

# Sienna Community Association

## ARCHITECTURAL AND LANDSCAPE GUIDELINES

### **Welcome to:**

Sienna Community Association

**April 19, 2004**

### INTRODUCTION

Every resident of Sienna is a member of the Sienna Community Association (“the Association”), the entity responsible for the management of all common areas and related Association facilities as well as administration of the affairs of the community. The Association is created by the recording of the Declaration of Covenants, Conditions, and Restrictions (the “CC&R’s). The CC&R’s set forth procedures, rules, and regulations that govern the community. This document is an extension of the CC&R’s and is designed to be used in harmony therewith.

The Board of Directors (the “Board”) is responsible for overseeing the business of the Association and carries a wide range of authority. The Architectural and Landscaping Control Committee (the “Committee”) is established and appointed by the Board to review plans detailing proposed new construction and modifications to existing structures and properties.

#### **Review Process**

Any change, addition, or modification to a site or building exterior of a residential property requires the prior written consent of the Committee. Owners with proposed changes, additions or modifications should contact the management company with whom the Association has contracted for full Association management to obtain the required information and submittal forms.

Simply stated, any owner wishing to:

- ▶ Excavate or alter the grading or draining of his lot;
- ▶ Construct or remove any improvements from his lot;
- ▶ Add, alter, repair, change or other work which in any way alters the exterior appearance, including but without limitation, the exterior color scheme;
- ▶ Install a pool, spa, or other water features that would be Visible from Neighboring Property;
- ▶ Place any object (i.e., lighting and decorations) on his lot;
- ▶ Add, alter or change the landscaping on his lot

must submit to the Committee a written request for approval specifying in detail the nature and extent of the construction, installation, addition, alteration, repair, change or replacement of any improvement, which the owner desires to perform. Any owner requesting approval from the Committee shall follow the application procedures detailed herein. Your submittal will receive a reply within thirty days from the Association’s date of receipt.

The approval of the Committee shall be in addition to, and not in lieu of, any approvals, consents or permits required under the ordinances or rules and regulations of any county or municipality having jurisdiction over this community. It is the responsibility of the owner to obtain permits or approvals as required. Approval by the Committee is not a guarantee that approval will be obtained by the county or municipality nor does it satisfy the building permit requirements. If the county or municipality requires modifications to the plans, such modifications must be submitted to the Committee for approval.

### **Variations**

In the event a variance is requested, the following items must be submitted to the Committee:

A typed letter referencing the address of the home involved, the name of the subdivision, a request that a variance be granted, a description of the variances(s) requested, and the reason for the variance(s).

Any plans, photographs or other visual aids that will help to explain the variance(s) request should be included.

If a landscape variance is requested, a landscape plan must be prepared and submitted which shows the footprint of the house and indicates plant varieties and locations.

The Committee will respond in writing to a request for variance(s) within thirty calendar days of receipt.

### **Review Procedures**

The following information should be included:

- ▶ Completed and signed application form (attached Exhibit A or additional copies are available from the Management Company).
- ▶ Plot Plan – A site plan indicating the dimensions of the proposed work relative to the existing dwelling unit and property line (setbacks). Measurements must be written on the plan.
- ▶ Elevations – Plans illustrating finished dimensions of the proposed work in relation to the existing dwelling. An accompanying photograph of the proposed location would be helpful.
- ▶ General Specifications and Plans – detail related to finish schedule and structural dimensions of the proposed work, as well as any other materials, color samples and/or information enhancing the completeness of the submittal package.

**Please submit completed application packages to:**

Sienna Community Association  
c/o Vision Community Management  
16625 S Desert Foothills Pkwy  
Phoenix, AZ 85048  
Office: (480) 759-4945 Fax: (480) 759-8683  
E-Mail: [Sienna@WeAreVision.com](mailto:Sienna@WeAreVision.com)

## GENERAL PRINCIPLES

The purpose of the Committee is to ensure consistent application of the design guidelines established within this document. The Committee's role and function applies to any portion of any lot or parcel which is visible from other lots or parcels, streets, or Association common areas. This includes backyards which are visually open to other lots, parcels, and common areas. The design guidelines promote those qualities in Sienna that enhance the attractiveness and functional utility of the community. Those qualities include a harmonious relationship amongst structures, vegetation, topography, and the overall design of the community.

The Committee shall have no liability in connection with or related to approved or denied plans, specifications, or improvements. The approval of plans by the Committee does not mean that judgment is passed on the structural soundness of the improvement nor its effect upon existing or future drainage. The review of plans is predominantly aesthetic in nature.

### **Protection of Neighboring Property**

The interests of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, light and air, and other aspects of design which may have a substantial affect on neighboring properties.

### **Design Compatibility**

The proposed improvement must be compatible with the design characteristics of the property itself, adjoining properties, and the community. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

## ARCHITECTURAL REQUIREMENTS & GUIDELINES

### **Basketball Goals**

- ▶ No basketball goal, backboard or similar structure which would be Visible from Neighboring Property shall be placed or constructed on any Lot without the prior written approval of the Committee (including, but not limited to, approval of appearance, dimensions and location);
- ▶ No basketball goals shall be permitted to be attached to any unit.
- ▶ Permanent basketball goals must include a free standing pole which must be painted the same color as the body of the living unit.
- ▶ Backboards must be composed of a clear material.
- ▶ Lighting intended to illuminate the goal is prohibited.
- ▶ All equipment must be reasonably maintained. Broken backboards, disfigured or bent rims, ripped or torn nets, chipped and/or peeling paint, etc., constitute grounds for fines and/or removal.
- ▶ Only nylon or similar cords nets are acceptable. Metal or chain nets are expressly prohibited.
- ▶ Courts may not be painted or permanently outlined on the driveway or other concrete surfaces which would be Visible from Neighboring Properties.

### **Clotheslines**

No clotheslines of any sort or other device for drying or airing of clothes shall be erected, placed or maintained upon any Lot in a manner so as to be Visible from Neighboring Property.

### **Decorative, Ornamentation and Holiday Items**

Decorative seasonal lighting, displays, holiday items and holiday flags do not require approval. However, such decorative items shall not be displayed more than thirty days prior to the actual holiday with which they are associated or more than fourteen days after the actual holiday. Such items must be maintained in good condition at all times and shall not be offensive to neighbors or the Association. The Board of Directors, at its sole discretion, shall make this determination on a case-by-case basis.

Decorative art on houses shall be neutral in color and limited to two items of similar character, color and style. The largest dimensions of decorative art shall be no greater than three feet in length, width or diameter.

The utilization of objects as ornamentation or decorative items installed on the property must be harmonious with the character of the neighborhood. All functional and/or decorative items must be approved before being placed in the front yard or rear yard with view fencing. (swings, benches, stools, statues, etc.). The Committee reserves the right to limit the size and quantity of ornamentation in the front yard as well as rear yards with view fencing.

### **Driveways**

Driveway extensions will be reviewed on an individual basis with strong consideration of any impact on the architectural features of the neighborhood. Driveway extensions are prohibited without prior review and approval by the Committee. A plat with exact lot dimensions and the location and dimensions of the proposed extension must be submitted to the Committee.

The maximum driveway width (existing and addition) shall not exceed fifty percent (50%) of the lot width as measured at the front yard setback. Any variances from the above restrictions must be submitted with a detailed plan and will be subject to review and approval by the Committee.

Sidewalk additions will be reviewed on a case-by-case basis with strong consideration of any impact on the architectural features of the neighborhood. Submittal for sidewalks will be reviewed on the following:

- ▶ Additional sidewalks will only be considered if there is landscaping on each side.
- ▶ Sidewalks upon individual lots shall not exceed four feet in width.

All driveways and sidewalks must be kept clean and clear of debris, oil, rust, and other stains.

### **Exterior House Materials**

For additions or modifications to existing structures or dwelling units, finished building materials must be applied to all exterior sides (final paint or stucco finish). Acceptable materials include stucco, masonry and brick, as approved by the Committee. Paint colors must be selected from the color palette originally approved by the Declarant for the community. Plans and specifications submitted to the Committee must include details of the materials and color schemes proposed for the exterior surfaces.

### **Fences, Walls and Gates**

Except as may be constructed by the Declarant or otherwise approved in writing by the Committee, all fencing which is built upon a lot shall be of masonry and/or wrought iron material only and shall have a maximum height of six feet.

The Committee has approved standard wall designs that shall be used on all exterior walls of the subdivision where a theme wall or view wall is required. Gates may not be constructed in any wall or fence without prior Committee approval of the size, location, color and material.

Prior to the construction of any fence or wall, plans indicating materials to be used and location shall be submitted to the Committee for approval.

**Perimeter walls on lots bordering common areas may not be torn down to allow access to rear yards. AN ASSESSMENT OF \$2,000.00 WILL BE APPLIED TO A LOT OWNER IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT COMMITTEE APPROVAL.** Access must be gained through the front wall on the side of the home. Homeowners are required to contact the management company to coordinate the intended point of construction access. Repairs to this wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall.

All Lots with perimeter view fencing and all theme walls must be painted the installation color and must not be altered in any way, unless the Committee, at its sole discretion, changes the color scheme or orientation for the entire community.

The specifications for rear yard wrought iron pool fencing installation on a Lot with view fencing shall be a neutral earth tone color to match or blend with the exterior color of the home and must be installed to meet all City, County, State and Federal requirements.

### **Flagpoles**

Only one flagpole of any type is allowed on a Lot/Unit. The flagpole may be attached to the house with brackets. The brackets should be painted to match the color of the house. Per Arizona legislation (Senate Bill 1055), free standing flagpoles will be allowed as long as the United States and State flags are displayed in a respectful and honorable manner. If a freestanding flagpole is to be placed close to the house, it should be two feet lower than the tallest ridgeline of the house. If the pole is placed in the center of the front yard, it should be five feet lower than the tallest roofline of the house. There shall be no more than one American flag displayed at any one time, and no flag shall be disproportionately large. The Association does permit 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<sup>th</sup>, Labor Day and Veteran's Day.

### **Garages**

Any part of a Living Unit constructed as a garage shall be used for parking vehicles and other garage purposes only and shall not be converted for living or recreational purposes. Except in the case of model homes, whereby conversions are permitted until the end of the selling period when they must be restored to a full garage. All garages must be kept in a neat and tidy manner at all times. Garage doors must be kept completely closed at all times except to permit vehicle ingress and egress or when the

garage is being used for access to and from the Living Unit. Garage doors are to be maintained in good condition at all times. All noticeable damage or deterioration to the exterior of garage doors including dents, scratches, chipped or peeling paint and any damage that prevents the garage doors from properly operating, must be repaired promptly. The Association retains the right to determine when a door must be cleaned, repaired, repainted or replaced.

### **Gutters and Downspouts**

Gutters and downspouts will require written approval by the Committee prior to installation. The finish on the gutter must match the adjacent surface of the home in color. High quality materials that offer long life are necessary, as the homeowner will be required to maintain these additions in good repair. Plans must include the proposed locations of the gutters and downspouts and the type of material to be used.

### **Lighting**

Except for lights installed by Declarant, spot lights or other lights shall not be installed, maintained or used in a manner which causes glare to neighboring property or an annoyance to the Owner or Occupant of neighboring Lots.

- ▶ Lighting shall be indirect and shielded such that the light shines primarily on the lot on which it is installed.
- ▶ Security lighting including motion-activated floodlights shall, at a minimum, be located beneath eave overhangs.
- ▶ Outside lights shall be screened, wherever possible, with walls, plant materials or internal shielding.
- ▶ Colored light bulbs, lenses or reflectors are not permitted. Low pressure sodium bulbs are not permitted.

Tennis or sport court and overhead swimming pool lights, shall not be allowed except as approved by the Committee. Tennis and sport court lighting shall not be utilized between the hours of 10:00 P.M. and 6:00 A.M. All outside lights, if any, will be of a height, design and type approved by the Committee.

### **Machinery and Equipment**

No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Lot except such machinery or equipment as is usual and customary in connection with the use, maintenance or construction of a residence, appurtenant structures or other Improvements, which machinery and equipment shall not be Visible From Neighboring Property, except when it is being operated or used in connection with the construction of Improvements or the maintenance of Improvements.

Except as may be installed by Declarant during the original construction of any Living Unit, the following items shall not be erected, used, maintained or kept on any Lot so as to be Visible From Neighboring Property: heating, air conditioners, coolers, pool filters, pool heaters, lawn and yard tools, storage tanks for water, gas, gasoline, oil or other fuel.

### **Nuisances**

No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot or any other portion of the Property. In addition, a Living Unit or any other portion of the Community shall not be used in whole or in part for the storage of any property or thing that will cause the Living Unit or the Community or any part thereof to appear in an unclean or untidy condition or that will be unsightly, offensive, obnoxious or detrimental to any other Owner or Occupant. No substance, thing or material shall be kept or used upon any Lot that will emit a foul, offensive or obnoxious odor or that will cause any noise that will or might disturb the peace, quiet, comfort, serenity or tranquility of the Owners and/or Occupants of adjacent portions of the Community. Without limiting the generality of the foregoing provisions, no exterior speakers, horns, whistles, bells or other sound devices, except security devices used exclusively for security purposes, shall be located, used or placed on any portion of any Lot without the written consent of the Committee. Notwithstanding the foregoing, speakers specifically designed and installed as built-in and recessed exterior speakers for a stereo system installed inside any Living Unit may be installed on a Lot provided that such speakers shall not be Visible From Neighboring Property and shall not be used in a manner so as to disturb the peace or the quiet, serenity or tranquility of the Owners and/or Occupants of adjacent portions of the Community. Noise caused by improperly muffled motor vehicles shall not be permitted and construction machinery and equipment must be operated within the manufacturers' recommendations and specifications and only during reasonable working hours. No nuisance of any kind or description shall be permitted to exist or operate upon any Lot so as to be offensive, unsanitary, unsightly or detrimental to the Owners or Occupants of adjacent portions of the Community. The Board, in its sole and absolute discretion, shall have the right to determine the existence of any nuisance whether described herein or not. No Improvements shall be permitted to be constructed on or to otherwise be permitted to exist on any Lots, the height or location of which shall be deemed by the Committee (i) to constitute a traffic hazard, (ii) to be unreasonably unattractive, or (iii) to be unreasonably detrimental to adjoining or nearby property.

### **Oil Boards**

Oil pans, boards, carpet or any other object used to collect oil spills from the driveway must be removed when not in use.

### **Outdoor fireplaces**

Installation of outdoor fireplaces that will be Visible From Neighboring Property requires advance written approval by the Committee. Outdoor fireplaces may not exceed fence height.

### **Patio Covers and Decks**

Patio covers and decks must be painted to match the color of the body or trim of the existing home. Replacement roofing materials shall match that which was installed by the builder on the original roof of the home or that which were offered as an option by the builder for a patio cover or deck. Asphalt shingles (including rolled shingles) are expressly prohibited. Roof shall be flat or match the pitch of the home. All patio covers, not installed by the builder, will need to be reviewed by the Committee on an individual basis prior to installation.

### **Planters and Walkways**

Planters, paved walkways, and other hardscape features Visible from Neighboring Property require written approval from the Committee prior to installation. Surface colors and textures are to complement the color and finish of the house.

### **Pools and Spas**

Plans for back yard pools and spas need not be submitted for Committee approval unless they will be visible through a view fence.

Pool slides need to be approved and will be considered based upon appearance, height, and proximity to other properties.

**Perimeter walls on lots bordering common areas may not be torn down to allow access to rear yards. AN ASSESSMENT OF \$2,000.00 WILL BE APPLIED TO A LOT OWNER IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT COMMITTEE APPROVAL.** Access must be gained through the front wall on the side of the home, leaving the perimeter wall intact. Homeowners are required to contact the management company to coordinate the intended point of construction access. Repairs to this wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall.

All pool and spa equipment must be screened from View from Neighboring Property. Screening must be designed to mitigate noise as well.

Pools and spas may not be backwashed into the drainage ditches, natural washes, common areas, drainage way, or streets. All backwashed water must be retained on the owner's lot.

### **Pool Fencing**

The specifications for rear yard wrought iron pool fencing installation on a Lot with view fencing shall be a neutral earth tone color to match or blend with the exterior color of the home and must be installed to meet all City, County, State and Federal requirements.

### **Ramadas and Gazebos**

Ramadas and gazebos must first be approved in writing by the Committee. Plans should include a site plan, elevations, and a finish schedule. A Neighbor Acknowledgment Form may be required of all adjoining neighbors should such structures be seen above the fence line.

### **Roof mounted mechanical equipment**

In general, roof mounted mechanical equipment is prohibited.

### **Security Doors and Screen Doors**

Security doors and screen doors must be approved in writing in advance and must be metal and painted to match the exterior body color of the house. Any designs on the doors must not be overly ornate.

### **Signs**

No signs or billboards of any kind shall be displayed to the public view on any portion of the Community except for: (i) signs as may be required by legal proceedings; (ii) not more than two signs



for each Living Unit for identification of the address of such Living Unit with a combined total face area of eighty-four square inches or less; (iii) such signs as may be erected by the Declarant in connection with the development, sale or operation of the Lots and Improvements during the construction and sales period; (iv) one professionally prepared sign advertising the Lot for sale or for rent, which sign shall not be larger than 24" x 24" and shall be professionally made of metal or fiberboard or wood and mounted on a wood or metal post; (v) one "open house" sign; (vi) signage for the Project at such locations designated or installed by Declarant; and (vii) such other signs, the nature, number and location of which shall have been approved in advance by the Association. All signs provided for under this Section shall require the approval of the Committee as to the size, color, design, message content, location, type and hours of display.

### **Solar Panels**

Solar panels must be approved by the Committee before installation. Any approved solar panel must blend with the existing roof and be screened from view. Roof mounted panels can have surface area of eight feet by six feet and must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline and must not be visible from public view. Any solar panels and/or equipment exceeding a surface area of eight feet by six feet must be ground mounted and shall not be Visible from Neighboring property or public view.

### **Storage and Tool Sheds and Structures**

Storage or tool sheds or similar structures will not need to be submitted for approval if they do not exceed the maximum height of the immediately surrounding wall(s) or fences (s) and are screened from view of all common areas.

Any storage or tool shed or similar structure that will exceed the height of the surrounding fence or wall and will be Visible from Neighboring lots or common areas must be submitted to and approved in writing by the Committee prior to installation. All storage or tool sheds or similar structures shall be constructed of the same or substantially similar materials as, and the same color as and be architecturally comparable to and compatible with, the exterior of the Living Unit located upon the Lot (all as reasonably determined by the Committee) and must comply with any applicable set-back line requirements. The Committee may request the signatures of all adjoining neighbors who will be able to see the structure above the fence line (Neighbor Acknowledgement Form, as attached hereto).

### **Swing Set, Trampoline, Batting Cage, Play Structures**

No swing set, trampoline, batting cage or other play structure which would be Visible from Neighboring Property shall be placed or constructed on any Lot without the prior written approval of the Committee. A brochure or picture of the proposed equipment should be submitted with application. The Committee may request the signatures of all adjoining neighbors who will be able to see the structure above the fence line (Neighbor Acknowledgement Form).

All such equipment will require a minimum five-foot set back from all neighboring walls and may not exceed eight feet in height from ground level. Equipment "Visible From Neighboring Property" shall be painted to match the color scheme of the house or have a natural wood finish. Any canvas covers should match the house or be a neutral color such as off-white, beige or light brown. All structures shall be maintained so as to present a neat and clean appearance. Screening of such structures with appropriate landscaping and thorough consideration of all neighbors is required.

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

No rubbish, trash, garbage, refuse, debris or recyclable materials shall be placed or kept on any portion of any Lot except in covered containers of a type, size and style which are approved by the Committee. Refuse containers shall be kept clean, sanitary and free of noxious odors. In no event shall such containers be maintained so as to be Visible From Neighboring Property except to make such containers available for collection and then only for the shortest period of time (not to exceed twenty-four consecutive hours) reasonably necessary to effect such collection. All rubbish, trash, garbage, refuse, debris and recyclable materials shall be promptly removed from the Lots and shall not be allowed to accumulate thereon. No incinerators shall be maintained or used and no rubbish, trash, garbage, refuse or debris shall be burned by open fire or otherwise on any portion of any lot.

### **Vehicles and Parking**

No mobile or motor home, boat, jet ski or wave runner, recreational vehicle, all-terrain vehicle, off-road vehicle, trailer, horse trailer, camper, camper shell, snowmobile, bus or any commercial vehicle (other than a Family Vehicle as defined below) or any vehicles designed for commercial purposes shall be parked, kept, placed, maintained, constructed, reconstructed or repaired on any Lot or within the Community so as to be Visible From Neighboring Property; provided, however, that the provisions of this Section shall not apply to emergency vehicle repairs and provided, further, that such items may, for a period not to exceed twenty-four consecutive hours, be parked on paved driveways on Lots for the purpose of loading, unloading and preparing such items for offsite usage. All other motor vehicles shall be permitted to park only in garages or on paved driveways on Lots and may not be parked so as to obstruct any sidewalks, and no motor vehicle may park on the roads or streets within the Community (the "Roadways") except as specifically permitted by signage; provided, however, vehicles of guests and invitees may park on the Roadways for a temporary period of time not to exceed ten hours provided that such parking is done in a fashion so as not to obstruct driveways on other Lots or traffic within the Project. All motor vehicles of Owners, Occupants, guests and invitees shall be kept in garages whenever such facilities are sufficient to accommodate the number of motor vehicles on a Lot. Any vehicle parked in violation of this Declaration may be towed at the direction of the Board or its agent, and the recording of this Declaration shall constitute the legal notice of intent to tow as though the Community were posted in accordance with the applicable laws and ordinances. Any expense incurred by the Association in connection with the towing of any vehicle or equipment shall be paid to the Association upon demand by the owner of the vehicle or equipment. If the vehicle or equipment is owned by an Owner or Occupant, any amounts payable to the Association shall be secured by the Assessment Lien and the Association may enforce collection of such amounts in the same manner provided for in this Declaration for the collection of Assessments. The Board may adopt additional parking restrictions including the establishment of fines and assessments for their violation.

Notwithstanding the forgoing, commercial vehicles may park on the Roadways or on private driveways when such parking is: (i) for the temporary parking for loading and unloading for a period of not more than two hours; (ii) for temporary construction trailers or facilities maintained during, and used exclusively in connection with, the construction of any Improvement by Declarant or any Improvement approved by the Committee; and (iii) completely within enclosed Residential Dwelling garages. A "Family Vehicle" means any domestic or foreign car, station wagon, sport wagon, pickup truck of less than one (1) ton capacity with camper shells not exceeding seven (7) feet in height measured from ground level, mini-van, jeep, sport utility vehicle, motorcycle and similar non-commercial and non-recreational vehicles that are used by a Resident for family and domestic purposes

and which are used on a regular and recurring basis for basic transportation. The Board of Directors may, acting in good faith, designate a commercial vehicle as a Family Vehicle if, prior to use, the Resident petitions the Architectural Committee to classify the same as a Family Vehicle and the parking of such Vehicle will not adversely affect the Community or the Owners or Occupants of the Community.

### **Water Features and Statuary**

Items such as fountains, statuary, etc. are permissible with written approval of the Committee. Approval must be obtained prior to installation of such items in front yards or back yards with view fencing. Installation in courtyard areas does not require Committee approval.

Fountains should be no larger than four feet in height and natural in color. All fountains must be maintained in new condition. Painted or brightly colored fountains are prohibited. It is recommended that water features be chlorinated and no fountain shall be allowed to drain directly into a common area tract.

The Committee reserves the right to limit the size and quantity of statuary in the front yard as well as the rear yard with view fencing. Items must be of earth tones, not painted finished. All functional and/or decorative items must be approved prior to placing in yards, including swings, benches, stools, etc.

### **Window Materials**

Within thirty days of occupancy of a Living Unit, the Owner of the Living Unit shall install draperies or suitable window treatments on all windows facing the Roadways and Common Areas adjacent to its Lot. However, no external window covering may be placed, or permitted to remain, on any window of any Living Unit or other Improvement without the prior written approval by the Committee. No reflective coating, materials or covering may be placed on any window of any Living Unit or other Improvement. Further, all curtains, blinds, interior shutters, screens and window coverings or window treatments which are Visible From Neighboring Property must be neutral in color. No bedsheets, blankets, bedspreads or other items not designed for use as curtains or other window coverings may be used for such purposes except during a period not to exceed thirty days following the conveyance of a Lot from Declarant or a Builder to a Purchaser.

## LANDSCAPE REQUIREMENTS & GUIDELINES

### **FRONT YARD AND BACK YARD LANDSCAPING (IN LOTS WITH VIEW FENCING) MUST BE SUBMITTED FOR APPROVAL TO THE ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION (Unless Landscaping is to be installed by Declarant)**

Please insure applications for landscape approval are submitted complete to include an application and a plot plan indicating the design, colors and type of material, quantities and locations of all items. Per the CC&R's Section 4.02, landscaping must be installed within 180 days following the closing of the purchase of the Lot. Prior to installation of such landscaping, the owner shall maintain the portions of such lot required to be landscaped in weed-free condition.

The owner shall install landscaping and irrigation improvements with consideration to xeriscape principles and other applicable municipal zoning ordinances in that portion of his lot which is between the street(s) adjacent to his lot and the exterior wall of his residential unit or any wall separating the side or back yard of the lot from the front yard of the lot. Any lot that has view fencing (e.g., wrought iron rather than a solid wall) on any boundary of its rear yard shall be completely landscaped and irrigated as well. The landscaping and irrigation must be installed in accordance with plans approved in writing by the Architectural Committee. All landscaping shall comply with the following minimum requirements:

- ▶ Front yard landscaping shall include a minimum of two each 15-gallon trees at least three feet in height, ten each 5-gallon shrubs and ten each 1-gallon ground cover plants.
- ▶ Owners must cover all areas of the lot with landscape materials (plants, inert materials, etc.). Bare areas are prohibited.
- ▶ A fully automatic underground watering system shall irrigate all landscape plantings. Irrigation systems that use drip emitters instead of spray heads or bubblers are highly encouraged. When sprinklers are utilized, care should be taken to avoid over spray on hardscape, structures, walls, fences and windows. Planting areas of at least three feet are recommended between walls, fences and structures. Daytime watering of shrubs and turf areas should be avoided.
- ▶ All landscape 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.

#### **Boulders**

Only granite boulders of a color similar to the indigenous rock of the area are allowed. They must be buried with 1/3 the diameter below grade.

#### **Fine Grading and Mounding**

Fine grading is a critical aspect of landscaping. Each lot shall be graded such that all storm water will drain away from the home, walls, or any other structure. It is extremely important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berming is proposed. Because of the difficulty and importance of maintaining the individual lot drainage pattern and creating natural appearing mounding, it is recommended that a Registered Landscape Architect or

design professional be consulted. In all cases, the installation must comply with the City approved grading and drainage plan. Every effort should be made to make mounding appear natural.

### **Granite**

Decomposed granite in the front yard or areas visible from the street must be earth-toned in color. Acceptable colors include: Gold, Beige, Blonde, Coral and Mauve.

Artificially colored rocks (blue, green, white or other non-earth tones) are not permitted. Decomposed granite shall be a minimum of 1/2" minus and shall be applied as a 2" thick layer minimum.

All granite areas should be treated with a pre-emergent weed control in regular intervals to retard weed growth.

### **Headers**

Headers are continuous materials that separate turf from other planter or inert areas. Headers must be used to separate granite areas from turf areas and shall be concrete, masonry, bricks, Saltillo or Mexican tile materials and may not exceed twelve inches in width. Headers shall be flush where they abut other paved areas. Rock, railroad ties, plastic, steel, aluminum and redwood header boards are prohibited.

### **Plant Support Rules**

Trellis or lattice must be painted to match the color of the home. Chicken wire is prohibited.

### **Prohibited Plant Materials**

The following vegetation type and varieties are expressly prohibited due to reasons of profuse and noxious pollen, excessive heights, 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.

- ▶ No species of tree or shrub whose mature height may reasonably be expected to exceed 30 feet, unless has been previously approved by the Committee shall be permitted.
- ▶ All Pines (Pinus), Cypress (Cupressus), False Cypress (Chamaccyparis), Juniper or Cedar (Juniperus), whose height may reasonably be expected to exceed fifteen feet are prohibited in front yards or back yards with view fencing. Dwarf varieties are allowed as well as certain applications will be allowed, if approved by the Committee. Application shall include that they must be installed no further than three feet from the home and must be trimmed so as to not exceed the height of the home. This application is to enhance the architectural features of the home not to create a "hedge" along property lines. In no instance shall the application encroach into surrounding properties.
- ▶ Olive trees (Olea Europae) other than the "Swan Hill" variety, are prohibited in front yards or back yards with view fencing.
- ▶ Fountain Grass (Pennisetum Setaceura) or Pampas Grass (Cortandera Selloana) is prohibited in front yards or back yards with view fencing.
- ▶ Mexican Palo Verde's (Parkinsonia Aculeatea) are prohibited in front yards or back yards with view fencing.

- ▶ All Eucalyptus are prohibited in front yards or back yards with view fencing.
- ▶ All varieties of mulberry trees are prohibited in front yards or back yards with view fencing.
- ▶ Citrus/fruit trees (all species) are prohibited in front yards or back yards with view fencing.
- ▶ Palms that may exceed six feet mature height may be used with prior approval of the Committee. Mediterranean Fan Palms or Dwarf varieties which will attain a height of less than six feet are allowed without approval. In all cases, palms must be maintained with a neat, clean appearance.

#### **River Run Rock**

River run rock shall be 3” to 8” In diameter. Not more than ten percent of the front yard landscape area may be river run rock.

#### **Rock Ground Cover**

Rock ground cover may be decomposed granite or other natural rock material approved by the Committee. All bare earth must be covered.

#### **Turf**

Turf is permitted in front and rear yard landscaping provided that no turf or spray irrigation shall abut walls or fences. Planting areas of at least three feet are recommended between walls, fences and structures and turf and spray irrigation. During the months of October through April, all turf areas visible from the streets, neighboring properties, or common areas must be over-seeded with Rye grass to preserve the green healthy appearance throughout the entire year.

**The Board of Directors may, from time to time, adopt, amend and repeal these Architectural and Landscape Guidelines by a majority vote of the Board.**