b>5</b>
<b>3.3</b>	<b>On-Site Parking</b>	<b>5</b>
<b>3.4</b>	<b>Entrance Driveways</b>	<b>5</b>
<b>3.5</b>	<b>Washes and Drainage Ways</b>	<b>5</b>
<b>3.6</b>	<b>Swimming Pools</b>	<b>5</b>
<b>3.7</b>	<b>Sports/Tennis Courts and Basketball Goals</b>	<b>6</b>
<b>3.8</b>	<b>Address Identification</b>	<b>6</b>
<b>3.9</b>	<b>Lighting</b>	<b>6</b>
<b>4.0</b>	<b>ARCHITECTURAL CHARACTER</b>	<b>7</b>
<b>4.1</b>	<b>Appropriate Design</b>	<b>7</b>
<b>4.2</b>	<b>Livable Area</b>	<b>8</b>
<b>4.3</b>	<b>Building Heights</b>	<b>9</b>
<b>4.4</b>	<b>Building Massing and Articulation</b>	<b>13</b>
<b>4.5</b>	<b>Elevations</b>	<b>13</b>
<b>4.6</b>	<b>Cantilevers and Projections</b>	<b>14</b>
<b>4.7</b>	<b>Garages</b>	<b>14</b>
<b>4.8</b>	<b>Roofs</b>	<b>15</b>
4.8.1	Pitched Roofs	16
4.8.2	Flat Roofs	16
4.8.3	Skylights and Clerestory Windows	16
<b>4.9</b>	<b>Site Walls</b>	<b>17</b>
4.9.1	Retaining Wall	17
4.9.2	Fence	18
4.9.3	Screen Walls	18
4.9.4	Pool Fences/Barriers	18
<b>4.10</b>	<b>Patios and Courtyards</b>	<b>18</b>
<b>4.11</b>	<b>Guest Houses</b>	<b>18</b>
<b>4.12</b>	<b>Exterior Materials and Colors</b>	<b>19</b>
<b>4.13</b>	<b>Miscellaneous Provisions</b>	<b>19</b>

<b>5.0</b>	<b>LANDSCAPING AND IRRIGATION</b>	<b>20</b>
5.1	Landscape Design Philosophy	20
5.2	Approved Plant List	20
5.3	Prohibited Plant List	20
5.4	Native Plants	20
5.5	Landscape Requirements for <i>Phase I</i> Lots 1 - 8 and 17	20
5.6	Street Zone Side Yard Requirements for <i>Phase I</i> Lots #4, 6, 8, 9, 17, and 18	22
5.7	Landscape Requirements for Natural Area Envelope Lots (10-15 and all Lots numbered above 18)	22
5.8	Landscape Requirements for Hybrid <i>Phase I</i> Lots # 9, 16, and 18	24
<b>6.0</b>	<b>REVIEW AND APPROVAL PROCESS</b>	<b>25</b>
6.1	Overview	25
6.2	New Construction and Rebuild Rules	26
6.2.1	Submission of Plans/Design Review Meetings	26
6.2.2	Onsite Formal Reviews/Inspections	29
6.3	Existing Home Modifications	30
6.4	Fines	30
<b>7.0</b>	<b>CONSTRUCTION PHASE</b>	<b>30</b>
7.1	Grading	30
7.2	Construction Trailers and Portable Field Offices	31
7.3	Fencing	31
7.4	Debris and Trash Removal	31
7.5	Sanitary Facilities	31
7.6	Vehicles & Parking Areas	31
7.7	Conservation of Landscaping Materials	31
7.8	Excavation Materials	32
7.9	Blasting	32
7.10	Restoration or Repair of Damage to Other Property	32
7.11	Miscellaneous and General Practices	32
7.12	Construction Access	32
7.13	Dust and Noise	33
7.14	Construction Signage	33
7.15	Daily Operation	33
7.16	Occupational Safety and Act Compliance (OSHA)	33

## 1.0 INTRODUCTION AND PHILOSOPHY

---

Tapestry Canyon consists of exceptional lots nestled in canyons and situated along hillsides and a major wash all in the most pristine area of The Foothills. Care has been taken in the placement of the roads as well as the layout of each lot in order to preserve the natural features of the desert and mitigate existing road scars. The design of each residence will require its own sensitive approach to take advantage of the special opportunities unique to each lot. The siting of the structure into the natural environment must be accomplished with minimal disturbance to the land. The goals of these design guidelines are to:

- Preserve the character of the desert and each lot by way of development that is appropriate to its setting.
- Achieve harmony with the natural environment by striving for minimum visual impact of the buildings on the landscape.
- Achieve harmony in the building environment by stimulating a natural and agreeable diversity.

These guidelines are based on two fundamental concepts. The first is the Building Envelope concept. This defines the limits of all site improvements and construction in order to:

- a) minimize intrusion into, or disturbance of the natural area; and
- b) assure reliable open spaces between buildings that will remain undisturbed as permanent view corridors.

The second is the site specific design concept. This requires that each house and yard be specifically designed to fit the site rather than reconfiguring the site to accommodate a preconceived design. This approach will assure a natural and appropriate diversity and result in improvements that are compatible with their sites and the overall environment.

The Guidelines follow a natural progression starting with the Building Envelope and continuing with comments relating to specific site development. Grading and drainage, roads and driveways, address identification and lighting are some of the elements addressed in the Site Development section. The Architectural Character section addresses the fundamentals of appropriate design and includes sizes, heights, architectural massing, elevations, roof shapes, site walls, patios, exterior materials and colors. The Guidelines continue with provisions for Landscaping and Irrigations followed by the overall steps in the Review and Approval Process, and finally the Construction Phase.

Tapestry Canyon is also governed by The Foothills Community Association Master CC&R's and Design Guidelines. All plans will also require the approval of the Master Association Design Review Committee. Except as otherwise expressly set forth herein, in the event of any conflict between these Design Guidelines and the Tapestry Canyon or Master CC&R's, the most restrictive provision shall govern.

## 2.0 THE BUILDING ENVELOPE

---

**2.1 Definition** The building envelope represents the area in which all improvements must be built including adequate construction access around the perimeter. (See Exhibit 2.1). *The building envelope is a legally defined line that the City of Phoenix will compare against submitted site plans when reviewing for building permit.* The Building Envelope concept does not apply to *Phase I*, Lots 1 - 9 and Lot 17.

An appropriate Building Envelope has been configured for each lot in order to preserve natural features, maximize view opportunities and respect natural topography. Slight adjustments to the Building Envelope may be approved by the Tapestry Canyon Design Review Committee (the “Design Review Committee”) as part of the Review and Approval Process. Such approval will be at the sole discretion of the Design Review Committee. Consideration will be given to adjustments which pose no injury or detriment to the overall site and no negative impact to any other homeowner.

*If the lot owner proposes an adjusted envelope and if the Design Review Committee approves the adjustment, it then becomes the lot owner’s responsibility to contract with the development civil engineer (I.M.C. Consultants) to create a revised building envelope description for submittal to the City of Phoenix.*

The Committee, however, cannot guarantee that all views of all residents will remain unobstructed as the project continues to build out to completion.

The Building Envelope must be completely fenced during construction (See Section 7.3) with only one gated means of access approved by the Design Review Committee. All construction activity must take place within this construction fence.

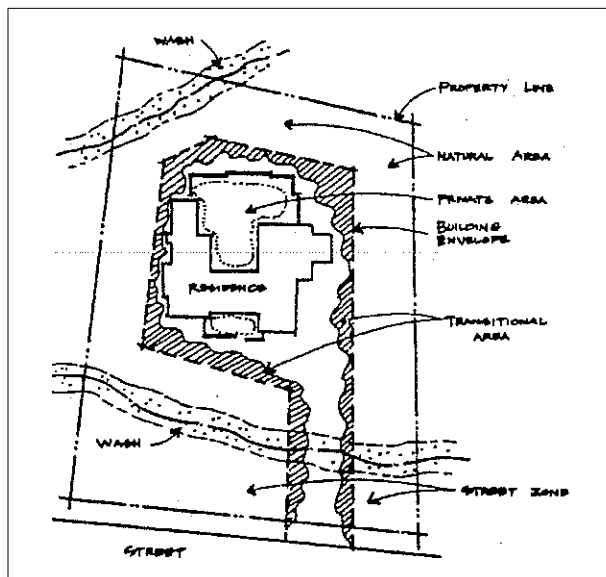
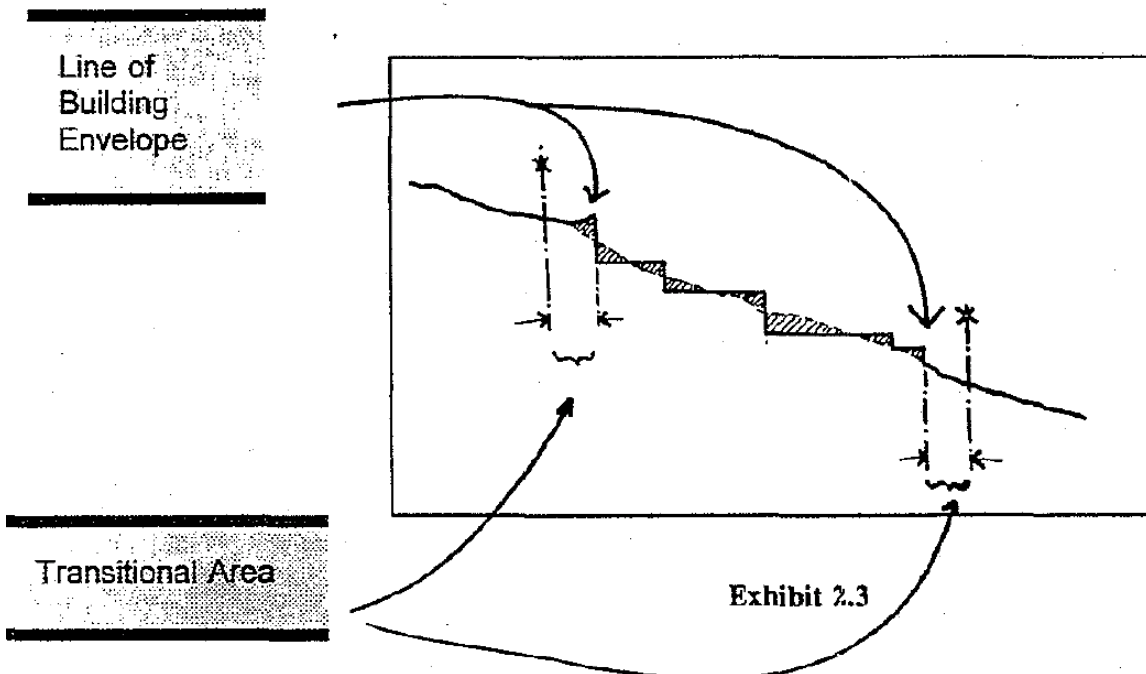


Exhibit 2.1

**2.2 Natural Area** The Natural Area is that portion of the lot outside the Building Envelope. This area is to be left in its natural desert condition. Where scarred areas exist outside the Building Envelope, revegetation is required to restore it to its natural state. The extent of revegetation and supplemental planting will be determined at the Schematic Submittal (See Section 6.2). All revegetated plant materials must be selected from the Native Plant list and be consistent in species and density with what generally exists in the area.

**2.3 Transitional Area** The Transitional Area is that portion of the site immediately inside the Building Envelope and most in view from the street and adjacent properties. This is the area within the fencing that will be disturbed during the construction process. The purpose of the Transitional Area is to provide a gradual transition between the indigenous plants in the Natural Area and the site improvements without establishing a strong contrast in the appearance of the vegetation. The idea of the Transitional Area is to make certain that the Building Envelope line is not in any way evident in the landscape. Any change from the Natural Area to the denser landscaping around the house is to be gradual (See Exhibits 2.3 and 3.1).



**2.4 Private Area** The Private Area is that portion of the Building Envelope which is not visible from adjacent properties, streets, or public spaces because it is screened behind walls or structures. The Private Area is the least restrictive in terms of plant materials. The Owner may install any plant material in the Private Area, except the prohibited plants listed in Appendix B. Any plants which will grow above the wall heights will need to be selected from Appendix A.

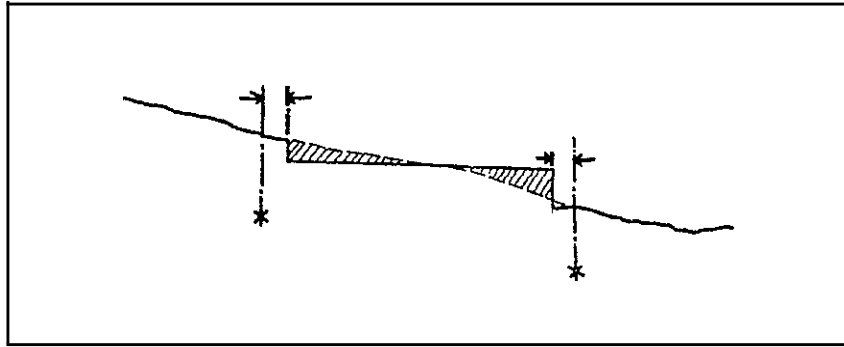
**2.5 Street Zone** The Street Zone is that portion of the site which occurs between the Transitional Area and the street edge. Revegetation and supplemental planting may be required to augment the existing vegetation and create an attractive streetscape adjacent to the Tapestry Canyon roadways.

## 3.0 SITE DEVELOPMENT

---

**3.1 Grading, Drainage and Utilities** The following general limitations will apply to all site development:

- a. The topography of Tapestry Canyon varies considerably, and most lots have significant natural slope within their Building Envelopes. All improvements, therefore, should be stepped in response to the terrain in an attempt to balance the cut and fill requirements and nestle the building and its site work into the hillside (See Exhibit 2.3). Every opportunity should be explored to step the drives, pool decks, patios and areas within the home with the slope of the lot. Exhibit 3.1 shows a lot which has cut and fill to create the pad. See Exhibit 4.3 and 4.4 for an example of visually integrated retaining walls, with the use of “cut” and “fill.”



**Exhibit 3.1**

- b. While visually integrated retaining walls are preferred and may be required, a building pad may be constructed using the cut and fill slopes with the approval of the Design Review Committee. Cut or fill slopes may not extend outside of the building envelope. Landscape revegetation of cut and fill areas will be required which “heal” the slopes into the natural environment. In the case of exposed rock cuts, staining to match the adjacent rock surface will be required. The required building elevations and sections must show the full extent of any intended cut and fill conditions. The goals are to minimize exposed rock cut and fill material and to balance cut and fill within the Building Envelope.
- c. Surface water may drain into adjoining lots or open spaces only as established by natural patterns, and shall not be altered to create a condition which could lead to erosion. Alterations to washes within the Building Envelope which carry flows of 50 cubic feet per second or more resulting from a 100 year storm may require special treatment and certified engineering. These washes have been identified on the individual Building Envelope exhibit.
- d. The City of Phoenix hillside ordinance and stipulation #22 applies to all lots except Phase 1, Lots 1 - 9 and 17, and Phase 2 flag lots 1, 20, 30, 38, 44 and 66. Only part of

the driveway on flag lots is counted toward the 6000 feet. (Sec. 7.1).

- e. Grading or construction access will not be permitted outside the Building Envelope.
- f. Unless specifically approved by the Design Review Committee, utility routing shall follow the driveway to minimize disturbance to the natural vegetation. This routing shall be clearly shown in Design Submittals (See Section 6.5).

**3.2 Setbacks** Setbacks allowed by the City of Phoenix zoning ordinance are generally less restrictive than those predetermined by the Building Envelope. In such cases, the designated Building Envelope will govern setbacks.

**3.3 On-Site Parking** Each residence shall contain an enclosed garage within the Building Envelope for at least two automobiles. The garage can either be attached to or detached from the main structure. (See Section 4.7). All detached garages must be visually integrated with the main residence. A minimum of two additional paved or dustproofed parking spaces should be provided to accommodate guest parking. No on-street parking is permitted in Tapestry Canyon due to the reduced width of its private streets. Views of guest parking areas from adjacent lots, streets, or public spaces must be mitigated and diffused by way of screen walls or a combination of screen walls and landscaping. Walls shall be between 3'-0" and 4'-0" high. No exterior storage of recreation vehicles, boats, trailers, campers, etc. of any kind will be permitted.

**3.4 Entrance Driveways** Each Building Envelope suggests the driveway location. Should topography or other considerations suggest a revision to this location, a clear case should be presented at the time of the Schematic Submittal (See Section 6.3). Except for Lots #1-18, only one driveway entry per lot is allowed. Driveways shall be a maximum of 16 feet wide at the street. Driveways shall be carefully designed using materials, textures, patterns and colors that minimize reflectivity and tire tracking and visually diminish the area of paving. Smooth concrete is prohibited. See Landscape Guidelines for pavement requirements.

**3.5 Washes and Drainage Ways** Natural drainage ways, which occur frequently throughout Tapestry Canyon, must not be obstructed. Structures and other improvements should be sited to avoid the major natural washes. Bridging of washes by buildings and other improvements, designed not to obstruct 100-year storm flows, are permitted and even encouraged, especially if the design adds architectural interest.

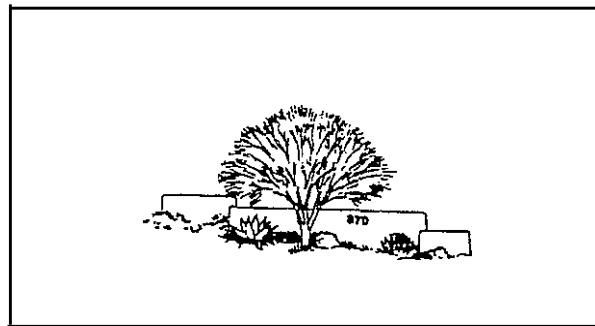
Improvements designed and constructed to bridge certain drainage ways may require supplementary engineering data. Such a study would include a backwater flood analysis prepared by a licensed civil engineer to ensure the safety and feasibility of the design. The data may be subject to review by a licensed civil engineer retained by the Design Review Committee at the lot owners' expense.

**3.6 Swimming Pools** Swimming pools should be designed to be visually related to the residence by way of garden walls or courtyards. They must be separated from the Natural Area and screened from direct view from immediately adjacent lots, streets and public spaces. All pools must meet City of Phoenix and Maricopa County regulations.

**3.7 Sports/Tennis Courts and Basketball Goals** Sports/Tennis courts will be allowed, but are subject to all other requirements of these guidelines. Court lighting is prohibited.

Basketball goals may be installed at any residence in the rear yard subject to the approval of the Design Review Committee. If approved, they must not be visible from immediately adjacent lots, streets or public spaces. All non-clear surfaces including the backboard, metal supports and pole are to be painted to match the color of their background (i.e. the house, or mountain). Portable basketball goals, which may be stored in the garage, are encouraged.

**3.8 Address Identification** Address identification devices are required for each residence and must be submitted for review and approval. Numerals must be between three inches and six inches in height and the structure must be integrated with the overall home design (See Exhibit 3.8).



**Exhibit 3.8**

**3.9 Lighting** An overall street lighting plan for Tapestry Canyon has been designed with the goal of creating a unified, natural effect which will not interfere or compete with the dramatic nighttime panorama of the desert and surrounding mountains. Any additional lighting on individual lots must be approved by the Design Review Committee. It will be approved, only if limited to small areas within the Building Envelope, is of low intensity, and does not result in glare or light spillage into neighboring lots. In no case should the source of the light be directly visible. Low wattage lightbulbs are required..

Uplights, floodlights, and eave-mounted lights are prohibited. Security lighting must be tied to an alarm circuit that notifies authorities of an emergency condition. Landscaping may only be illuminated if the light is also providing lighting around walks, drives, patios or other areas used for outdoor living. Building walls, roofs, mountain sides, etc., may not be lighted.

## 4.0 ARCHITECTURAL CHARACTER

---

### 4.1 Appropriate Design “The goals of these Design Guidelines are to:

- Preserve the character of the desert and each lot by way of development that is appropriate to its setting.
- Achieve harmony with the natural environment by striving for minimum visual impact of the buildings on the landscape.
- Achieve harmony in the build environment by stimulating a natural and agreeable diversity.” \*

\* Excerpt from the Introduction and Philosophy

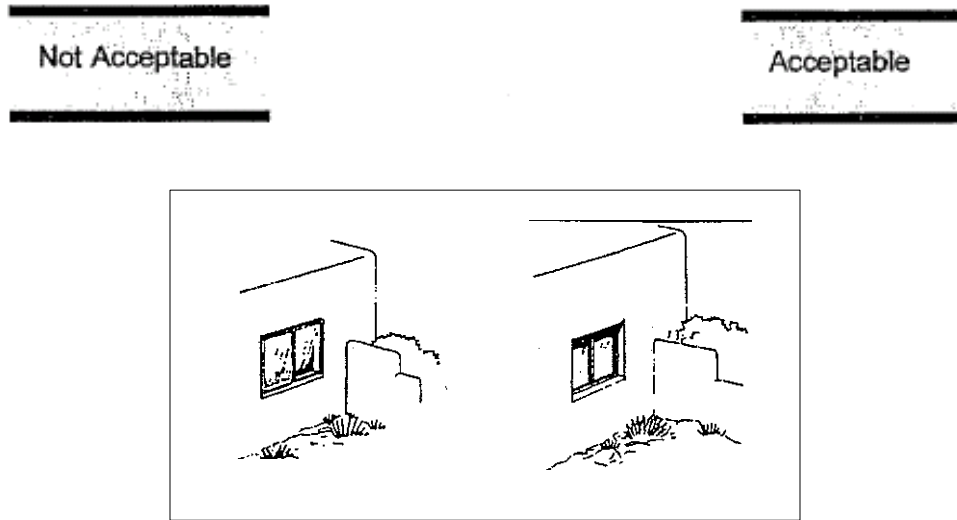
The goal of these Guidelines is not to dictate or direct architectural style; but to require site-specific designs that are responsive to the climate and terrain of their settings. However, certain architectural styles derived from regions other than the southwest, such as Coastal, Tropical, Alpine, Prairie, Colonial, Tudor, Plantation and Chalet, are prohibited. The Design Review Committee has the right to determine whether the architectural style, color, texture, and materials are appropriate for Tapestry Canyon and the philosophy of the Design Guidelines. Because the needs of each owner and the shape and slope of each lot will differ, achieving the goals stated above will insure a diversity of shape size and form; and, because all homes in this desert neighborhood share the same climate and desert landscape, achieving these goals will also assure a natural and agreeable harmony.

In the desert, the sun and climate should dictate your design. Take care to protect glass areas with overhangs and deep recesses. Design your floor plan and site plan as one; fully integrate your indoor and outdoor living spaces; design your site and home to be viewed from all sides and from above! **Do unto others as you would have others do unto you. If everyone minimizes their visibility, everyone will benefit; so be a good neighbor and design appropriately for the desert.**

It is important when planning your home to consider both the plan and the elevations at the same time. Avoid long unbroken walls in plan because these become long unbroken planes on the elevation. Large, flat, unbroken planes stand in sharp contrast to the small multifaceted shapes of the landscape. Avoid large, simple, boxy, or geometric forms. Take similar care in the design of site walls.

Also avoid long uninterrupted roof lines or large unbroken roof planes. Although combinations of pitched and “flat” roofs can be quite attractive, this requires great care and attention to massing and proportion. If using a pitched roof, be consistent in using one pitch throughout (i.e., 3.5 in 12 or 4 in 12).

Strive to achieve “visual strength” in all elements of the design; that is, all columns must be “thick” enough for their height, beams “deep” enough for the span, fascias substantial enough for their length, and walls thick enough for their size. Recess all windows to be flush with the interior of a minimum 2’ x 6’ exterior wall (See Exhibit 4.1). Do not rely on “pop outs” alone to achieve visual strength. If “pop outs” are used, they must be substantial in proportion to the opening they surround and the wall they are in. “Pop outs” will be closely scrutinized by the Design Review Committee. The Design Review Committee strongly encourages fully integrated design rather than reliance upon applied ornament or architectural decoration (See Exhibit 4.1).



**Exhibit 4.1**

**4.2 Livable Area** All residences must contain a minimum of 2,500 square feet of living area. “Living area” is defined as those habitable areas measured to the outside of the outside walls, exclusive of garages, storage, terraces and covered patios.

**4.3 Building Heights** The desert, particularly desert hillsides, are visually fragile environments; meaning that due to low height and transparency of the landscape, the natural character of the landscape is easily overwhelmed by manmade structures. The developer believes that preserving the natural character of Tapestry Canyon to the greatest extent possible will also protect, preserve, and enhance the long term investment of each home owner.

In order to achieve a minimum visual impact in this desert setting, these Design Guidelines have established certain criteria concerning height, massing, and color reflectivity. The height limitations are as set forth below and illustrated in Exhibits 4.3(a), (b) and (c).

- Maximum height of any given building mass shall be two stories but not to exceed 30' from the lowest point of natural grade to the highest point on the mass above that natural grade as depicted on Exhibits 4.3(a), (b) and (c).
- The Design Review Committee may impose further height restrictions for purposes of carrying out the intent of creating a community of homes in which no one structure appears excessive in height or out of character with its neighbors or surrounding topography. Further height restrictions may also be imposed on lots which overlook other areas or which may be visible for other areas within the Foothills Community.
- Maximum uninterrupted building wall height shall not exceed 20' when measured from finish grade or the bottom of any given wall plane to the top of the wall at any given point along the wall.
- No more than ½ of the ground floor shall exceed one story in height. Every design effort shall be made to surround higher two-story masses with one-story transition masses.

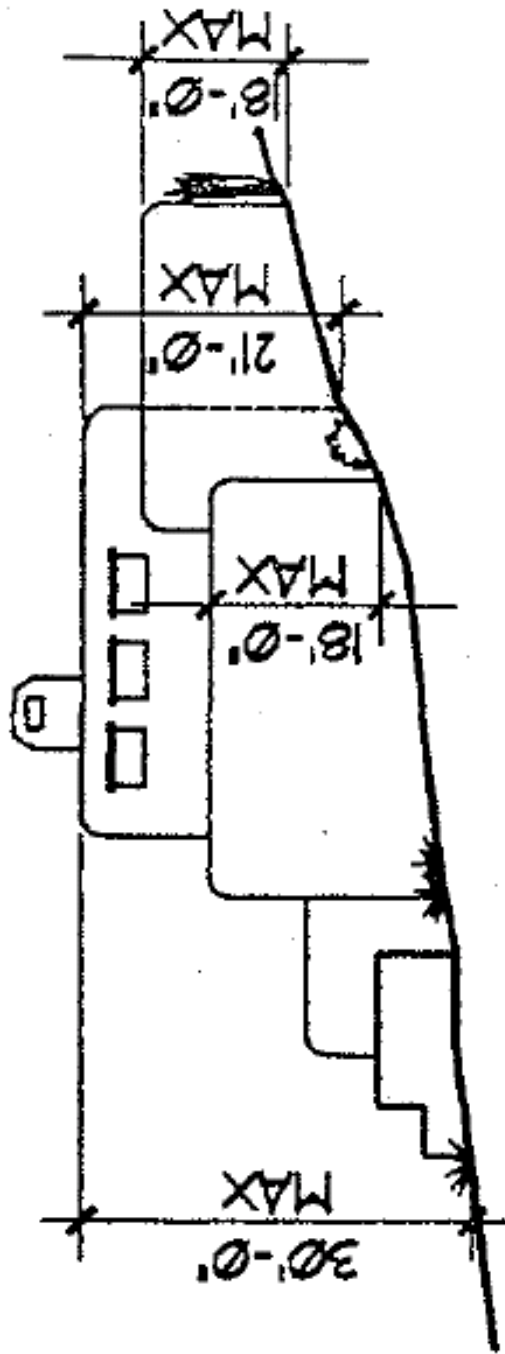


Exhibit 4.3(a)

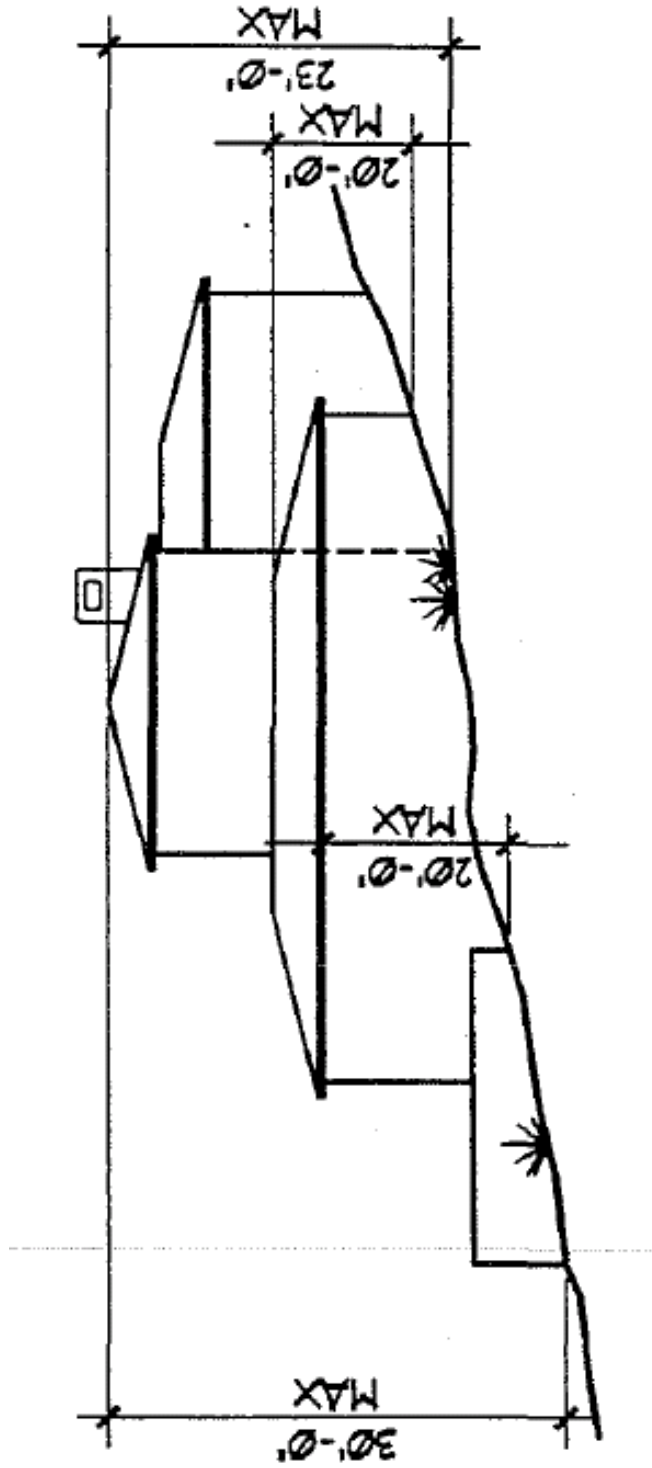


Exhibit 4.3(b)

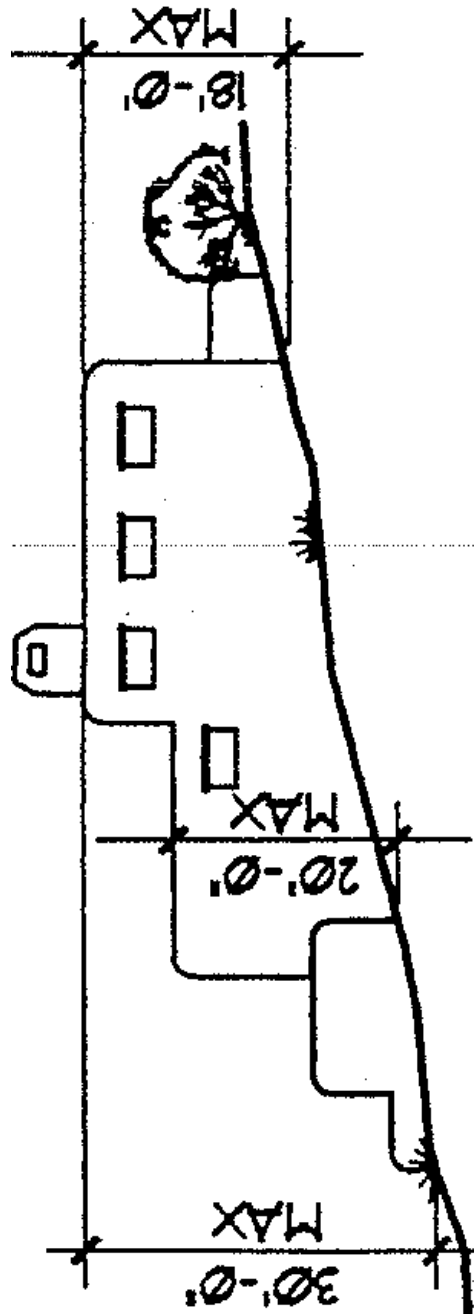


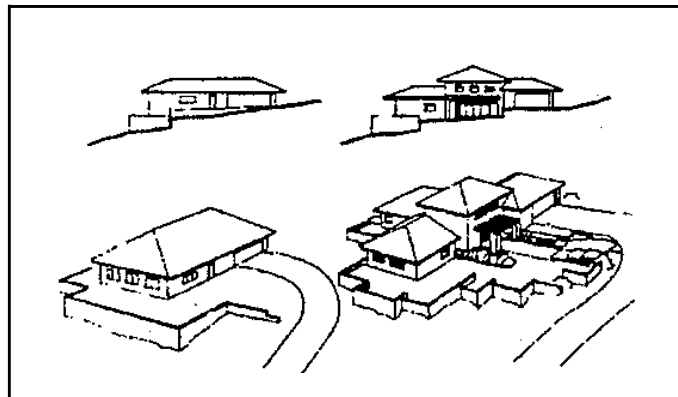
Exhibit 4.3(c)

**4.4 Building Massing and Articulation** Multiple building masses create a more interesting overall appearance by breaking up large surfaces into smaller areas. The effect of the shadows cast by the sun from one mass onto another change throughout the day and give the building a “long-distance” texture helping blend it in to its background of boulders, bushes, and trees.

Each building shall be comprised of at least three distinct masses, visible from each elevation, with each offset from the other by at least 2’ vertically and horizontally. Pitched roofs must also present at least three distinct masses as described above. Avoid long uninterrupted ridge or eave lines and the appearance of a “lid” on a box.

The purpose of these provisions is to avoid large box-like shapes which contrast with the character of the desert landscape. In addition to plans which step with the terrain, all elevations are expected to incorporate deep set windows, trellises, piers, terraces, garden walls or other forms of setbacks and architectural devices which break the massing into smaller elements and add the richness of shade and shadow.

Generally, all two-story homes must incorporate single-story masses around their extremity to reduce their scale. Compose the elevations and massing so that the viewer’s eye is led smoothly from the ground up to the highest point of the building, then back to the ground, remembering that foundations and site walls form part of the overall compositions. For example, the homes depicted on the left side of Exhibit 4.4 are not acceptable. The homes on the right are designated to conform into this guideline.



**Exhibit 4.4**

**4.5 Elevations** Care should be given to the size, type, and organization of all windows and doors. All windows and doors shall be deeply recessed into the wall to give an impression that the wall is thick and massive. This, along with substantial massing, gives a sense of visual strength and avoids the appearance of “holes” cut into the side of a box. Thin styrofoam “pop- outs” around doors and windows do not add to visual strength and should be avoided. Deep, substantially framed recesses or surrounds are preferred.

The shape or style of the window should be generally consistent on all sides of the home with

similar treatment of heads, jambs, and sills used consistently to achieve visual or stylistic integrity.

Chimneys are an important element in the home's composition and should be consistent with the overall theme. Chimneys shall be built out of an approved exposed masonry or have a stucco finish. The minimum cross sectional dimension of the chimney above the roof shall be 24" x 48"; however, larger dimensions may be required in keeping with the overall massing of the home. No exposed metal fireplace flues or spark arresters will be permitted.

Care should be taken in achieving visual strength of all supporting elements (columns, piers, etc.), spanning elements (beams, spandrels, headers, etc.), and freestanding or self-supporting elements on all sides of the home.

**4.6 Cantilevers and Projections** If the use of any type of cantilevered, supported or projected construction is anticipated, the view from below must be considered. The submission must clearly show that the exposed underside presents a finished appearance and that the design creates no visually awkward conditions, nor areas which cannot be properly landscaped or maintained.

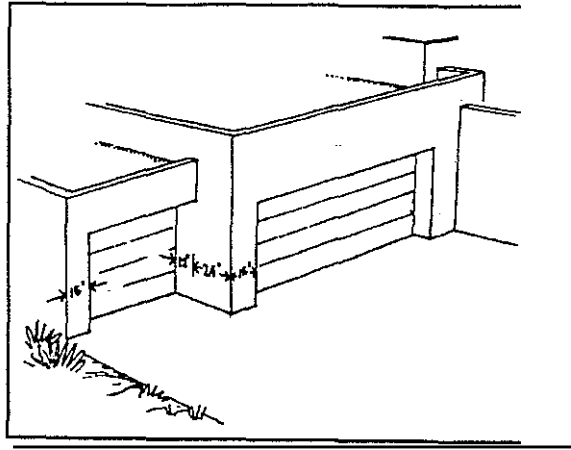
All cantilevered construction, building projections, including window surrounds, fireplace masses, balconies, terraces, building and site walls, must occur within the Building Envelope.

**4.7 Garages** The use of side entry garages is encouraged. The garage should be no more than three (3) bays in width if the garage is facing the street. Single or double width garage doors are recommended because of their smaller scale; 18' x 8' is the maximum allowable door size. The door shall be a minimum four-panel design and any windows or other features in the doors shall be consistent with the theme and style of the home.

The third bay must be offset from the double bay by at least two (2) feet and the garage door must be setback from the face of the exterior wall by at least 12" and the width of the walls or jambs on either side of each door must be at least 15" (See Exhibit 4.7).

The color of the door should complement that of the adjacent walls and be somewhat darker so that the doors visually recede. We strongly discourage the doors from matching adjacent walls and prohibit them from being lighter.

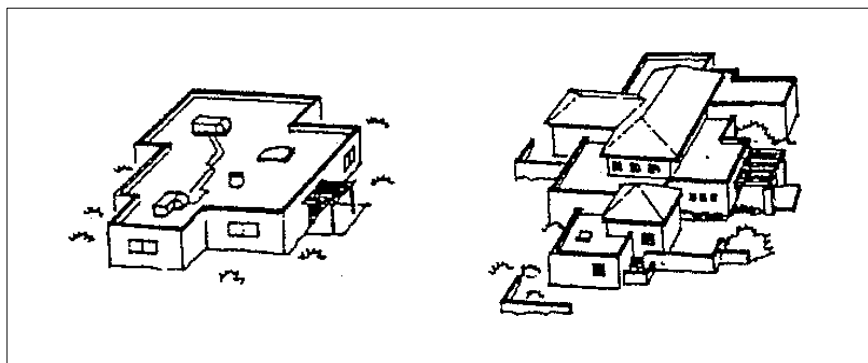
R.V. garages requiring doors over 8' in height may not be visible from the street and the building mass created must be well integrated into the overall massing and composition of the home.



**Exhibit 4.7**

**4.8 Roofs** Roofs are perhaps the single most important element of any home, particularly those within Tapestry Canyon, because most of the roofs will be viewed from above. It is very important, therefore, that all roofs be dark and non-reflective and they appear well arranged, uncluttered by equipment and that they present an interesting and well massed form. Both pitched and “flat” or parapetted roofs are allowed as are well balanced combinations of the two. Large unrelieved roof areas, either pitched or “flat,” are prohibited, as shown on the left in Exhibit 4.8. The home depicted on the right in Exhibit 4.8 is a good example of combination of pitched and flat roofs. Remember that pitched roofs are generally more attractive than “flat” when viewed from above and “flat” roofs are generally less conspicuous when viewed from street level or below.

Cluster all vent stacks, flue caps, exhaust fans and skylights to minimize clutter. Locate these items near or behind parapets to screen them from view, or if they must be located near the center of a roof area, a screening parapet must be provided. Study the appearance of the roof and the visibility of all roof accessories to minimize their impact on neighboring properties.



**Prohibited**

**Encouraged**

**Exhibit 4.8**

#### 4.8.1 Pitched Roofs

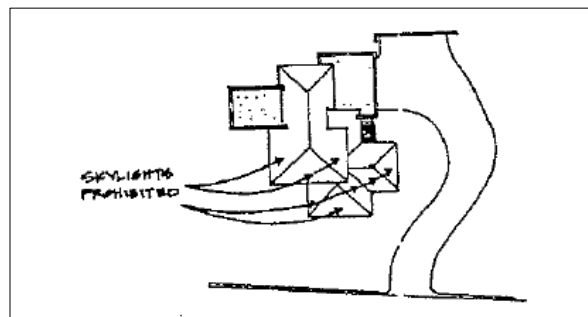
- Must be hipped. Only minor accent gables are allowed (maximum area of accent gable= 15 S.F.).
- No clipped hips or ridges.
- Minimum pitch of 3.5 in 12.
- Maximum pitch of 5.0 in 12.
- Approved flat concrete tiles with textured surfaces are allowed.
- Must be finished in a textured, low-sheen material with a maximum light reflective value of 30%.
- Asphalt shingles and rolled roofing materials are prohibited.
- All roof tiles must be variegated. No solid colors will be allowed.
- Blends of variegated tiles are encouraged.
- The objective is to minimize reflectivity and glare through the use of colors and shapes that will blend the roof with the color and texture of the desert landscape.
- No mechanical equipment of any kind may be located on a pitched roof.

#### 4.8.2 Flat Roofs

- Must be positively sloped to drain (minimum slope 1/4" per foot, 3/8" per foot recommended).
- Must be finished in a low-sheen, textured material with a maximum light reflective value of 40%.
- Rolled roofing materials must be ballasted or otherwise finished as required above.
- Unless otherwise authorized by law, all mechanical equipment, antennas, and solar equipment must be ground mounted and screened from view.

**4.8.3 Skylights and Clerestory Windows** Light emanating from interior spaces through skylights and clerestory windows can cause glare and light pollution at night. Take care to shield interior lighting away from these areas to minimize their brightness at night.

- Skylights are prohibited on sloped roofs facing the street or on the front half of any sloped roof facing a side yard.
- All skylights, where permitted, must be tinted gray or bronze with the metal parts painted to match the roof. Clear or white skylights are prohibited.



**Exhibit 4.8.3**

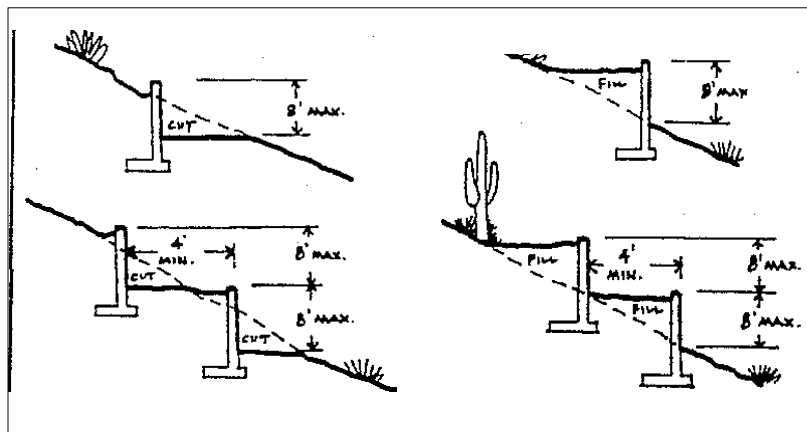
**4.9 Site Walls** Where lots, such as those in Tapestry Canyon, require site specific solutions, the planning and design of exterior improvements is just as important as that of the living space itself. On sites such as these, the site plan and floor plan must be developed together as a seamless living area. The entire site and building must present one well-integrated composition that nestles into the site and blends with the desert setting. This will generally involve a variety of walls that do not enclose building space and, thus, they are called “site walls.”

Site Walls - General Requirements All site walls must be of the same character, finish, and color as the main structure unless approved by the Design Review Committee. All site walls should appear as integral extensions of the house. In no case shall any wall or its footing occur outside the Building Envelope. Furthermore, adequate construction access for men and machinery must be provided between the construction fence located on the Building Envelope and the site wall.

Site walls, fences, berms or landscape may coincide in places with the Building Envelope, but must never simply delineate the entire envelope. All walls must be offset at least 16” every 50’.

**4.9.1 Retaining Wall:** A wall that holds back earth on one side. A “fill” retaining wall is exposed to neighboring properties. A cut retaining wall is exposed to the subject lot (and can also be visible to neighboring properties depending upon conditions).

- The maximum uninterrupted height of any retaining wall is 8’-0” measured vertically from grade to the top of wall at any point along the wall. At “fill” retaining walls, the grade shall be natural undisturbed grade; at “cut” retaining walls, grade shall be “finished” grade (See below).
- If the total retained condition exceeds 8’-0”, the walls must be broken into multiple walls set apart a minimum of 4’-0” horizontally and planted with native material.

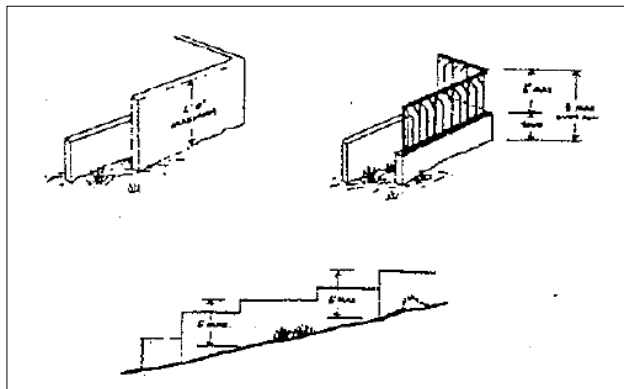


**Exhibit 4.9.1**

**4.9.2 Fence:** A wall or other enclosing device intended to define the perimeter of an exterior yard or pool area.

- The maximum uninterrupted height of a fence, if solid, shall be 6'-0" from finished grade to top of wall.
- If a combination of solid base and transparent above, 8' overall with a maximum of 4'-0" solid.
- In no case shall the transparent fence portion exceed 6' in height.

*Phase I*, Lots 1-13 and 16-18 are subject to a wall sharing agreement to the extent their property walls are constructed on a property line. See Declaration of Covenants, Conditions and Restrictions for Tapestry Canyon for details.



**Exhibit 4.9.2**

**4.9.3 Screen Walls:** Walls placed in yards for the purpose of screening cars, equipment or other items from view.

- The minimum height of a screen wall in the front yard is 3'-0" and the maximum height of a screen wall in a front yard is 4'-0".
- The maximum height of screen walls in other locations is 6'-0" unless otherwise approved by the Design Review Committee.

**4.9.4 Pool Fences/Barriers:** The height and construction of all walls surrounding pools must comply with applicable City of Phoenix regulations.

**4.10 Patios and Courtyards** Patios and courtyards should be designed as integral parts of the residence in order that they can be shaded and protected from the sun by roofs and building masses. These open areas can take advantage of natural air flows to produce cooler temperatures. By orienting such outdoor spaces inwardly, disturbance of the desert will be minimized.

**4.11 Guest Houses** A guest house may be constructed within the Building Envelope of any Lot with approval from the Design Review Committee. The guest house must be designed to appear as a single visual element with the residence, and should be visually related to it by walls, courtyards or major landscape elements. The guest house must comply with City of Phoenix

zoning regulations.

**4.12 Exterior Materials and Colors** Exterior surfaces must generally be of materials that harmonize with the natural landscape. Textured masonry, painted slump block, or stucco should be the predominate exterior surface. Large expanse of wood will not weather well in desert conditions and will not be approved. Generally acceptable sloping roof materials include: flat colored concrete tile, flat terracotta tile, mission tile or standing seam copper, which must either be oxidized to a blue-green color or accelerated to the deep brown range. Shiny or lacquered copper, cedar shingles and shakes will not be permitted. All roof materials (including those listed) are subject to final approval by the Design Review Committee.

No highly reflective finishes except glass (which may not be mirrored) shall be used on any exterior surfaces.

All roof and wall colors must be muted tones selected to blend with the natural colors of the vegetation and mountains as seen from a distance. Darker, rather than lighter colors, are preferred and may be required. White and bright primary colors are not permitted. Lighter or darker accent colors may be used subject to Design Review Committee approval on an individual case-by-case basis. In general, the color of all flat roofs should be at least as dark or darker than the building walls or the general tone of the ground plane, whichever is the darker of the two.

In no case should the roof color unduly contrast with the color of the building walls. The maximum light reflective value of any major wall *or roof* color or surface shall be LRV 40. At the discretion of the Design Review Committee, it may be necessary, as part of the submission, to erect on the site one or more sample test color panels not smaller than 16 square feet in area.

All grilles, flashings and other miscellaneous exterior items including, but not limited to, vents, gutters, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the adjacent surface unless otherwise approved by the Design Review Committee.

No material or color change should ever occur on an outside corner. The technique of “shirt fronting” of masonry veneer or stucco will not be permitted. Material changes are most successful when made as part of a larger offset, for example, at a masonry pier or recessed window.

High contrast trim or material variations should be avoided in favor of those which blend all elements. For example, dark brown half-timber trim or white New England trim are not in keeping with the desert Southwest character of Tapestry Canyon.

**4.13 Miscellaneous Provisions** All propane tanks, water tanks, or similar storage facilities shall be located underground with all visible projections screened from view. Tanks for the storage of gasoline or diesel fuel are not permitted. Satellite dishes must be screened so they are not visible from neighboring property and should be installed as ground mounted equipment. Satellite dishes shall be painted in natural desert colors to match the color palette of the home. Antennae are prohibited.

All above-ground garbage and trash containers, mechanical equipment and other outdoor maintenance and service facilities must be screened by walls from other lots, streets, or public

spaces. Electric meters must be recessed into a wall and/or concealed behind a hinged panel in a form acceptable to the utility company; however, when a hinged panel is used, it must blend with the surrounding wall.

## **5.0 LANDSCAPING AND IRRIGATION**

---

**5.1 Landscape Design Philosophy** The landscape design for each lot should seek to blend the residential structure with the existing desert terrain. Each lot, with its unique topography and vegetation, will require a comprehensive design review to accomplish this goal.

As required for Final Design Approval (See Section 6.6), landscaping and irrigation drawings shall be prepared in sufficient detail to indicate the installed size, placement and character and name of all elements. The philosophy of the Guidelines is to ensure that as each lot is finished it becomes a coordinated element of an overall street scene. To that end, the landscape plan must be integrated with whatever is known concerning the surrounding properties. The Design Review Committee will look for sensitive treatment of all areas inside the building envelope as well as a design which blends with the natural surroundings. Plant material should be used to reduce the scale of high walls and wherever possible, help to integrate the residence into desert.

The Street Zone of each lot is critical to the overall streetscape appearance of Tapestry Canyon. Certain lots within Tapestry Canyon, which have been scarred by construction activities, will require extensive supplemental planting to create a unified and attractive streetscape. Supplemental planting may also be required in areas where the existing natural vegetation is lush and scarring has not occurred. The Street Zone of each lot will be treated according to its unique existing conditions in order that the goal of creating a unified streetscape within Tapestry Canyon can be achieved.

**5.2 Approved Plant List** Approved plants are described in Appendix A. Plants from this list shall be used in the Transitional Area of each lot. Plants that are compatible with the indigenous plant life may be used in the Natural Area where revegetation is required, subject to approval by the Design Review Committee. Any plant may be used in the Private Area of a lot except those plants listed in Appendix B.

**5.3 Prohibited Plant List** Regardless of location, all plant material set forth in Appendix B (and any related varieties) is prohibited in Tapestry Canyon.

**5.4 Native Plants** Native trees of 4" caliper or more and cacti species 6' or taller are to be protected. If at all possible, improvements should be sited to avoid them. Salvaging of native plants disturbed by construction is required. Native trees over 4" in caliper and in good health must be identified, boxed, and reused on site. Native cacti shall be salvaged and reused on site. The Native Plant list is included in Appendix C.

**5.5 Landscape Requirements for Phase I Lots 1 - 8 and 17** Because of the mass graded nature of these lots, special landscape requirements are required of each home owner. These

requirements are intended to bring about a unified, lush Southwest theme streetscape which is different, yet complements, the native landscape of the envelope lots.

The following descriptive plan is meant to define landscape areas and features:

Drainage patterns and conditions have been established for all lots. See Section 3.1

Aesthetic contouring of the front yards is required. Gentle mounding, terraced elevation changes, and contouring must coordinate with drainage patterns, and should be designed to enhance the residence's setting and landscaping. Slopes shall not exceed 3' in height with a 3:1 slope ratio. There shall be smooth transitions to adjacent grading.

The street zone landscape is a critical element in the overall aesthetic of the neighborhood. The Design Review Committee will require sensitive, coordinated, and functional street zone landscapes.

The street zone landscape area shall be determined by multiplying the lot width by the distances from curb or sidewalk to the building face and side yard walls. This area shall include walks, and courtyards, but not driveways.

Trees shall be selected from the Approved Plant List and planted at the rate of one tree per 600 square feet of street zone landscape area. At a minimum, each front yard shall have five (5) 24" box trees. Trees should be planted to provide shade, screen and soften wall surfaces, and accent the architecture of the residence. Shrubs and groundcovers shall be planted in adequate quantities to soften the transition from building to ground, accent courtyard walls, provide accent and color at entry paths, and soften large areas of granite. Shrubs and groundcovers should be planted in pleasing groupings which are in harmony with their respective growth characteristics. Shrubs shall be selected from the Approved Plant List and planted at a rate of one (1) five gallon shrub per 100 square feet of street zone landscape area, and one (1) one gallon shrub per 75 square feet of street zone landscape area. As a minimum, there shall be thirty (30) five gallon shrubs and forty (40) one gallon shrubs. Approved headerboard materials should separate and define planting areas of contrasting elements, i.e.; turf from granite, and shrubs from turf.

As a maximum, only 40% of the lots' total landscape area may be turfed. However, small accent or oasis areas of turf are encouraged of which at least 60% of this turf shall be in the rear yard. Turf areas shall be set back a minimum of 10' from any street curb, neighboring property, or public sidewalk and shall be gently contoured and of an irregular shape. If turf is utilized, it shall be maintained in a "green" condition year round. Overseeding is required. Turf shall be contained by an approved headerboard material.

Native and specimen cactus are encouraged to be planted in the arid portions of the street zone. A mature saguaro (10' min. height) can be substituted for one 24" box tree in the front yard requirements. Other cactus specimens can be substituted or added to the shrub planting requirements. Cactus varieties shall comprise a maximum of 1/3 of the required shrub plantings. Cholla cactus varieties are specifically prohibited in front yard plantings. Cacti shall not be planted in turf areas.

All yard areas (except turf) shall receive a covering of decomposed granite or Foothills natural rock. Granite shall be no larger than 1” minus and be of natural color to match the area. Samples must be submitted for approval prior to installation. Granite areas shall be kept in a neat and weed free manner. Accent areas of boulders and mounding are encouraged. Specifically prohibited are: colored stone, cinders, formal geometric patterning, and common gravel. Design coordination between neighbors is encouraged. Similar grading, granite, and plant materials can be utilized so one landscape flows into another. If a physical separation is required or granite is different colors, headerboard materials, garden walls, etc. shall blend with the landscape and home architecture. Specifically prohibited are 2 x 4 wood headerboards, above grade railroad ties, vertical wood poles, scalloped shape precast concrete elements, or similar elements.

Two points of access driveways are allowed for this group of lots. Driveways, walks, and courts shall be of rough finish colored concrete which blends with the selected home and granite color. Colored precast pavers, colored exposed aggregate concrete, and colored “patterned” concrete are encouraged as drive and walkway materials. Specifically prohibited is natural or grey concrete, smooth concrete finishes, and painted concrete.

Landscape lighting must conform to the zoning stipulations for Tapestry Canyon. See Section 3.9 for requirements and prohibitions.

Rear yard landscape shall utilize plants from the Approved Plant List and must be installed within six months of receipt of Certificate of Occupancy.

Shrubs shall be selected from the Approved Plant List. At least one (1) five-gallon shrub for each 100 feet of side yard, and one (1) one-gallon shrub for each 100 feet of side yard shall be selected.

#### **5.6 Street Zone Side Yard Requirements for Phase I Lots #4, 6, 8, 9, 17, and 18**

Because of the nature and shape of these lots, special landscape requirements are necessary. Trees shall be selected from the Approved Plant List and planted at the rate of the greater of one (1) 24” box per 600 square feet, or one (1) 24” box per 30 lineal feet of side yard abutting a street. They shall be planted in an irregular spacing and in informal groupings. Trees shall be minimum 24” box size. Shrubs shall be selected from the Approved Plant List. At least one (1) five gallon and at least one (1) one gallon shrub shall be planted for each 5lineal feet of side yard. All areas shall be covered with approved decomposed granite. (See Section 5.5).

Walls in the street zone of these lots require special design consideration because of their impact on the street scene. See section 4.9 for wall design criteria.

#### **5.7 Landscape Requirements for Natural Area Envelope Phase I and all Phase II Lots**

Because of the lots’ unique landform and Sonoran native vegetation, Building Envelopes have been established to preserve the majority of the site in its present undisturbed state, refer to Section 2. The following requirements are intended to establish landscape revegetation criteria for blending new residences into the fabric of the existing desert landscape and establish landscape criteria for the oasis and use areas of the residence. No physical construction or grading is permitted outside of the building envelope except for driveway access to the street.

Native trees of 4” caliper or more and cacti species 6’ or taller are to be protected. If at all possible, improvements should be sited to avoid them. Salvaging of native plants disturbed by construction is required. Native trees and cacti over 4” in caliper and in good health must be identified, boxed, and reused on site.

The following descriptive plan is meant to define landscape areas and features:

The area outside the building envelope shall remain in its natural state. Grading, construction vehicles, storage of building supplies, etc. are expressly prohibited outside the building envelope. If any damage occurs, the homeowner will be required to return the disturbed area to its original condition. Any areas of undisturbed or previously scarred natural area that the homeowner wishes or is required to enhance shall be done with the use of native plants. See Native Plant List, Appendix C, for approved trees, shrubs, and groundcovers. Plantings will be limited to the addition of trees, cactus, or shrubbery to screen or accent site and/or off site features or to cover bare or previously scarred areas.

No permanent irrigation will be permitted outside of the building envelope. Watering of enhancement plants will be by hose or other approved temporary, above ground methods. No trenching will be permitted. Hoses, if utilized, shall be stored out of view. Temporary irrigation must be removed after establishment period.

The transition zone is defined as the area of the building envelope which has been disturbed or impacted by construction. The transition zone will require careful planning and execution of landscape design.

The general concept of revegetation is to blend the residence into the native desert utilizing the same varieties and densities of plant materials adjacent to the building envelope.

Trees shall be selected from the native plant list and planted at the rate of one (1) 42” box tree per 600 square feet of transition zone landscape area; or three (3) 42” box trees (or large) and two (2) 36” box trees (or larger) shall be planted, whichever is greater.. Transition zone area shall be calculated by multiplying the building envelope width by the distances from the street side envelope line to the building faces. Credit will be given for existing plant material in good condition.

Shrubs and groundcovers shall be selected from the native plant list shall be planted to adequately blend disturbed area into undisturbed area and soften walls, graded areas, etc. Planting shall reflect the size, type, and density of the undisturbed areas of the site. As a minimum, there shall be forty (40) five gallon shrubs, shall be planted in the front yard transition zone disturbed area.

Native soil shall be fine graded and contoured to blend with the envelope boundary. Native rock can be utilized to create or continue drainage ways. The use of native boulders is encouraged as accents and for grade changes in place of retaining walls. Native wash areas should remain in their natural state. Additional accent elements of gentle contouring and cacti are encouraged.

Driveway materials must be of low reflectivity, such as approved integrally colored exposed aggregate concrete or colored exposed aggregate concrete. On driveways with less than 1% grade, where visibility of the surface is minimized by walls or vegetation, the use of natural materials such as stabilized granite may be approved. Construction scarring of areas adjacent to the drive shall be revegetated with the same plant varieties and densities that exist in the adjacent natural areas.

Within the transition zone, the development of enclosed courtyards is encouraged. These courtyards provide privacy from the street, additional architectural expression, and create a transition from the desert exterior to the home's interior. Courtyards can be landscaped as an oasis by utilizing elements such as water, turf, and lush plantings. Non-native plant varieties can be utilized if their mature height is less than the adjacent courtyard wall. Only native trees can be utilized in courtyards. Turf if utilized in courtyards should not be visible from the street.

Rear yard landscape within the building envelope is encouraged to provide both lush private areas and Sonoran Desert zones. Private areas may include turf, pool areas, paved terraces, and lush plantings. Private areas, pools, decks, walls, fences, and patios are to be in harmony with the site's gradient.

Fencing of pools and private areas must be carefully designed to provide smooth and harmonious transitions from natural to developed areas. Refer to Section 3.6 for requirements.

Side yards within the building envelope are usually unfenced and revegetated to match the adjacent natural area. If side yards are fenced to create private areas, the same landscape criteria applies as stated in Section 5.7 shall apply. Outside the wall, the area shall be revegetated to the same varieties and densities as the adjacent undisturbed area.

All mechanical equipment shall be screened. See Section 4.13.

Side yard setbacks shall be 15' except for the shared property line between Lots 12 and 13, which shall be 10' each.

**5.8 Landscape Requirements for Hybrid *Phase I* Lots # 9, 16, and 18** Because of these lots' combination of both graded pads and ungraded natural areas, and the presence of Building Envelopes, special requirements are necessary. The intent of the standards for these hybrid lots is to preserve the native vegetation areas where it occurs on the site and allow the graded portion of the site to be developed and landscaped in either a native revegetated them, or as outlined for the street zones of *Phase I* Lots 1 - 8 and 17.

The Building Envelope concept applies to these lots, see Section 2. No construction activity is allowed in the natural areas outside of the envelope. Native areas will be required to be fenced during construction along the Building Envelope line.

Yard areas outside the building envelope that have been mass graded can be utilized for construction activity and do not require a fence.

Street zone landscape criteria is the same as for *Phase I* Lots 1 - 8 and 17, or the yard may be completely revegetated to the standards as described in Section 5.7.

Rear yard criteria is the same as for *Phase I* Lots 1 - 8 and 17 within the building envelope, see Section 5.6. Outside the envelope, the criteria shall be the same as for all native lots. See Section 5.7.

View fencing along the rear envelope line is permitted. Refer to Exhibit 4.9.2.

Fenced side yards are required on the lot lines separating Lots 9 and 10, 10 and 11, 11 and 12, 12 and 13, 16 and 17, 17 and 18, and a portion of *Phase I* Lots 16 and 18. Fencing shall be as described in Section 4.9. All walls are subject to the wall sharing agreement. See the Declaration of Covenants, Conditions and Restrictions for Tapestry Canyon for the wall sharing requirements.

## 6.0 REVIEW AND APPROVAL PROCESS

---

**6.1 Overview** For the initial home construction, or any modifications, color changes or additions to the original structure, or construction of new structures, the applicant is responsible for obtaining formal written approval from the Tapestry Canyon Design Review Committee, The Foothills Community Association and the City of Phoenix. **ALL APPROVALS MUST BE SECURED BEFORE ANY IMPROVEMENTS OR ALTERATIONS ARE MADE TO THE PROPERTY.** Failure to secure approval from the Design Review Committee could result in the levy of a fine up to \$5,000.00 and/or the removal or reconstruction of any unapproved improvements or alterations, in addition to other legal rights and remedies Tapestry Canyon may pursue.

In order to minimize conflicts with City of Phoenix approvals, the Tapestry Canyon Review and Approval Process shall be initiated by the applicant and carried to a general level of acceptance prior to making a submission to the City of Phoenix. Since the design review procedures are independent and differ in their intent from those of the City, approval by the Design Review Committee is separate and distinct from City of Phoenix approvals.

Design Review by The Foothills Community Association is also required. It is recommended that the lot owner apply for and obtain approval by the Tapestry Canyon Design Review Committee before submitting to the Master Association.

This Review and Approval Process was adopted by the Board of Directors of Tapestry Canyon Community Association in accordance with A.R.S. § 33-1817. This Review and Approval Process supersedes any conflicting provisions of the Association's Declaration, Articles, Bylaws, Design Guidelines, or other community documents (collectively, the "Governing Documents"). To the extent consistent herewith, all other provisions of the Governing Documents not set forth herein shall remain in full force and effect.

Pursuant to Section 3.1.2 of the Tapestry Canyon Declaration, in the event the Design Review Committee fails to approve or disapprove an application for approval within thirty (30) days, after the application, together with any fee payable, and all supporting information, plans and specifications requested by the Design Review Committee (collectively, the “Application”), have been submitted to the Design Review Committee, approval will not be required. For purposes of compliance with this provision, the Application will be considered “submitted” when received by the Design Review Committee. Incomplete Applications, or Applications otherwise not compliant with any of the Governing Documents, including these Design Guidelines, shall not be considered “submitted” for purposes of this provision, and shall not be subject to the default approval set forth herein.

For purposes of complying with A.R.S. § 33-1817(2), “new construction of the main residence” (“New Construction”) means and refers to construction of a principal Residential structure for occupancy on a lot (“Residential Unit”), as that term is defined in the Tapestry Canyon Declaration.

For purposes complying with A.R.S. § 33-1817(2), “rebuilt of the main residential structure” (“Rebuilds”) means and refers to reconstruction resulting from the demolition or destruction of 50% or more of the existing principal Residential Unit, as well as issuance of a permit from the City of Phoenix.

For purposes of complying with the Governing Documents, all other improvements, alterations, additions or modifications to an existing Lot or Residential Unit shall be referred to in this Review and Approval Process as a “Modification.”

**6.2 Pre-Design Meeting** To initiate the Review and Approval Process, a Pre-Design Meeting may be requested. Please contact the Association’s Management Company to be placed on the agenda for the next regularly scheduled meeting of the Board of Directors. **The following rules apply to all New Construction and Rebuilds of a Residential Unit:**

**6.2.1 SUBMISSION OF PLANS/DESIGN REVIEW MEETINGS**

1. Submit Plans to: Tapestry Canyon Community Association  
c/o Vision Community Management  
16625 S Desert Foothills Pkwy  
Phoenix, AZ 85048  
Phone: 480-759-4945
  
2. Security Deposits/Design Review Fees. All plan submissions shall include two (2) checks (include lot number on each check):
  - A. Security Deposit: One \$3,000.00 check made payable to “Tapestry Canyon Community Association - Construction Security Deposit”.

- B. Design Review Fee: One \$1,900.00 check made payable to “Michael Hilgers, RA” This non-refundable design review fee in the amount of \$1,900.00 is also required with the plan submittal to defer the costs of the Association in considering any requests for approvals. If required changes are not made on resubmitted plans or additional construction meetings are necessary, then additional fees will be charged.
  - C. The Association will place the security deposit in a trust account, in an FDIC insured financial institution, with the following instructions:
    - (i) The cost of the trust account shall be shared equally between the Association and the Member.
    - (ii) If the construction project is abandoned, the Board of Directors may determine the appropriate use of any deposit monies. Projects that are not completed within the two (2) year City of Phoenix requirement will be considered abandoned.
    - (iii) Any interest earned on the refundable security deposit become part of the security deposit.
  - D. The Association is not required to use an interest-bearing trust account.
  - E. The Association shall not be required to open a separate trust account for each security deposit.
3. Fill out and submit the Tapestry Canyon Construction Fee form for the Tapestry Canyon Design Review Committee (“Committee”).
4. There are two submittals during the review process: a Schematic Submittal to review the site plan in case variances are required, and then a Final Submittal for compliance with the Guidelines. All plans shall be submitted in duplicate and PDF format.
- A. Schematic Submittal must include:
- (i) Topographic Survey as required for the Pre-Design Meeting.
  - (ii) Site Plan/Floor Plan(s) at 1/8" = 1'0" showing the Building Envelope, all site improvements, including utility routing, proposed grading, and proposed floor elevations.
  - (iii) Site sections at 1/8" = 1'0" at 20' intervals through all improvements.

Show all heights in relation to natural grade. Show all proposed cuts and fills in a clear graphic delineation.

- (iv) Elevations of all sides of the building, showing all site improvements (i.e., retaining walls, planters, etc.). Show all natural grade lines and proposed new grades.
- (iv.) Roof Plan, showing all roofs, flat or sloped, as well as any screened roof top equipment, integrated solar panels or skylights. Spot Elevations related to finish floor, finish grade and existing grade, shall be shown for the top of all ridges, parapets, etc.

B. Final Submittal must include the above items as well as:

- (i) Complete construction documents and specifications, including routing and meter locations.
- (ii) Samples of all building materials and color board on 11" x 17" foam board; include an elevation identifying textures and color.
- (iii) Cut sheets of all exterior lighting.
- (iv) Detailed landscaping and irrigation plans.

5. Final Design Approval Meeting. The Association or the Committee will hold a final design approval meeting for the purpose of issuing approval of the plans, and the Member or Member's agent will have the opportunity to attend the meeting.

A. If the plans are approved, the Association's Committee representative will provide written acknowledgement that the approved plans, including any approved amendments, are in compliance with all Governing Documents in effect at the time of the approval and that the refund of the deposit requires that the construction be completed in accordance with the approved plans.

6. The Design Review Committee will respond within 30 days to each submittal process. The Committee meets at regularly scheduled times usually every other month. If you have questions contact the Community Manager to be added to the Agenda. The Committee may also provide a preliminary and a final checklist of items requiring submission or missing.

7. Once Tapestry Canyon approval has been achieved, all plans must be submitted to:

The Foothills Community Association  
c/o Premier Community Management  
3930 S. Alma School Rd., Ste. 10  
Chandler, AZ 85248  
Phone: 480-704-2900

8. You are now ready to submit to the City of Phoenix Hillside for building approval and permits.

### **6.2.2 DURING CONSTRUCTION - ONSITE FORMAL REVIEWS/INSPECTIONS**

1. On-Site Formal Reviews. At least two (2) on-site reviews during construction will occur for the purpose of determining compliance with the approved plans. The Member or Member's agent may attend both reviews.
  - A. Within five (5) business days after the formal reviews, the Association will provide a written report to the Member or Member's agent specifying any deficiencies, violations or unapproved variations from the approved plans, as amended, that have come to the attention of the Association.
  - B. Within thirty (30) business days after the second formal review, the Association will provide the Member a copy of the written report specifying any deficiencies, violations or unapproved variations from the approved plans, as amended, that have come to the attention of the Association.
    - (i) If the written report does not specify any deficiencies, violations or unapproved variations from the approved plans, as amended, that have come to the attention of the Association, the Association shall promptly release the deposit monies due to the Member.
    - (ii) If the written report identifies any deficiencies, violations or unapproved variations from the approved plans, as amended, the Association may hold the deposit for one hundred eighty (180) days or until receipt of a subsequent report of construction compliance, whichever is less (unless the deposit has been forfeited by non-compliance).
    - (iii) If a report of construction compliance is received before the 180th day, the Association will promptly release the deposit monies to the Member.
    - (iv) If a compliance report is not received within 180 days, the Association will release the deposit monies from the trust account to the Association.
2. Informal Meetings/Reviews. The Committee reserves the right to have additional informal meetings, in its discretion, which it deems necessary during the construction process. The design review fee will be billed at \$85.00 per hour with a two (2) hour minimum for such meetings.
3. Neither the approval of the plans nor the approval of the actual construction by the

Association or the Committee shall constitute a representation or warranty that the plans or; construction comply with applicable governmental requirements or applicable engineering, design or safety standards. The Association in its discretion may release all or part of the deposit to the Member before receiving a compliance report. Release of the deposit to the member does not constitute a representation or warranty from the Association that the construction complies with the approved plans.

4. Nothing contained herein shall otherwise limit the Association's rights and remedies at law or in equity with respect to noncompliance of the Governing Documents, including the ability to impose fines and penalties, and take any other legal action the Association deems necessary.
5. By submitting plans for review and approval, owner is representing to the Association that the plans are in compliance with the Governing Documents, and further subsequent construction is likewise in compliance with the Governing Documents.

### **6.3 EXISTING HOME MODIFICATIONS**

If you are making a Modification to your Lot or existing Residential Unit and the change is visible by one or more neighbors, then the change must be submitted to the Design Review Committee. Modifications to the main residential structure on a lot are subject to the requirements above, unless the Board or Committee grants any variances. The Committee generally meets every other month. If you need to discuss a change or an idea, please call the Community Manager to be added to the agenda.

**6.4 Fines** *In the event any owner fails to comply with the provisions of these Design Guidelines, the Design Review Committee may recommend to the Board of Directors of the Tapestry Canyon Community Association to issues a fine for non-compliance, which may be deducted from the security deposit.*

## **7.0 CONSTRUCTION PHASE**

---

**7.1 Grading** Construction may commence after Final Design Approval has been granted by the Design Review Committee and approvals have been obtained from The Foothills Community Association and the City of Phoenix. Once construction begins and the site is disturbed, it is assumed that all work will continue in a timely manner until completed and fully landscaped.

In the event a lot is graded and construction of the residence does not commence within six months, the Design Review Committee has the right to revegetate the lot at the Owner's expense.

Should the construction of a residence be delayed or interrupted, the Design Review Committee may, at its sole discretion, require that all disturbed areas be revegetated pending a newly approved plan and schedule of completion.

Zoning stipulation #22 for The Foothills Planned Community Development limits the amount of area that can be graded to an amount equal to 6,000 square feet or 20% of the lot, whichever is less, outside the hard roof line (livable area, garage, covered patio). The area in the 'pole' portion of the 'flag' lots is not included in this calculation. Please check with your architect to make sure he or she understands how this impacts the siting and design of your home within the building envelope.

**7.2 Construction Trailers and Portable Field Offices** Any Owner or Builder who desires to bring a construction trailer or field office to Tapestry Canyon shall first apply for and obtain written approval from the Design Review Committee. To obtain such approval, he shall submit a copy of the Site Plan with proposed locations of the construction trailer or office, the portable toilet and the trash receptacle noted thereon. Such temporary structures shall be located within the Building Envelope and shall be removed upon completion of construction.

**7.3 Fencing** To protect the Natural Area from damage due to construction operations, and to contain construction debris, a fence made of reinforcing steel posts, 8 feet high, 8 feet center to center, with heavy duty flagging tied between shall be installed, completely enclosing the Building Envelope. The fence shall have a single entrance located at the driveway entrance and shall be maintained intact until completion of construction.

**7.4 Debris and Trash Removal** At the end of each day, the Builder shall clean the construction site. Trash and debris shall not be permitted to accumulate. Lightweight material packaging and other items shall be covered or weighted down to prevent them from being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere in Tapestry Canyon or The Foothills. During construction, each site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore. In the event the Design Review Committee is required to clean up the lot and surrounding area, the lot owner shall be charged.

**7.5 Sanitary Facilities** Each builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar facilities shall be located within the Building Envelope as approved by the Design Review Committee.

**7.6 Vehicles & Parking Areas** Vehicles and machinery shall be parked within the Building Envelope or in areas designated by the Design Review Committee. Construction crews shall not park on, or otherwise use, other lots or any open space. All vehicles shall be parked so as not to inhibit traffic.

**7.7 Conservation of Landscaping Materials** Builders are to be advised that the lots and open spaces of Tapestry Canyon contain valuable native plants and other natural features such as topsoil, rock outcroppings and boulders that must be protected during construction.

**7.8 Excavation Materials** Excess excavation materials must be hauled away from The Foothills.

**7.9 Blasting** Each Owner and their Builder must take full responsibility for all blasting including obtaining all necessary blasting permits. All applicable codes, ordinances and regulations must be adhered to by the Builder.

**7.10 Restoration or Repair of Damage to Other Property** Damage and scarring to other property including, but not limited to, open space, other lots, roads, driveways, curbs, gutters, and/or other improvements resulting from construction operations will not be permitted. If damage occurs, it must be repaired and/or restored promptly. Should the Property Builder, for any reason, fail to repair any damage, the Design Review Committee will cause the remedial work to be undertaken by others at the expense of the Owner.

**7.11 Miscellaneous and General Practices** All Owners will be responsible for the conduct and behavior of their agents, representatives, builders, contractors and subcontractors while on the premises of Tapestry Canyon. The following practices are prohibited:

- Changing oil on any vehicle or equipment on the site.
- Allowing concrete suppliers, plasterers, painters or any subcontractors to clean their equipment at locations not specifically designated for that purpose by the Design Review Committee.
- Removing any rocks, plant material, topsoil, or similar items from other property within Tapestry Canyon.
- Carrying any type of firearms.
- Careless disposition of cigarettes and other flammable material. At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.
- No pets may be brought into Tapestry Canyon by construction personnel. In the event of any violation hereof, the Design Review Committee shall have the right to contact City of Phoenix or Maricopa County authorities to impound the pets, refuse to allow the Builder or Subcontractor involved to continue work on the project or to take such other action as may be permitted by law.

**7.12 Construction Access** The only approved construction access during the time a residence or other improvement is under construction will be over the approved driveway location for the lot, unless the Design Review Committee approves an alternative access route. In no event shall more than one construction access be permitted on any lot.

**7.13 Dust and Noise** The Builder and Owner shall be responsible for controlling dust, noise and music from the site.

**7.14 Construction Signage** Temporary construction signs shall be limited to one sign per site, not to exceed six square feet of total surface area. The sign shall be free-standing, properly secured into the ground, and its design and location shall be subject to approval by the Design Review Committee.

**7.15 Daily Operation** Daily working hours for each construction site shall be from 30 minutes before sunrise to 30 minutes after sunset, Monday through Friday, and Saturdays from 8:00 a.m. to 4:00 p.m. Construction is not permitted on Sundays or national holidays. Other permissible hours and times may be designated in writing by the Design Review Committee.

**7.16 Occupational Safety and Act Compliance (OSHA)** All applicable OSHA regulations and guidelines must be strictly observed at all times.

---

**APPROVED PLANT LIST**

**TREES**

Acacia abyssinica	Abyssinian acacia
Acacia craspedocarpa	Leather leaf acacia
Acacia farnesiana	Sweet acacia
Acacia pennatula	Fern leaf acacia
Acacia shaffneri	Twisted acacia
Acacia smallii	Shoestring acacia
Acacia stenophylla	White bark acacia
Acacia willardiana	Palo blanca/Acacia blanco
Acacia wukcardubba	Silk tree/Mimosa
Albizia julibrissin	Banohill saoe
Anemisis pychocephala	Caesalpinia cascalote
Caesalpinia cacalaco	Desert hackberry
Celtis pallida	Canyon hackberry
Celtis reticulata	Carob/St John's bread
Ceratonia siliqua	Blue palo verde
Cercidium floridum	Foothills palo verde
Cercidium microphyllum	Palo brea
Cercidium praecox	Mediterranean fan palm
Charriaerops humilis	Desert willow
Chilopsis linearis	Jacaranda
Jacaranda mimosafolia	Fern of the desert
Lysiloma thornberi	Desert ironwood
Olneya tesota	Mesquite
Prosopis alba	Chilean mesquite
Prosopis chilensis	Honey mesquite
Prosopis juliflora	Arizona mesquite
Prosopis velutina	African sumac
Rhus lancea	Texas mountain laurel
Sophora secundiflora	Arizona redwood
Vauquelina californica	Chaste tree
Vitex agnus-castus	

**SHRUBS**

Acacia redolens	Trailing acacia
Ambrosia deltoidea	Bursage
Atriplex canescens	Four wing salt bush
Atriplex lentiformis	Quail bush

Atriplex torryi	Nevada saltbush
Bougainvillea	Bougainvillea
Buddleja marrubifolia	Wooly butterfly bush
Caesalpinia gillesii	Yellow bird of paradise
Caesalpinia pulcherrima	Red bird of paradise
Calliandra californica	Baja fairy duster
Calliandra eriophylla	Fairy duster
Cassia sp.	Cassia
Cordia boissieri	Texas olive
Cycas revoluta	Sago palm
Dalea bicolor	Indigo bush
Dalea pulchra	Green hopbush
Dodonaea viscosa	Brittlebush
Encelia farinosa	Turpentine bush
Ericameria lariscifolius	Fire and ice
Erimophila glabera	Common winter creeper (variegated)
Euonymus fomunei (variegated)	Gopher plant
Euphorbia rigida	Evolvulus
Evolvulus nutlandieri	Japanese aralia
Fatsia japonica	Blue marguerite daisy
Felicia amelloides	Ocotillo
Fouquieria splendens	Chuparosa
Justicia californica	Desert/Mexican honeysuckle
Justicia spicigera	Creosote
Larrea tridentata	Compact texas sage
Leucophyllum frutescens 'compacta'	Silver cloud texas sage
Leucophyllum frutescens 'silver cloud'	Blue ranger
Leucophyllum zygophyllum	Waxleaf privet
Ligustrum japonicum	Classic myrtle
Myrtus communis	Heavenly bamboo
Nandina domestica	Bigelow nolina
Nolina bigelovii	Mexican primrose
Oenothera berlandieri	Penstemon varieties
Penstemon perii	Philodendron
Philodendron selloum	Wheeler's dwarf pittosporum
Pittosporum tobira 'wheeleri'	Cape plumbago
Plumbago ariculata	Indian hawthorn
Raphiolepis indica	Trailing rosemary
Rosmarinus officinalis	Baja ruellia
Ruellia californica	Ruellia
Ruellia peninsularis	Mexican blue sage
Salvia chamaedryoides	Blue lavender
Salvia clevelandii	Texas red salvia
Salvia greggii	Jojoba
Sirmondsia chinensis	African/Tropical bird of paradise
Strelitzia reginae	Tagetes lemonii

Tecoma stans  
Tecomaria capensis  
Vauquelina californica  
Verbena rigida  
Zinnia grandiflora  
Mount lemon marigold

Arizona yellow bells  
Cape honeysuckle  
Arizona redwood  
Native verbena  
Desert zinnia

## GROUNDCOVER

Aloe saponaria (red)  
Antionon leptopus  
Aspidistia elatior  
Atriplex sermibaccata  
Baccharis centennial  
Baccharis pilularis  
Baileya multiradiata  
Carissa grandiflora 'boxwood beauty'  
Convolvulus mauritanicus  
Dalea greggii  
Eriogonum fasciculatum  
Ficus parnilave repens stipulat  
Gazania rigens  
Hardenbergia violacia  
Lantana camara 'radiation'  
Lantana montevidensis  
Melampodium leucanthum  
Myoporum parvifolium  
Penstemon eatonii  
Santolina chamaecyparissus  
Santolina virens  
Sphaeralcea species  
Verbena peruviana  
Verbena tenuisecta

Africal aloe/Starfish aloe  
Queen's wreath/Coral vine  
Cast iron plant  
Australian saltbush  
Dwarf coyote bush  
Twin peaks/Coyote bush  
Desert marigold  
Natal plum  
Ground morning glory  
Trailing indigo/trailing smoke bush  
California buckwheat  
Creeping fig  
Pied gazania/Treasure flower  
Lilac vine  
Radiation lantana/Bush lantana  
Trailing or weeping lantana  
Blackfoot daisy  
Sandlewood  
Firecracker penstemon (scarlet)  
Gray santolina  
Green santolina  
Globe mallow  
Peruvian verbena  
Moss verbena\purple verbena

## SUCCULENTS\CACTI

Agave  
Carnegiea gigantea  
Dasylirion wheeleri  
E. engelmannii  
E. triglochidiatus  
Echinocactus engelmannii  
Echinocactus grusonii  
Ferocactus sp.

Fouquieria splendens  
Saguaro  
Desert spoon  
Common hedgehog cactus  
Rainbos hedgehog  
Strawberry hedgehog  
Golden barrel cactus  
Barrel cactus

Ocotillo  
Hesperaloe parviflora  
Nolina microcarpa  
Opuntia basilaris  
Yucca gloriosa  
Yucca whipplea  
Hesperaloe

Beargrass  
Beaver tail prickly pear  
Soft tip yucca  
Our lord's candle

## PROHIBITED PLANTS

The Foothills, in an attempt to conserve water and the Southwest flavor of the project, will prohibit the use of water consumptive plants when utilized in mass or where they conflict with the desert character of the project. As discussed throughout the text, use of drought resistant materials are encouraged. Total turf areas allowed for each lot residence shall be limited to forty percent (40%) of the total landscape-able area of said lot or residence.

Certain shrubs and groundcovers may also be discouraged because of their character or watering requirements.

The Design Review Committee, at their discretion, may impose restrictions on varieties of plantings because of character, water consumption, excessive maintenance, and/or pollen production.

## PROHIBITED PLANT LIST

1. Any tree or shrub whose mature height may reasonably be expected to exceed 20 feet, with the exception of those species listed in Appendix A.
2. All palms. Dwarf varieties whose mature height may reasonably be expected to be less than 6 feet will be allowed in the private area.
3. All pines, cypress, false cypress, juniper or cedar. Dwarf varieties, and those whose mature height may reasonably be expected to be less than 6 feet will be allowed in the private area.
4. Olive trees.
5. Oleanders. Dwarf varieties will be allowed in the private area.
6. Fountain grass.
7. All varieties of citrus. Dwarf varieties will be allowed in the private area.
8. Common Bermuda grass. Turf areas are permitted within the private area, but are limited to hybrid varieties that will not reproduce.
9. Mexican palo verde.
10. All varieties of mulberry

**NATIVE PLANT LIST**

Ambrosia deltoidea	Bursage
Baileya multiradiata	Desert marigold
Carnegiea gigantea	Saguaro
Cercidium floridum	Blue palo verde
Encelia farinosa	Brittlebush
Ericamera lauriscifolius	Turpentine bush
Fouquieria splendens	Ocotillo
Ferocactus acanthodes	Compass barrel cactus
Larrea tridentata	Creosote bush
Olneya tesota	Ironwood
Prosopis velutina	Arizona mesquite

TAPESTRY CANYON

CONSTRUCTION PROJECT INFORMATION SHEET

LOT# \_\_\_\_\_ DATE \_\_\_\_\_

OWNERS NAME \_\_\_\_\_

CURRENT ADDRESS \_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

EMAIL \_\_\_\_\_

ESTIMATE OF TIME FRAME \_\_\_\_\_

ARCHITECT \_\_\_\_\_

CONTACT \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

EMAIL \_\_\_\_\_

BUILDER \_\_\_\_\_

CONTACT \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

EMERGENCY NUMBER \_\_\_\_\_

EMAIL \_\_\_\_\_

SUBMIT SECURITY DEPOSIT IN THE AMOUNT OF \$3,000.00 MADE PAYABLE TO "Tapestry Canyon Community Association – Construction Security Deposit" and DELIVER TO:

Vision Community Management  
16625 S. Desert Foothills Parkway  
Phoenix, AZ 85048