

PALM VALLEY

Phases II and III

Architectural Design Guidelines

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1. OVERVIEW OF PALM VALLEY

1.1. INTRODUCTION

Palm Valley is a 9,000-acre master-planned community in the City of Goodyear located in the West Valley of the metropolitan Phoenix area, as depicted in the Palm Valley Master Plan. Palm Valley consists of residential subdivisions adjoining Golf Course, open space and park land. It has been planned to be self-sustaining internally and also to be an integral part of the 9,000 acres of the Palm Valley Master Plan. For purposes of these Design Guidelines, the term "Palm Valley" shall mean Palm Valley.

Being developed on flat agricultural land surrounded by predominantly open farmland poses some exciting opportunities and challenges for development in Palm Valley. Early on in the formalization of the development plan, it was directed that development would include a more natural character. This meant using a common denominator of native vegetation along with semi-arid regional plants to create a desert oasis environment.

Utilizing this backdrop of a desert oasis environment, coupled with the greenery of adjacent Golf Course, parks, and open space, Palm Valley beckons a lifestyle utilizing the outdoors and openness. Representative architecture for the project includes a variety of styles for homes and commercial buildings. Stucco, block, and tile with earth tone colors that complement each other and the project theme are simple, compatible, and intriguing in form. Elements of this architectural theme are encouraged throughout the community in the design of signage and street furniture.

Palm Valley is a water-efficient community. Due to the arid desert environment that the project is part of, responsible management of our water resources is most appropriate and is mandated by Arizona law. Arizona's groundwater code makes water conservation a priority and is a course of consideration that is intertwined in the Development Plan of Palm Valley.

These Design Guidelines were created to ensure that the high standards, which are the product of this extensive planning effort, are consistently applied to help Residents and builders understand the concepts and intent behind Palm Valley. These Guidelines are binding upon each owner of real Property ("Owner") and any other individual or entity ("Builder") who is developing a residential Parcel (or Lots contained therein) for sale or for its (their) intended use within Palm Valley. These Design Guidelines shall not apply to any activities of the Declarant.

Except as otherwise indicated, where the word "Owner" is used herein, it is intended to be interchangeable with the word "Builder" during any construction process and prior to occupancy by a Resident, tenant or other Owner on the subject Lot or Parcel. When the word "Builder" alone is used herein, it shall mean obligations required only of the Builder.

1.2. DEVELOPMENT REQUIREMENTS

There will be several Builders designing and constructing individual developments within Palm Valley over the years. It is important to assure that there be continuity in the community as it develops and, therefore, certain standards and requirements have been established to guide future construction.

These standards and requirements have been defined by the Declarant of Palm Valley, SunCor Development Company (the "Declarant"), via the Declaration of Covenants, Conditions and Restrictions for Palm Valley (the "CC136R's") and these Design Guidelines. Additional requirements are imposed by the City of Goodyear (the "City") via zoning stipulations, the city code/ordinances, and the Water & Wastewater Agreement entered into between the Declarant and the City must also be adhered to without exception.

1.2.1. City of Goodyear Development Requirements:

1.2.1.1. Conditions: The approved Planned Area Development ("P.A.D.") zoning stipulations for Palm Valley (Ordinance No. 91-328) include the following requirements:

1.2.1.1.1. Compliance with the P.A.D. Zoning District criteria and with all State, County and City Codes and Ordinances;

1.2.1.1.2. Compliance with the SunCor Development Agreement No. 1 entered into by SunCor and the City of Goodyear;

1.2.1.1.3. Compliance with the development concepts contained in the Planned Area Development Master Plan Program report dated July 26, 1989, and made part of the rezone request;

1.2.1.1.4. Minor amendments to the proposed land use concept and configuration shall be approved by the Community Development Director;

1.2.1.1.5. Approval of the Wastewater Master Plan and M.A.G. 208 Plan, or any amendments thereto, by the City of Goodyear;

1.2.1.1.6. Approval of the Water Supply Master Plan and Master Drainage Report, or any amendments thereto;

1.2.1.1.7. The provision of adequate water supply to accommodate the proposed development of the rezoned lands;

1.2.1.1.8. The dedication of all necessary rights of way, easements, open space and parks, retention areas and drainageways as required by the City;

1.2.1.1.9. Approval of the Dry Utility and Traffic Analysis Reports, or any amendments thereto;

1.2.1.1.10. Approval of other Master reports and amendments thereto which may be submitted from time to time and which pertain to the rezoned Property;

1.2.1.1.11. Parcel 48 of the Final Concept Plan being used as a site for hospital, medical offices or a combination thereof;

1.2.1.1.12. Parcel 49 of the Final Concept Plan being used as a site for medium to high-density residential use;

1.2.1.1.13. Roadways abutting A.D.O.T. retention areas being used for access thereto;

1.2.1.1.14. The inclusion of a public safety site (fire and police) near of Litchfield and Thomas Roads, the specific site to be approved by Goodyear's Fire Chief and Police Chief;

1.2.1.1.15. The compliance with SunCor Development Company's letter of May 1, 1991, signed by Michael D. Johnson, Project Manager, Parcels in proximity to public schools shall be restricted to limited commercial, office and/or high density residential, with restaurants, neighborhood shopping and liquor and food sales specifically excluded;

1.2.1.2. Ordinances/Code: The City's zoning ordinance and applicable Code set forth some additional standards and specifications for development. In the event that there is an inconsistency between these Design Guidelines and/or any City ordinance or the Code, the standard, which has the strictest requirements, will control.

1.2.1.3. Water & Wastewater Agreement: All Owners are subject to the City of Goodyear Conservation Plan adapted by Resolution No. 90375:

1.2.1.3.1. The Water Conservation Plan calls out certain requirements placed on Builders and Owners of land in the project. In particular, Builders will be required to install water-efficient devices. These devices are more fully discussed in the "Water-Efficient Development" section of these Design Guidelines.

1.2.1.3.2. This agreement, together with the 1980 Groundwater Code, places specific requirements on the City (as discussed in the "Groundwater Code" section, which follows) that also affect Builders.

1.2.2. Declarant Development Requirements:

1.2.2.1. The Declarant has recorded the CC&R's as Instrument No. 98-0936248 of the records of the Maricopa County, Arizona Recorder. The CC&R's authorize a Design Review Committee (as appropriate, the "DRC"). It is intended that the DRC will consider and act upon all proposals or plans submitted pursuant to these Design Guidelines. The DRC is also authorized to interpret and amend these Design Guidelines. In addition, the CC&R's set limits on the use of the Property within Common Areas and provide for long-term maintenance of all Common Areas. The CC&R's and these Design Guidelines are binding upon all Owners of Property in the community and should be consulted prior to any intended construction, reconstruction, or modification to any improvement in Palm Valley.

1.2.2.2. These Design Guidelines are intended to include the standards that the DRC will consider when reviewing all proposals or plans submitted. Since it is not the Declarant's intent to inhibit architectural creativity, exact architectural requirements are not contained herein. These Design Guidelines, therefore, contain specific requirements

whenever possible and conceptual information and standards in other instances. The DRC shall have the authority to interpret these Design Guidelines on behalf of the Association. In the event there is an inconsistency in the interpretation between an Owner and the DRC, the interpretation of the DRC will control.

1.3. ARIZONA GROUNDWATER CODE

Central Arizona is a semi-arid region and, therefore, it is a region that demands careful water management to meet future needs. Recognizing that management of water resources would protect Arizona's future growth capabilities; the Legislature adopted a Groundwater Code in 1980. This Code requires that all cities balance their water withdrawal from wells with other water resources by the year 2025 to conserve groundwater. In order to reach that balance, the City is implementing a Water Conservation Plan. The Plan includes, in part, the following recommendations:

1.3.1. Developing long-term, non-voluntary conservation measures to ensure compliance with all conservation requirements assigned to cities by the Groundwater Code.

1.3.2. Revising the water rate structure to provide additional incentives to conserve water.

1.3.3. Developing a program to increase efficiency of irrigating large turf areas.

1.3.4. Adopting a new plumbing code to require additional water use reductions in plumbing fixtures and appliances.

1.3.5. Requiring new commercial and industrial activities to make use of the best available technology to reduce water use.

1.3.6. Effluent and renewable water resources.

1.3.7. Owners are encouraged to take all steps possible to conserve water in Palm Valley, including the installation of special tap devices and the use of Xeriscape, both as discussed later in these Design Guidelines.

2. DESIGN REVIEW PROCESS

2.1. INTRODUCTION

The design review process to be conducted by the DRC shall not preclude on-going contact between Owners, Builders, and the DRC. Owners, Builders, and their respective representatives are encouraged to meet with DRC to discuss all aspects of these Design Guidelines before beginning preparation of any formal documents for submittal.

The review process shall occur in two stages: preliminary and final design review. Documents are to be submitted in triplicate for both stages. Final approval shall occur provided the final development plans are prepared consistent with the previous approved design plans (and provided the DRC has not requested revisions based on changes resulting from transforming preliminary plans into final plans).

Nothing in these guidelines, in any way, alters the applicant's obligation to comply with all city, state and other authorities having jurisdiction over the work.

2.2. DRC MEMBERSHIP

As provided in the CC&R's the DRC shall consist of three regular Members and at least one alternate Member, and they will hold such positions for one year, or until the appointment of a successor (unless a Member has earlier resigned or has been replaced).

2.3. MEETINGS OF THE DRC

The DRC will meet periodically as necessary to perform its duties pursuant to the CC&R's. The written consent of a quorum of regular Members shall constitute an act by the DRC.

A reasonable fee may be charged for the DRC review process to compensate for consultants' time and expenses. Said fee is established by the Board of Directors of the Association and is subject to change from time to time.

2.4. PRELIMINARY DESIGN SUBMITTAL AND REVIEW

New construction or complete total tear down and remodel projects to be submitted to the architect at the direction of the Board of Directors for preliminary design submittal review and final design submittal and review: (Note: Payment for architect services to be paid directly to architect.)

The following documents and items are required to be submitted to the DRC for preliminary design approval by each Builder, including Builders of custom Lots. The DRC will review the documents and inform the Builder as soon as reasonably possible whether the preliminary design is approved, but in any event within thirty (30) days from the date of submittal. If the preliminary design is not approved, the DRC will outline the reasons for denial. The following items are minimum requirements for submission to the DRC:

2.4.1. Subdivision plat and site plan at 1" = 50' (minimum) indicating all relationships including streets, ingress and egress to open space trails and public areas, utilities, all drainage ways and other items reflected on the Parcel Exhibit for the Property prepared by the Declarant's Engineer (and using the same basis of bearings as indicated on the exhibit) and which will be provided to Builder, all areas to be conveyed to and maintained by the Association or a subsidiary Association, all parking (covered and uncovered), proposed curb cuts within the Property or adjacent thereto, community features and all other design elements such as walks, mailboxes, bicycle racks, linear park boundaries, patterned pavement and signage.

2.4.2. Conceptual grading and drainage plan.

2.4.3. Conceptual utility layout.

2.4.4. (Note: items 2.4.1. and 2.4.2. are not required for those subdivisions designed and platted by the Declarant. However, a custom Lot will require 2.4.2. and 2.4.3.)

2.4.5. Phasing plan, showing location of sales office, model complex and construction office.

2.4.6. Floor plans at 1/4" = 1'0" (with square footage/Lot coverage).

2.4.7. Elevations at 1/4" = 1'0".

2.4.8. Exterior materials and color selections.

2.4.9. Landscape concept plan or plans indicating typical Lot and overall streetscape at 1" - 40' scale, together with proposed plant list (see Appendix A).

2.4.10. Designs of all street furniture, mailboxes (including customized delivery installations of centralized mailboxes and parcel boxes for all Lots and parcels except custom Lots), and entrance features with walls, signage, landscaping and lighting. All of the foregoing features shall complement the architecture of the subdivision or Parcel development.

2.4.11. Preliminary design package for all signage (including proposed location thereof and any flags, if applicable, together with copy, color, dimensions, construction design and materials).

2.4.12. If an Ancillary Association is formed pursuant to the CC&R's, a draft of Builder's set of Design Guidelines showing regulations to govern exterior structural appearance, signage, landscape restrictions, lighting, etc.

2.4.13. Preliminary outline of water commitments due to the proposed development.

2.4.14. Design and landscape treatment of any temporary construction/ sales office.

2.4.15. A sample of the proposed artificial turf material (that consists of a minimum twelve (12) square inch sample), that illustrates color, backing, and fiber, along with a sample of the infill mix.

2.5. FINAL DESIGN SUBMITTAL AND REVIEW

New construction or complete total tear down and remodel projects to be submitted to the architect at the direction of the Board of Directors for preliminary design submittal review and final design submittal and review: (Note: Payment for architect services to be paid directly to architect.)

The final design review is intended as a confirmation that the approved preliminary design has been carried forward into the construction documents with a reservation by the DRC to bring up any new matters in the Builder's plans. The DRC will review the documents and inform the Builder no later than forty-five (45) days from the date of submittal whether the final design was approved. If the final design is not approved, the DRC will outline the reasons for denial. The following documents are to be submitted to the DRC for final design approval (to the extent any of the following documents are duplicative of those submitted during preliminary review, then only those documents with changes and any non-duplicative documents are to be submitted):

2.5.1. A statement defining any and all changes from the Preliminary Design submission.

2.5.2. Final subdivision plat showing easements, etc. (residential).

2.5.3. Final site plan with improvement plans and specifications for all site improvements (commercial and residential).

2.5.4. Final grading and drainage plan with building pad elevations.

2.5.5. Final utility layout.

2.5.6. Working drawings and specifications for all residences or buildings.

2.5.7. Eye-level perspective rendering or rendered elevation of each model residence or building.

2.5.8. Model layout (residential), construction phasing and schedule (minimum scale 1" = 20').

2.5.9. Working drawings and specifications for all landscaping and irrigation with final plant list. All irrigation shall be drip to containerized plant material. No turf in public rights of way.

2.5.10. Working drawings and specifications for all project entrance features, central amenities, street furniture, and mail and parcel boxes.

2.5.11. Plan of product distribution by Lot (residential).

2.5.12. Final design package for all signage.

2.5.13. If an Ancillary Association is formed pursuant to the CC&R's, a copy of Builder's final Design Guidelines.

2.5.14. Final report on water commitments for development.

2.5.15. Construction Term: The DRC will inspect all work in progress and will give notice of non-compliance, if found.

2.5.16. Final Inspection: Upon completion of any dwelling unit or modification for which final design approval was given by the DRC, the Owner shall give written notice of completion to the DRC.

2.5.17. Within such reasonable times the DRC may determine, but in no case exceed fourteen (14) calendar days from receipt of such notice of completion, the DRC will inspect the dwelling unit and/or improvements and modification.

2.5.18. If the completed dwelling unit or improvement conforms with the Design Guidelines and the approved plans, the DRC will issue a Final Inspection Certificate signifying compliance.

2.5.19. No dwelling unit shall be occupied without the Final Inspection Certificate being issued by the DRC. If the DRC determines that such work was not performed in compliance with the approved plans and these Design Guidelines, then, within fourteen (14) calendar days of receipt of the Owner's request, the DRC shall notify the Owner in writing of such non-compliance, specifying in reasonable detail the particulars of the non-compliance, and shall require the Owner to remedy the same. Failure of the DRC to notify the Owner within fourteen (14) calendar days of Owner's non-compliance shall not constitute Owner's compliance.

2.5.20. If upon the expiration of thirty (30) calendar days from the date of such notification by the DRC, the Owner has failed to remedy such non-compliance as is provided for in these Design Guidelines or the CC&R's. The DRC will not issue a Final Inspection Certificate until there is full compliance with these Design Guidelines.

2.6. COMPLIANCE AND VARIANCES

The approved final design is binding. Once approved, the Builder must either build the project as per the submitted working drawings or submit requested revisions. Such revisions, if approved, will be granted a variance by the DRC no later than thirty (30) days after submission. No such changes may be undertaken until a variance has been granted.

Variations may be granted in some circumstances (including, but not limited to topography, natural obstructions, hardship, or environmental considerations) when deviations may be required. The DRC shall have the power to grant a variance from strict compliance in such circumstances, so long as the variance does not result in a material violation of the Declaration. No variance shall be effective unless in writing.

The approval of the DRC may contain a deadline within ninety (90) days after completed unless otherwise approved in writing by the DRC. If no deadline is specified in the approval, the deadline for completion of the approved work shall be deemed to be ninety (90) days. If construction is not timely completed within ninety (90) days, unless otherwise approved in

writing by the DRC, the DRC's approval will be deemed withdrawn, and such incomplete construction will be deemed to be a violation of these Design Guidelines.

Declarant, the DRC, the Association and the designated agents of each shall have the right, but not the obligation, to enter any Lot to inspect any work requiring approval of the DRC, both during performance and after completion of such work. Any work which has not been approved by the DRC, or which is not being performed in accordance with the plans approved by the DRC, shall immediately be removed by the Owner of the Lot at such Owner's sole cost and expense. The Owner shall reimburse the Association for all expenses incurred therewith.

SunCor Development Company and its related entities, the Association, and the DRC's of the Association assume no liability to any Owner or Builder in Palm Valley, or any other party, for any damage or loss suffered on account of the approval or disapproval (including any delays in connection therewith) of any plans, drawings or specifications submitted to DRC or the construction or performance of any work contemplated thereunder.

2.7. CHANGES OR ALTERATIONS

Any change or alteration requested by an Owner or Builder to a structure or design of any part of a Lot or Parcel shall be submitted in writing to the DRC with the appropriate fee and copies of all plans and specifications detailed in Section 2.4 as to the item or items requesting to be changed or altered. If the change or alteration is preliminarily approved the Owner or Builder shall also be required to comply with Section 2.5 of these Guidelines.

3. PROJECT-WIDE DESIGN STANDARDS

The Declarant's goal is to create a community that will complement the environment. This requires design standards that allow development to blend with the environment, without destroying the amenities or unduly curtailing the Builder's architectural creativity. Controlling building height, materials, and colors will be necessary. The following standards and concepts, when used in conjunction with the architectural theme will guide Builders in creating designs that are consistent with the project identity established by the Declarant.

3.1. LANDSCAPE CONCEPT/THEME

As previously noted in the "Arizona Groundwater Code" section of these Design Guidelines, the City has certain water conservation requirements it is passing on to Builders and individual homeowners within Palm Valley. In general, area homeowners in the past have utilized approximately fifty percent of their water consumption outdoors. Non-residential activities also tend to use substantial amounts of water outdoors. For these reasons, landscaping is an important aspect of creating a water-efficient community.

A landscaping concept, which is intended to transform typical landscaping techniques, began in Denver, Colorado, and has been adopted by the City of Goodyear, as well as cities in California, Texas, Nevada and Kansas. "Xeriscape" is a water-efficient landscape concept that involves landscaping with drought-tolerant plants that are either native to the region or suitable to the climate, and then irrigating those plants appropriately. Native plants normally get all or most of

their water from rainfall. Thirsty plants from other climates often demands much more water and, therefore, are not suitable for use in this type of landscape.

Xeriscape will be the landscape concept used at Palm Valley. The principles of this concept are as follows:

- Start with a good, water-efficient design.
- Use drought-tolerant plants.
- Limit turf areas to twenty percent of the Lot size.
- Establish and practice good maintenance and water management.
- Use of soil amendments and mulches.

3.1.1. Water-Efficient Design

The water-efficient landscape design consists of three "zones." The idea is to use the higher water-use plants close to structures where they will help cool the structure and provide shade and then transition to the boundaries of the Property where native plants are used with little or no supplemental irrigation.

The first zone, closest to the structure, is used to create a "mini-oasis" feeling. In front-yard landscape areas, semi-arid region plants and trees can be used with inorganic ground covers to create a pleasing, low-maintenance landscape. In rear-yard landscape areas, various design elements can be combined to create an inviting outdoor living area. A small lawn, together with a lush, semi-arid region garden surrounding a concrete patio, and inorganic ground covers are just a few elements consistent with this concept. Use of flowering and evergreen groundcovers in this area will also reduce heat that can be reflected back into the structure or other outdoor living areas, thereby saving on energy costs.

Planting in the second zone is not as dense as the first and includes drought-tolerant groundcovers, shrubs, and trees. Mounding and contouring techniques in this area can catch rainwater to help sustain these plant materials with little supplemental irrigation from drip systems.

The third zone, at the boundary of the Property, is the final step in the transition to plants that require little or no supplemental irrigation.

To create shade, residential Owners may consider the following:

- Concentrate landscaping around the living area by using trees to create shade on the house and outdoor patio areas. Shade expands the outdoor living areas. For multi-family developments, mass semi-arid region trees and shrubs around buildings and associated activity areas will create an inviting outdoor environment, consistent with the character of the community. Shrubs and groundcovers shall be massed in altering size clusters to be compatible with adjacent properties. With this type of landscape concept, Owners and

Residents of these developments will benefit through lower water, energy, and maintenance costs.

- Drought related, semi-arid region plants grow fast and provide shade quickly. Semi-arid ground covers can spread and provides cover within one year and can also provide seasonal color. A 15-gallon tree can be large enough to shade a residence within four years.

3.1.2. Use of Drought-Tolerant Plants

As stated in Section 1.3) of these Design Guidelines, the use of drought-tolerant plants is required by the zoning stipulations issued in relation to Palm Valley. The drought-tolerant trees, shrubs, ground cover, herbaceous plants, grasses and annuals listed in Appendix A represent a wide variety of adaptive plant materials that will fit individual landscape needs and create a lush environment. These plant materials are of various color, texture, form, and function. Most bloom throughout various times of the year providing color in the garden. Many semi-arid region trees have a graceful, feathery appearance not found in other climates.

Drought-tolerant plants are acclimated to the weather and soil conditions of the area and, therefore, have a higher transplant success rate and require less maintenance. All Builders and Owners are required to choose from plants and plant materials in Appendix A for landscaping of their Lots/Parcels.

Custom homeowners and Builders of cluster or multi-family developments have an opportunity to use mature native trees which instantly give a development a permanent look, as well as add shade.

3.1.3. Limit Turf Areas

Maintaining a large lawn in Goodyear requires a substantial amount of water that is not available from rainfall. As noted in the "Groundwater Code" section of these Design Guidelines and in order to meet a water budget for Palm Valley, it is recommended to restrict lawn areas to twenty percent of the Lot area, with a maximum of fifty percent (50%) of this twenty percent (ten percent overall) in the front yard. Limited turf areas used in conjunction with other landscaping design elements will result in the feeling of residing in a mini-oasis without the need for large expanses of lawn. Reduction in turf also reduces maintenance time and expense. Grass must be kept in a well-manicured condition. Healthy and green with appropriate water applications. Turf areas in front yards and rear yards visible from the Golf Course or other public areas must be over-seeded with Rye in the winter season.

3.1.4. Practice Good Maintenance and Water Management

Water conservation facilities, equipment, and techniques are required by the City's zoning stipulations issued in relation to the development of Palm Valley. A well-planned irrigation system that will water plants according to their individual needs is vital to assure that plants are maintained properly while achieving the water-efficient goals of the landscape concept. Several types of water-efficient irrigation systems are available. At least one type is to be installed by all Owners within Palm Valley.

Drip irrigation systems provide slowly emitted water deeply below the soil surface at the root level, encouraging deeper root growth. This system requires less frequency of watering and will leach salts from roots. Low output, well-regulated sprinkler systems feed water more slowly and allow for greater absorption and less runoff. Either system is an efficient maintenance tool; however, irrigation systems also need to be managed. Installing timers that are adjusted according to seasonal needs is an important water management task. Setting timers to irrigate the landscape in the early morning hours when there is less evaporation and more absorption is another important water management task.

Rainwater can be caught and used for landscape needs by contouring the Property so rainwater flows into mini-basins around the plants and trees. In some cases, as with established desert trees, supplemental irrigation can be greatly reduced with the use of this technique.

3.1.5. Improve the Soil

Plants grow better and use water more effectively if the soil has been improved. A three-inch layer of mulch or decomposed granite rock will help keep soil areas cool, reduce evaporation, retard weed growth and add interest to the landscape. Granite shall be the two-inch (2") thick top dressing to all front yards and public areas where hybrid turf is not used. Type of granite to be used:

3.1.5.1. Color - Light desert tan hues, and the very lightest coral shades, e.g.: Desert Beige, Madison Gold, Desert Spice, Arizona Blonde, Table Mesa, Apache Brown, Navajo Brown and Slate.

3.1.5.2. Size - Maximum size is one inch (1"), screened or minus.

3.1.5.3. Combinations - No two-tone or multi-color combinations are approved. For small size design elements, with DRC approval, a different size of granite of the same color may be used.

3.1.5.4. No colored rock or pea-gravel is approved for the front yard landscaping.

3.1.5.5. River rock may be used to create a "drainage wash" effect. River rock is not approved for any other use or placement unless or as approved by the DRC.

3.1.5.6. Granite boulders used for accent must be the same color as the granite used for ground cover. Surface select boulders are also approved. Quantity and size of boulders must be approved by the DRC. Overly large boulders in size and/or quantity will not be approved.

Prior to and upon installation, pre-emergent herbicides shall be used annually to control weed problems. All properties shall be maintained to control invasive weeds. Homeowners shall maintain their side-yards, if on a corner Lot, especially around mail box delivery points.

3.1.6. Landscape Plans – General

Xeriscape, a term coined in Denver, Colorado, is quality landscaping that conserves water and protects the environment. Xeriscape landscaping incorporates the following seven basic principles which lead to water savings. (1) Planning and design; (2) Soil analysis and improvement; (3) Appropriate plant selection; (4) Practical turf areas; (5) Efficient irrigation; (6) Use of mulches; (7) Appropriate maintenance. The use of these concepts will provide opportunities for a cool, lush, and inviting environment. Use of desert adapted plants will create a lush desert landscape with multi-seasonal appeal. Designs should address diversity, color, texture, repetition and form to create interesting and aesthetically pleasing places. All landscape plans are subject to approval of the DRC. Builders/Owners should consult their irrigation specialists in finalizing irrigation plans depending upon the species of plant at various locations and their individual watering needs.

Front yard landscaping for residential Lots shall include at least one (1) plant for every one hundred (100) square feet and at least one (1) tree for every five hundred (500) square feet. Front yard landscaping must be distributed evenly to prevent bare spots.

3.1.6.1. Plant Material: The DRC has included the list of acceptable plant material, in Appendix A of these Design Guidelines, to be inherently compatible with the design and direction at Palm Valley. Any species not contained herein may not be planted or installed within Palm Valley without the written approval by the DRC, after which, the species may be included as an approved species through the use of an addendum to these Design Guidelines. Any species not listed in the approved plant list, which have been found to be indigenous to the Palm Valley area may be considered acceptable for use. This list of plant material also includes a list of vegetation types and varieties that are expressly prohibited at Palm Valley, Phases II & III.

3.1.6.2. Decomposed Granite: If decomposed granite is used, it should be of an "earth tone" color and not white, green, blue, red or other bright colors. Approved granite colors for use in Palm Valley are Madison Gold, Palomino Gold, Desert Spice, and Arizona Blonde, Table Mesa, Apache Brown, Navajo Brown and Slate. All granite shall be spread a minimum of 2 inches deep. All granite areas shall be treated with pre-emergent weed control at regular intervals to retard weed growth. Planting underliners are prohibited. Colored rock, pea gravel or other surface rock coverings are not to be used. River rock is only to be used in "drainageway" design elements. They are not for mounding or accent pieces on the surface grade.

3.1.6.3. Landscape Lighting: All landscape lighting, both area and up lighting will be low voltage. Low voltage landscape area lighting will be used to enhance improved walkways and driveway edges. Landscape up lighting will be used to highlight trees and plants, not hardscape elements or walls.

3.1.6.4. Boulders: If boulders are used in the landscaping, only granite boulders of a color similar to the indigenous rock of the surrounding areas are allowed.

3.1.6.5. Fine Grading and Mounding: Fine grading is a critical aspect of landscaping. Each Lot has been graded such that all storm water will drain away from the house and most home sites are graded so storm water drains to the street in front of the house. It is extremely important that this drainage pattern is 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 landscape architect or design professional be consulted.

3.1.6.6. Hardscape: Planters, paved walkways, and other hardscape features visible from Neighboring Property must be reviewed and approved by the DRC. Surface textures and colors should complement the paint color and materials of the house.

3.1.6.7. Turf: The turf area for any home is limited to 20% of the total Lot size. If turf is placed in the front yard, it must be limited to 10% of the Lot size (50% of the total allowable turf). In such case, the remaining 10% of the Lot size may be used in the backyard. Turf will be kept in a well-manicured condition. Healthy and green with appropriate frequency and quantity of water applications.

3.1.6.8. Ornamentation: The utilization of non-living objects as an ornament in the landscape is generally discouraged, particularly in front or side yards visible from adjacent properties and roads. Any ornamentation, which is visible from street view or from a neighboring Property, must be submitted to the DRC for review and approval. The goal of any landscape improvement is to promote a pleasing and harmonious neighborhood character. Individual expression is permissible so long as it does not detract from this goal.

3.1.6.9. Maintenance: All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, tree trimming, removal and replacement of dead or dying plants, removal of weeds and removal of trash.

3.1.7. Rights of Way and Drainage Landscaping

Builders shall also extend the Declarant's landscape theme into the rights of way of their developments. To promote visual continuity of the development, the following landscape treatments and suggestions shall be utilized wherever possible:

3.1.7.1. Landscaping shall tie into existing streetscape and public areas utilizing similar plant varieties prior to transition.

3.1.7.2. Natural buffers between roadways and development should be used to preserve the beauty of the landscaped areas while screening development from view. Mesquite, Acacia, Palo Verde, Bottle Tree, and Ironwood can be effective screening trees. A single healthy tree 13-16 feet tall provides a very effective screen.

3.1.7.3. Retention basins and other flood-control solutions in individual developments shall be landscaped with various mixes and densities of semi-arid plants.

3.1.7.4. Landscaping in highly visible Common Areas and rights of way shall include flowering groundcovers that provide seasonal color.

3.1.7.5. Trees provide the greatest volume of vegetation, support the greatest densities of wildlife, and shall, where possible, be heavily massed along drainage ways.

3.1.8. Front Yard Landscape Plans - Individual Residential Lots

Actual drawings with the following information must be submitted to the DRC by the Builder or Owner, as applicable, prior to any landscape work being performed:

3.1.8.1. Drawing showing the location and size (tree, shrub, or groundcover), to the extent known, of plant materials to be used;

3.1.8.2. List of plant materials to be used in the plan;

3.1.8.3. Drawing of irrigation system to scale and sufficient in detail to completely describe the system. All irrigation systems shall be controlled by an automatic sprinkler system installed with the landscaping package. All irrigation controllers, risers, pipe, back-flow preventers, and other exposed equipment must be painted to match the body color of the house.

The following items will be considered during the DRC's review:

3.1.8.4. The predominant use of grass in landscaping plans will not be approved by the DRC. Generally, an area of grass not exceeding twenty percent of the total Lot size is recommended for residential Lots. A mix of fifty percent of this twenty percent (ten percent, overall) can be planted in the front yard. Common Bermuda grass (*Cynodon dactylon*) will not be used. This type of Bermuda grass is almost impossible to confine to a specific area. Hybrid Bermuda grasses that are sowed by stolons or sod, such as Mid-Iron, St. Augustine, Tiffway or Santa Ana, can be used in areas where the grass can be strictly confined. Grasses in front yards shall be bordered by a concrete or brick header.

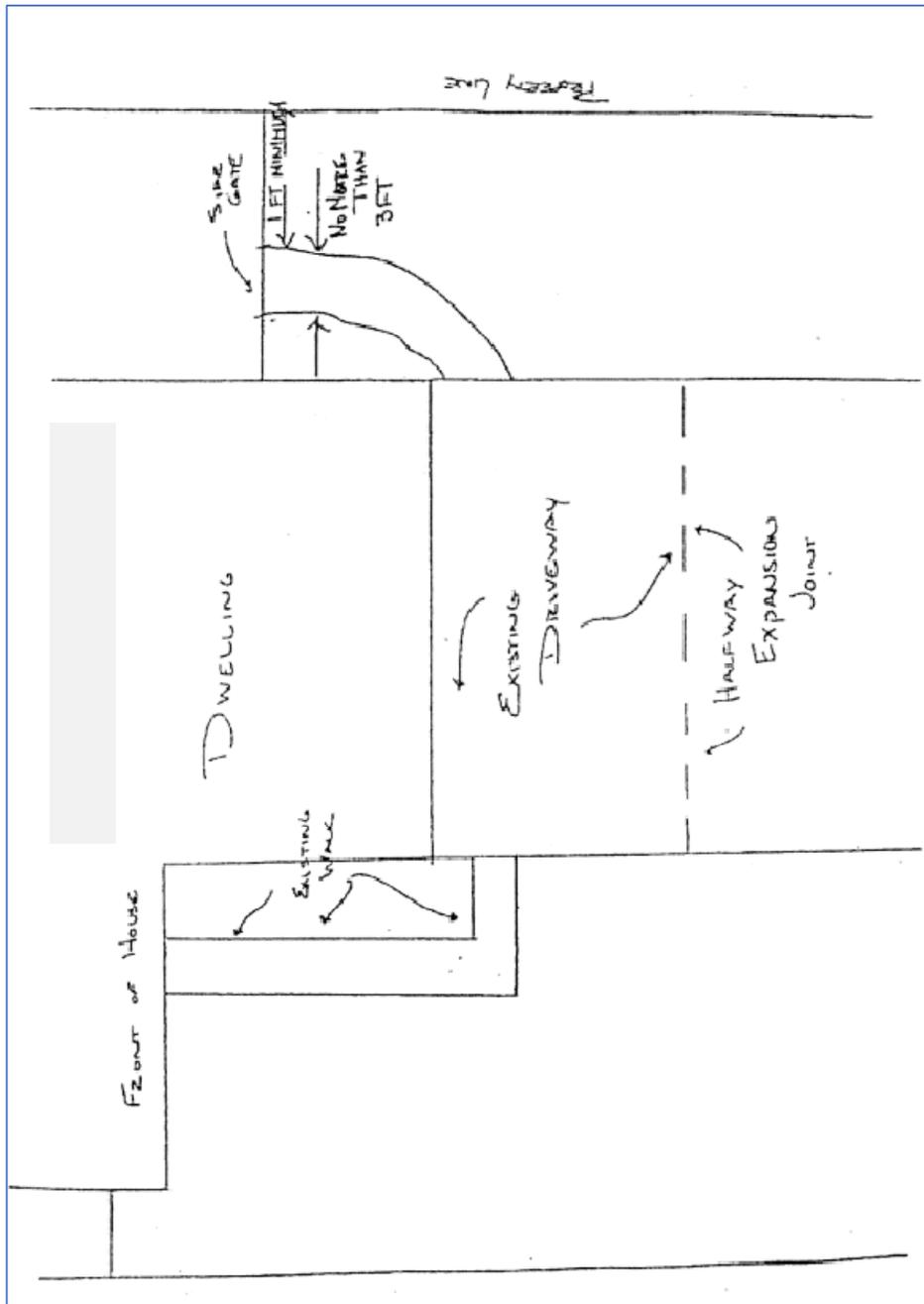
3.1.8.5. All front yard landscaping shall be completed by the Builder prior to occupancy by a Resident. An exception to this time limit applies for any "spec" housing. In the case of a "spec" house, front yard landscaping shall be completed by the Builder upon the earlier of (i) occupancy of the residence or (ii) 30 days after a certificate of occupancy is issued for the residence. The Builder is also responsible to see that backyard landscaping on Lots, which abut the Golf Course, is installed. Such rear yard landscaping is to be completed within 60 days after occupancy.

All other rear yard landscaping is to be completed within 6 months after occupancy. This shall be in addition to and not in lieu of the existing verbiage as reflected in the March 2002 revision of the Design Guidelines.

3.1.8.6. Street side yard area must be landscaped as part of the front yard landscape package. As a minimum, there should be one (1) shrub per fence panel. Granite is to match front yard or as approved by the DRC. This includes areas around mailbox structures.

3.1.8.7. A single sidewalk that is a minimum of one foot (1') wide and a maximum of three feet (3') wide may be installed on the front yard landscaping from the driveway to the side yard gate and should match the existing sidewalks in color and texture. See Figure 4.

Section 3.1.8.7. – Figure 4



3.1.9. Multi-Family Landscape Requirements

A minimum of fifteen percent (15%) of the total Parcel shall be landscaped and distributed throughout the parking Lot(s) and building apron(s) and shall include trees planted from containers no smaller than 15 gallons; shrubs planted from containers no smaller than one gallon, with 25% being 5 gallons; and ground covers planted from one-gallon containers, rather than flats. Trees adjacent to residential areas shall be planted a minimum of one per 20 lineal feet of frontage (for buffer). All landscaping is to be completed by the Builder prior to the City issuing a certificate of occupancy for any multi-family project.

3.1.10. Other Landscaping Requirements

Inorganic landscape features, such as granite ground covers and boulders, shall be limited to materials indigenous to the area or to materials similar in color and appearance to these materials. Irrigation systems shall be designed so over-spray does not occur. Also, each Builder is responsible for landscaping around any above-the-ground appurtenance for cable television located on its Lot or Parcel (or in the rights of way immediately adjacent thereto) so as to screen the appurtenance as much as possible without limiting access by a Utility Provider.

3.2. WATER-EFFICIENT DEVELOPMENT

Developing a water-efficient community is a goal of both the Declarant and the City. With the requirements placed on the City by the Arizona Groundwater Code, developments will have to conform to new standards. Overall, water efficiency at Palm Valley will be the result of the combined efforts of the Declarant, Builders, and Owners.

The Declarant is using only semi-arid region plants for all landscaping. Where irrigation is necessary to maintain plant materials, an automatic drip system will be installed to maximize water efficiency.

Pursuant to the Water Conservation Plan for Palm Valley approved by City and the Declarant, all Builders are required to install water-efficient devices in their projects. Current maximum water-use ratings are as follows:

Water Closet	1.6 gallons per flush
Urinals	1.6 gallons per flush
Residential kitchen faucet	2.75 gallons per minute
Lavatory faucet	2.75 gallons per minute
Shower Head	2.75 gallons per minute

Builders are encouraged to use water-efficient appliances in addition to the above. See also the "Xeriscape" concept of landscaping discussed in Section 3.1, calling for drought-tolerant, semi-arid region plants that will create water-efficient landscapes in residential and non-residential areas.

3.3. STREETScape DESIGN /STREET FURNITURE

A comprehensive streetscape design is incorporated into all collector streets. The design maintains the color, texture, and character of the landscaping. Rights of way will be vegetated using plant materials from Appendix A. Palm, Palo Verde, Mesquite, Ironwood, Bottle Trees, and Acacia Salacina will be the predominant trees used in these areas. Indigenous shrubs and cacti will complete the landscape. Highly visible areas at median cuts and intersections with cross streets will be accented with hardy flowering ground covers. Meandering sidewalks and a bicycle trail will be included. The design of street furniture will be consistent with the contemporary southwestern design theme discussed in the Introduction. Any streetscape designs completed by Builders for their interior-project streets should blend with the overall community design established by the Declarant.

3.4. WALL DESIGN

All walls shall be constructed with block decorative masonry (except for top sections of view walls described below). Each wall shall be a visual extension of the architecture of the main structure(s) and the community as a whole. The wall shall be designed to blend into the street scene with approved landscaping and other approved features. The texture and color of walls shall conform to the criteria specified in the figures that follow. Sections 3.4.1. - 3.4.9. below pertain to non-custom Lots; custom Lot Builder/Owner requirements for walls are designated in Section 3.4.10. below. Except as provided in part of Section 3.4.10., all walls are to be built at the expense of the Builder.

3.4.1. Perimeter Walls

For purposes of definition, all walls surrounding a Parcel or a Purchase Tract shall be considered a perimeter wall. All perimeter walls shall be uniform, connect, and blend with previously built perimeter walls as shall be built in accordance with the criteria specified in Figure 1. The wall shall ultimately be constructed in its entirety (entirety shall mean that the walls are full height to the specified detail and painted, the wrought iron is in place, and the contractor has cleaned up the area to bring it back to a "natural looking" state) when the first home of the last Purchase Tract has been completed by the Builder or when 75% of the Parcel's Lots have had home construction completed (certificate of occupancy is given) on them, whichever occurs first. If the Builder purchased the entire residential Parcel from the Declarant, the Declarant and Buyer must come to an agreement before close of escrow on the schedule for construction of the walls that border the Parcel.

Builders and Owners are strictly prohibited from altering, dismantling or opening a perimeter wall section for any purpose without prior DRC approval (pedestrian access only). The CC&R's provide for a \$2,500 fine for a perimeter wall violation.

Summary of perimeter wall construction timing:

Location	Type of Wall	Installation Timing
Walls along major streets.	Standard Wall	Install before Common Area landscaping is installed or before certificate of occupancy is received on the models, whichever occurs first.
Walls along drainage channels and retention areas.	View Wall or Standard	Install along entire Purchase Tract when the first home is completed in any given Purchase Tract.
Walls that serve to border Purchase Tracts that are not along drainage channels or retention areas.	Party Wall	Complete no later than when the first home is completed in the given Purchase Tract.
Walls that border Golf Course land.	View Wall	Install before landscaping is installed or before certificate of occupancy is received on the models, whichever occurs first

3.4.2. Standard Walls

A minimum 6-foot "standard" perimeter wall shall be constructed by each residential Builder along the boundary line of its Parcel (except along the Golf Course, Common Area portions and along the entryway of the Parcel). Up until the time a subdivision or Parcel is 75% occupied, a Builder may erect the standard perimeter wall so that the wall does not exceed 3 feet in height around its model area to draw prospective purchasers or lessees to the subdivision or Parcel. Thereafter, as described above, the wall shall be completed to its required minimum height of 6 feet.

3.4.3. View Walls

Each residential Builder along the boundary line of its Parcel shall construct a minimum 6-foot "view" perimeter wall, as it abuts Golf Course land and any Common Area (which includes, but is not limited to, drainage channels or retention areas). The view perimeter wall shall be built in accordance with the criterion specified in Figures 2 and 3. All such view perimeter walls shall be uniform and connect with contiguous view perimeter walls and as appropriately determined by the DRC.

3.4.4. Party Walls

Prior to occupancy of a single-family residence constructed on a Lot, the Builder shall construct a Party Wall, i.e. a wall, which separates the rear-and side-yard areas between Lots (but excluding all portions of side-yards considered to be front yards) along the Lot line of the Lot,

even if it abuts Property not owned by Builder/Owner. (See the requirements shown in Figure 2). Front yard Party Walls shall match standard perimeter walls in material and color.

3.4.5. Retaining Walls

Prior to occupancy of a structure on a Lot or Parcel, the Builder shall construct any retaining walls on such portions of a Lot or Parcel as may be required by the Declarant or the DRC. A "retaining" wall is a wall, which retains a differential of two or more feet of earth as may be required by the Master Drainage Plan (as hereinafter described). The retaining walls are to be underground, with the construction of the perimeter wall to be on top of the retaining wall. See Figure 4 for required construction detail.

3.4.6. Side Yard Walls

If a side-yard wall in a sloping area would be higher than the rear wall if extended straight out, the side yard wall shall, if possible, be stepped down, preferably at pilaster location (10' prior to intersection), to match the level of the rear wall. Step changes in wall height shall be full block heights. A wall of uniform design and color, creating a carefully coordinated architectural connection between the two end units shall join corner houses.

3.4.7. Side Gates

In the front/ side portion of a Lot or Parcel and prior to occupancy thereof, a Builder shall construct a gate in accordance with the criterion specified in Figure 5 of these Design Guidelines. Double gates may be installed in Palm Valley to allow wider accessways to back yards. Double gates shall be of the same type, design, and color as the originally installed single gates. Shrubs, trees, and other plants shall be located between the house and the double gates, where possible, must be approved by the DRC.

3.4.8. Rear Gate

In the rear portion of a Lot, where designated by the Declarant and prior to occupancy thereof, a Builder shall construct a gate in accordance with the criterion specified in **Exhibit J** to these Design Guidelines, or as approved by the DRC.

3.4.9. Portal Gates

Where a portal structure is used as an architectural element of the original elevation design, the Builder may provide a portal gate. The portal gate design must compliment the architectural design of the portal.

3.4.10. Walls for Custom Lots

Prior to occupancy and for privacy

purposes, a standard perimeter wall or view perimeter wall shall be constructed by Builder in accordance with Figures 1, 2, and 3 around the "rear Property boundary"; however, if the Owner desires a wall in the front and (typical) front-side portions of its Lot, the perimeter wall

shall not exceed 3 feet in height in such areas, except for portals in combination with a courtyard. This low wall shall be deemed a landscape wall and will be no closer than fifteen (15') feet to the Property line except for portals in combination with a courtyard.

Additionally, a perimeter wall will be constructed by the Declarant (unless the Declarant obligates a Builder to construct such wall) along the arterial roadways within or adjacent to Parcels as generally shown on Figure 1. If the Declarant builds the wall, then upon occupancy (unless earlier required in the contract of sale between the Declarant and the Builder), the respective Owner shall reimburse the Declarant for the lineal footage of the wall constructed along his/her Lot.

3.5. CIRCULATION

The Declarant incorporated into the land use plan a comprehensive network of roads to support the community. All Builder plans for internal streets are subject to review and approval of the City and the DRC. Builders shall consider the following key goals when designing their individual neighborhood circulation systems:

3.5.1. Achieving ease of movement through the project and individual neighborhoods.

3.5.2. Planning neighborhood street systems to serve local traffic demands, while discouraging non-neighborhood traffic.

3.5.3. Enhancing transportation routes with a scenic beautification plan.

3.5.4. Encourage pathways and trails for non-vehicle circulation.

3.6. PROJECT ENTRANCES

The community entrance monumentation will establish a subtle, tasteful introduction to Palm Valley and at the same time will define the limits of the community.

The designs of individual project entrances are to be proposed by each Builder as part of its preliminary design submittal pursuant to Section 2.4., however, the following guidelines will apply:

3.6.1. For safe viewing at all intersections, a sight-line triangle must be maintained pursuant to city Code.

3.6.2. Individual Builder walls and custom Lot walls shall tie into the Declarant walls and turn into the development and either continues or terminates at an inside corner. Builder walls and custom Lot walls shall match Developer's walls in their design.

3.6.3. Treatments at project entrances, such as low planter walls, sculptural shapes and low-profile lighting, shall be designed as integrated features of the Declarant walls.

See also Section 3.13. regarding signage.

3.7. ARCHITECTURAL DESIGN THEME

The integration of structures with the environment is the goal of the architectural design theme for Palm Valley. Low-profile designs that incorporate a variety of architecture with clean, rounded lines and building elements that allow the structure(s) to blend with the surroundings are encouraged. The following items will help maintain continuity through development of design plans for individual projects:

3.7.1. Accessory Buildings

3.7.1.1. Detached accessory buildings may be located in the front or rear of a Lot.

3.7.1.2. Detached accessory building may encroach into the required side yard setback of the Lot, provided that setbacks of five feet shall be maintained from side Property lines. On any corner Lot, the detached accessory building shall not be located closer to the street side Property line than the setback required for the main building.

3.7.1.3. Detached Accessory Building shall not exceed the height of the main building.

3.7.1.4. No detached Accessory Building shall have floor areas exceeding thirty (30) percent of principal building.

3.7.1.5. Where an Accessory Building is structurally attached to a primary residence building, it shall be subject to and must conform to all regulations applicable to the primary residence building.

3.7.1.6. An Accessory Building shall not have an address separate from the principal residence on the Lot or Parcel.

3.7.1.7. Accessory Buildings shall have no separate utility services.

3.7.1.8. Accessory Buildings shall be constructed of similar materials, colors, and architectural style to the main building.

3.7.1.9. No Accessory Building shall be constructed on any Lot or Parcel until the main building has been actually commenced.

3.7.1.10. No Accessory Building shall be leased or rented.

3.7.1.11. In addition to the above requirements for all detached accessory buildings, detached front accessory buildings will include and incorporate the following additional standards and guidelines.

3.7.1.11.1. Detached Front Accessory Buildings are located in the front half of the Lot and are limited in use to either a garage or casita. "Casita" means a living area in an Accessory Building used as a bedroom, home office or other use that would be allowed and typical within the main dwelling unit.

3.7.1.11.2. Detached Front Accessory Building shall conform to the same standards of setback and height requirements as for the main building.

3.7.1.11.3. On Lots having principal building and Front Accessory Building, maximum Lot coverage of all buildings shall not exceed sixty (60) percent.

Section 3.7.2 is deleted in its entirety and replaced with the following:

3.7.2. Antennas

Antennas and satellite dishes covered by the Over-the-Air Reception Device Rule adopted by the Federal Communications Commission must be installed per FCC regulations within areas of the owner's exclusive use and control. The antenna or satellite dish and related equipment must be painted to match the body color of the dwelling unit as long as it does not damage the dish, void the warranty, impose an unreasonable cost, or impair the quality of the signal.

All other antennas or satellite dishes are prohibited without the prior written approval of the DRC.

3.7.3. Awnings and Canopies

An awning or canopy is permitted within the side or rear yard of any residence within Palm Valley. Awnings and canopies are expressly prohibited within any front yard or any side yard, which is immediately adjacent to a public street. The DRC must approve the pattern and colors for awnings and canopies. In general, the shape and pattern of any awning must be compatible with the design character of the residence, and all colors must be of natural tones.

3.7.4. Basketball Goals

Basketball goals are allowed in the front and rear yard. No basketball backboards shall be installed without the written approval of the DRC. No backboard will be attached to the house structure. Nets and paint must always be in excellent condition; no fading and no under-color paint showing through.

3.7.4.1. Rear Yard: Goals should be located near the house to reduce the visual impact from adjacent properties with a minimum distance of 15 feet maintained from any perimeter wall to the goal. All non-clear surfaces, including the backboard, metal supports and pole must be painted to match the house color.

3.7.4.2. Front Yard: Permanent basketball pole, braces and backboard, front and back, (all non-clear surfaces) must be painted to match the body color of the home. Basketball hoop must be placed on the side of the driveway with the most distance from the neighbor's Property line.

3.7.4.3. Portable: Basketball hoops must be placed on the driveway with the most distance from your neighbor's Property line. They must be stored out of sight from the street immediately at the end of play.

3.7.5. Birdbaths, Birdhouses and Birdfeeders

DRC approval is not required for the rear yard installation of any birdbath that has height of three feet or less, including any pedestal. Placement in any front or side yard requires DRC approval.

3.7.5.1. No DRC approval is required for one rear yard installation of any birdhouse or birdfeeder. Such birdhouse or birdfeeder shall measure no more than one foot by two feet. Installation in front or side yard requires DRC approval.

3.7.6. Building Height

A building height limit of thirty feet (30') will be maintained throughout the residential community unless a specific project of greater height is approved by the City of Goodyear and the DRC. In such cases, the DRC will consider how the increased height relates to the type of building, setbacks, and relationship to adjacent land uses.

3.7.7. Built-in barbecues, fire pits, or fireplaces

Permanent built-in barbecues, fire pits, or fireplaces are allowed if contained within a patio or courtyard area. Chimney elements must be located and sizes so as not to obstruct views of adjacent properties.

3.7.8. Carports

Carports are prohibited.

3.7.9. Clotheslines

Clotheslines or other outside facilities for drying clothes are not allowed unless they are placed exclusively within a fenced yard or otherwise concealed. Such facilities may not be visible from Neighboring Property or from the street.

3.7.10. Colors

Colors shall be non-reflective in muted tones that recall the hues of the ground plane, surrounding mountains and plant material. There shall not be abrupt changes in color between adjacent structures. All colors are subject to approval by the DRC. Proposals will be reviewed in terms of the development's interior relationships and the effect on the surrounding Parcels.

Each builder/subdivision has its/their respective approved paint color schemes for the houses in its respective subdivisions. The approved paint color schemes are available at Dunn-Edwards. Prior written approval from the DRC is required to paint the exterior of any Improvements on the Lot. Prior written approval from the DRC is not required to

repaint the exterior of Improvements the same color. However, paint scheme and information must be submitted for documentation purposes.

3.7.11. Compost

DRC approval is required for the installation of compost containers. Compost containers shall not be immediately visible to adjacent properties, and Owner must control odors.

3.7.12. Decks

All second-story decks approved by the DRC shall be constructed to avoid overlooking into adjoining backyards. The deck surface shall be made of asphalt or concrete and a parapet masonry wall of sufficient height to shield the deck surface is required. A height of 3 feet is suggested; however, all walls are subject to the approval of the DRC.

Upper-level decks in builder production subdivisions may not be expanded beyond the approved plans as submitted by Builder to the DRC. Upper decks may be expanded after the close of escrow by Owner or Builder, to the maximum upper deck as shown as an option on the Builder approved plans.

3.7.13. Design Compatibility

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

3.7.14. Dog Runs and Kennels

Dog runs shall be situated on the rear on-third of a Lot, shall not be located within 10 feet of a Property line, shall be no larger than 240 square feet, integrated with landscaping, screened from street view, and shall be constructed in accordance with the fencing requirements set forth in these Design Guidelines. Dog runs, which do not conform to the aforementioned standards, require DRC approval.

3.7.14.1. Animal kennels are prohibited. No animal structure shall provide shelter for more than 3 dogs over six months of age.

3.7.15. Double Gates

Double gates may be installed at Palm Valley to allow wider accessways to back yards. Double gates should be of the same type, design and color as the originally installed single gates. Shrubs, trees and other plants should be located between the house and the double gates, where possible.

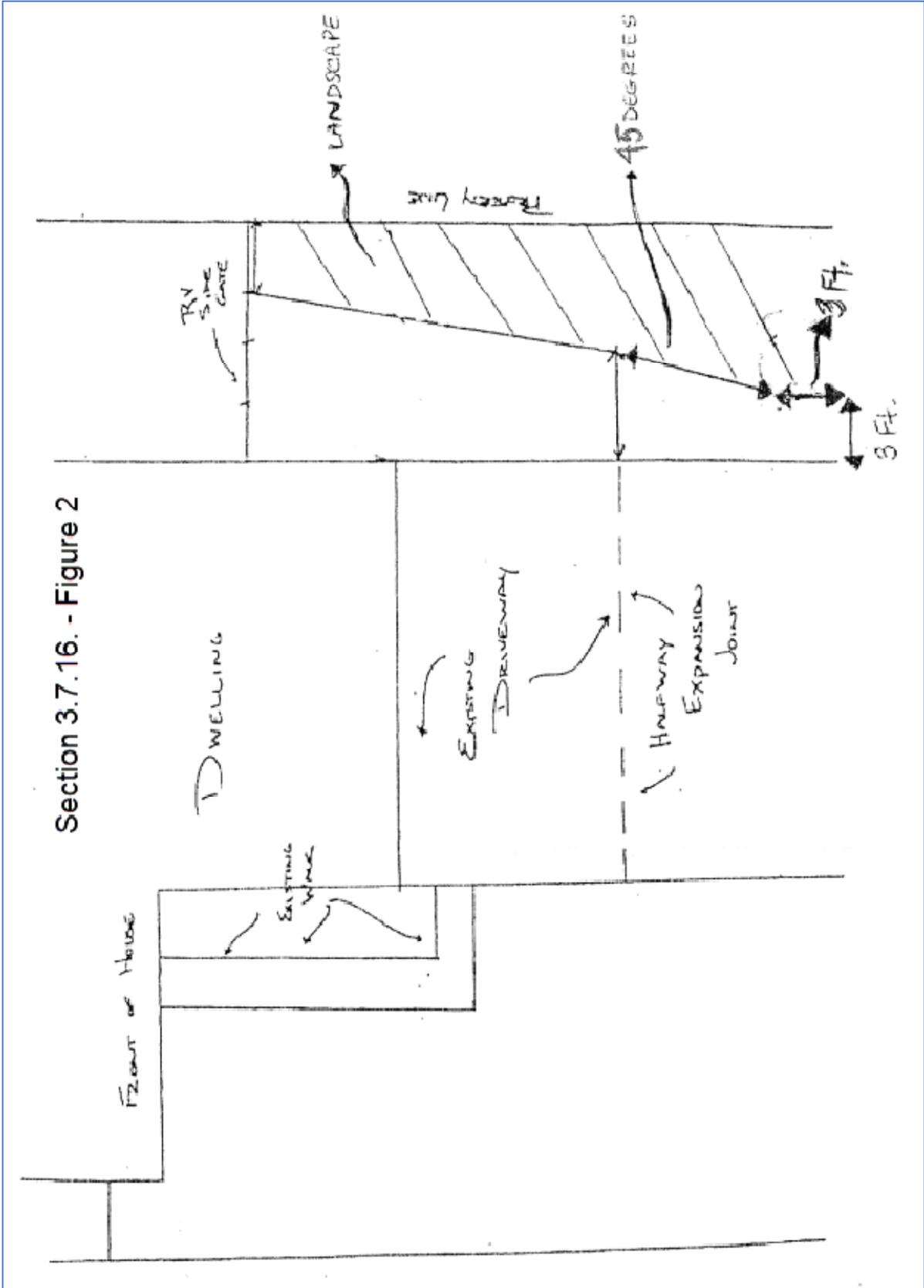
3.7.16. Driveways

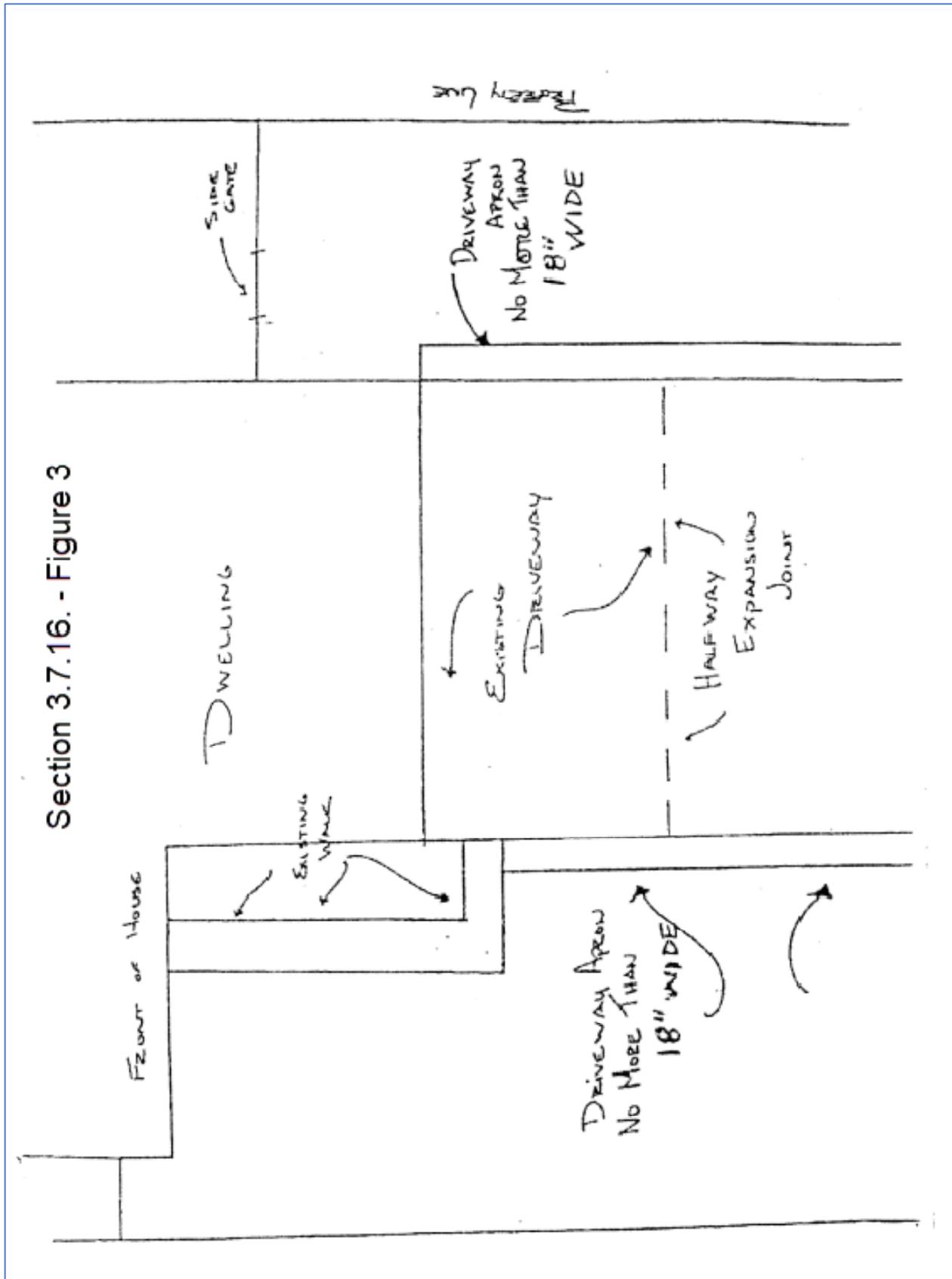
Driveways may not be expanded without the prior approval of the DRC.

Driveway extensions on the side of the driveway in front of the double gate are allowed with prior written approval from the DRC. Any driveway extension shall extend no more than three (3) feet from the bottom of the current driveway adjacent to the sidewalk and go up toward the double gate by three (3) feet and at that point continue at a 45-degree angle from the halfway expansion joint toward the double gate. *See Figure 2.* Driveway extensions in front of the entry of the home are prohibited. *See Figure 2.* Due to variances between sidewalks and driveways must match the current hardscape and must be maintained on a regular basis.

Driveway aprons may be installed with prior written approval from the DRC and with the following guidelines:

1. Each apron shall be no more than 18" inches in width on one or both sides of the driveway. *See Figure 3.*
2. Installation of the apron may be the length of the original driveway.
3. Materials of the apron shall be pavers or stained concrete or concrete coating.





3.7.17. Entrances to Structures

Deeply recessed entrances provide protection from the elements and a sense of individuality for the structures. When used with wall extensions, the entry can create a courtyard effect, which is very appropriate to the region. A combination of overhanging roofs and some change in the plan configuration can create a distinctive individual entrance. Portals can also be used to create individuality and a more formal entry. For multi-family or attached units, creating a single-family sense of privacy in the design of entrances benefits both the homeowner and the neighborhood.

3.7.18. Exterior Building Materials

Acceptable exterior building materials include brick, masonry, stucco, adobe, stone veneer, or other exterior treatments previously approved by the DRC; however, emphasis is placed on stucco so as to complement the architecture and design. The use of wood as a predominant material is prohibited.

3.7.19. Exterior Elevations and Floor Plans

Each floor plan offered by a production builder will have a minimum of three, very distinctive exterior elevations. Each alternative elevation will be offered in at least three-color choices and three choices in roof tiles. Each exterior color combination and roof tile selection, as a package, will require prior approval by the DRC.

3.7.20. Flags and Flagpoles

Temporary flagpole staffs that do not exceed six (6) feet in length and are physically attached to the dwelling unit do not require prior DRC approval. All other flags and flagpoles require prior DRC approval. Permanent flagpoles, used to display the United States flag must be of a color, height, and location that is appropriate to the size of the Lot and dwelling unit, as well as in relationship to adjoining properties. Proper flag etiquette is to be observed.

3.7.20.1. Residents are encouraged to use house-mounted brackets to display flags if so desired.

3.7.20.2. Seasonal flags may be house-mounted. Flags must be of appropriate seasonal design. All flags will be in excellent condition or they must be removed.

3.7.21. Garages

Garages may not be converted into living space.

3.7.22. Golf Ball Netting

The following criteria govern the design and installation of golf ball netting:

3.7.22.1. The number and height of supporting poles is to be determined by the DRC. Approved height will be measured from the Lot grade level (not built up area) with the

top rail not to exceed a height equal to that of the roof and shall be the minimum size necessary to shield the rear yard from errant balls, as determined by the DRC.

3.7.22.2. Net poles are to be color standard with color and material standard, being non-obstructive to view and/or non-opaque netting.

3.7.22.3. Pole installation is to be structurally sound with set in sleeves to facilitate easy removal and repair.

3.7.22.4. Additional plant/tree material may be required. Type and size to be determined by the DRC.

3.7.22.5. Golf ball netting installation submittals will be reviewed on an individual, case-by-case basis by the DRC. This time span could extend beyond the standard 45-day review period. When presented to the DRC for review, signed authorization forms from adjoining Property Owners must accompany the submittal.

3.7.22.6. Golf net and pole installation, removal, repair, or replacement is the financial responsibility of the Owner. Netting and/or poles must be maintained in good repair, so as to not become a nuisance or unsightly.

3.7.22.7. An approval by the DRC and the Board of Directors is additionally subject to the dwelling unit Owner complying with all State, County, and City codes and ordinances.

3.7.23. Holiday Decorations

(a) Fall holiday season decor may be displayed from October 1 through November 7th. (b) Winter holiday season decor may be displayed two weeks before holiday through January 7th. Holiday decorations outside of the periods described above at (a) and (b) may be displayed for a period not to exceed two weeks before to one week after holiday. Decorations shall not create audible or visual nuisances for neighbors. The Association complies with state and federal fair housing law.

3.7.24. Home Offices

No business shall be conducted in or from any Lot, except that an Owner or a Resident of the Lot may conduct business activities within the dwelling unit so long as:

3.7.24.1. The business activity is not apparent or detectable by sight, sound, or smell from outside the dwelling unit;

3.7.24.2. The business activity complies with applicable zoning requirements;

3.7.24.3. The business activity is consistent with the residential character of the community and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of others within the community, as determined in the Board's sole discretion.

3.7.24.4. "Business" shall have its ordinary, generally accepted meaning and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the family of the producer and for which the producer receives a fee, compensation, or other form of consideration, regardless of whether (A) such activity is engaged in full or part time, (B) such activity is intended to or does generate a profit, or (C) a license is required.

3.7.24.5. This provision shall not apply to restrict Declarant's activities in the community, nor shall it restrict the activities of persons approved by Declarant involved with Palm Valley and sale of Property in the community. Additionally, this provision shall not apply to any Association activity relating to operating and maintaining the community, including the community's recreational and other amenities.

3.7.25. Machinery & Equipment

No machinery or equipment of any kind (except indoor hobby equipment) shall be placed, operated, or maintained upon any residential Lot except machinery or equipment used during the period of construction. This does not prohibit normal and usual lawn and landscape maintenance equipment: (a) owned by an Owner or Resident and kept on his, her or its Lot for maintenance of such Owner's or Resident's Lot; or (b) owned by the Association or the Declarant (or their managers, employees or contractors) and used for maintenance of Common Areas.

3.7.26. Mechanical Equipment

Miscellaneous items such as vents and flues shall be located to occur on the least prominent side of the ridgeline whenever possible and shall be coated with a flat paint to match the color of the roof. Rotating, rooftop ventilators or other mechanical equipment are not permitted on rooftops in most residential areas. Roof mounted air-conditioning units may be permitted only in developments on Parcels zoned UR/ H (MF-18) or higher density, and then only with prior DRC approval.

3.7.27. Parking on the Street

The intent of the Association is to restrict on-street parking to the extent possible. No overnight parking will be allowed. The term "vehicles" as used in this section, shall include, without limitation, automobiles, trucks, sport utility vehicles, boats, trailers, motorcycles, campers, vans and recreational vehicles.

3.7.27.1. No vehicle may be left upon any portion of the community except in a garage, driveway, or other area designated by the Board. No person shall park any recreational vehicles, mobile dwelling units, trailers, campers, boats or other watercraft, stored vehicles, and unlicensed vehicles or inoperable vehicles within the community other than in enclosed garages; provided, boats may be kept or stored on a Lot so long as they are not visible from Neighboring Property. This section shall not apply to emergency vehicle repairs.

3.7.27.2. Notwithstanding the above, for purposes of cleaning, loading, unloading, and short-term parking, recreational vehicles, which do not exceed the length of a driveway or encroach upon the pedestrian sidewalk, may be parked on the Lot's driveway or other paved areas within Palm Valley for dwelling units without driveways for periods not exceeding 48 hours no more frequently than every thirty days. Owners must obtain a recreational vehicle permit, which permit may contain conditions or restrictions deemed reasonable by the Association, for such short-term parking from the Association's management office.

3.7.27.3. State of Arizona and Federal Law mandate utility companies to have repair and maintenance available to respond to emergencies. House Bill 2504 (amending HB2304) was recently passed by Senate, which directly impacts a restriction of your community documents, prohibiting parking of commercial vehicles within Palm Valley. Commercial public utility vehicles will be allowed to be parked in residential driveways provided that the resident of the lot has submitted for variance meeting the following criteria:

1. The vehicle is 20,000 pounds or less.
2. The vehicle must be available at designated periods at the person's residence as a condition of employment.
3. The resident is employed by a public service corporation that is regulated by the Corporation Commission and must be prepared for emergency deployments of personnel and equipment for repair or maintenance of natural gas pipelines and related infrastructure.
4. The vehicle is owned or operated by the public service corporation and bears an official emblem or other visible designation of that corporation.

3.7.28. Patio Covers and Storage Sheds

Rear yard storage sheds must be detached from the house and the height of such storage shed shall not exceed the height of the block wall surrounding the dwelling unit. Approval is not required for rear yard storage sheds that do not exceed the height of the block wall surrounding the dwelling unit. However, Owners must submit a conceptual drawing to the DRC before commencing construction. If the storage shed is visible over the gate or fence, it must be submitted for DRC approval. Furthermore, for storage sheds that are visible over the gate or fence, the roof tile and exterior paint of such storage shed must be the same as the dwelling unit, or covered with a lattice, trellis, or trees so as to not be visible from the street or neighboring property. All other permanent additions to a dwelling unit or Lot, including patio covers and other accessory buildings must be approved by the DRC prior to construction.

3.7.29. Patios, Porches, Plazas, and Courtyards

The architecture of outdoor patios, plazas, courtyards, and pergolas shall be complimentary to the visual character of the architecture of the dwelling unit. The color, materials, texture, form

and style of these outdoor features shall be similar to the architecture of the dwelling unit and must be approved by the DRC. Builders are encouraged to use these architectural elements in their designs.

3.7.30. Pets

Residents are allowed to keep a reasonable number of generally recognized house or yard pets; the number to also comply to any local, state, or federal regulations and laws. Pets should be kept on a leash, as mandated by City, County, and State laws. All pets must be kept on a maximum 6' leash in all Association Common Areas. Animals cannot be kept or raised for commercial purposes, and they are not allowed to "free-roam", make an unreasonable amount of noise, or become nuisances to neighbors. Also, no structure for housing such animals may be visible from Neighboring Property.

3.7.30.1. Pets which are permitted to roam free, or, in the Association's sole discretion, endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to other Owners or Residents of any portion of the Community shall be removed upon the DRC's request at the Owner's expense. If the Owner fails to honor such request, the Board may cause the pet to be removed at the Owner's expense.

3.7.31. Play Equipment

Play equipment shall be approved by DRC and is allowed in rear yards and side yards only. Equipment shall be screened or placed to limit views from adjacent properties. Swing sets and gymnastic equipment are permitted within rear yards only. Such equipment is to be located a minimum of 10 feet away from any perimeter wall and is to be constructed of either natural wood materials or painted a natural color if higher than any adjacent perimeter wall. Plans for play equipment to be located in a view fence Lot, must be submitted, reviewed, and approved by the DRC.

The Trampoline and Playset setback requirement shall be at least ten (10) feet from the perimeter and party walls.

3.7.32. Pools and Spas

Prior to construction of a swimming pool, an Owner or builder shall contact the Property management company to coordinate the point of construction access to assure damage to Common Areas, drainageways, and common perimeter "theme" walls is avoided. In most cases, construction access shall be through the side yard wall or from the front of the dwelling units. Alternate access through perimeter walls must be pre-approved by the Declarant and the DRC and will require a deposit to ensure the wall is returned to the original condition.

3.7.32.1. No above ground pools or spas of any kind will be allowed on any Golf Course Lot without prior DRC approval.

3.7.32.2. Pool equipment on a Golf Course view Lot must be installed a minimum of five (5') feet away from the Golf Course Property line. Pool equipment must be screened from Golf Course view.

3.7.32.3. Spas must be five (5') away from adjoining Property lines. Spas must be screened from view on Golf Course Lots. Spas that include ramadas or shade structures must be made of redwood or other DRC approved material that is painted to match the body color of the home.

3.7.32.4. Spas and equipment will be maintained in excellent condition or they must be removed.

3.7.32.5. Above' ground pools shall not include decks high enough to infringe on the privacy of adjoining neighbors.

3.7.32.6. Pools may not be backwashed into the washes, common landscaped areas, drainageways, or streets. All backwash water, should be retained on the Owner's Lot. If necessary, a hole should be dug and filled with rocks to provide for the needed capacity. In the event a hole is made in a wall to backwash into, prohibited areas, the Association may repair the wall at the homeowner's expense after notice as required by the CC&R's.

3.7.32.7. Pool equipment, on Golf Course or view fenced Lots, is to be screened from view of the Golf Course or Common Area.

3.7.33. Porches

Porches should be designed for functionality as well as architectural interest. Porches shall have a minimum depth of 6 feet, and a minimum width of 8 feet clear of circulation paths. Porches should be open for air circulation, security and visibility. Columns should be proportional to porch size. Porches and entries should also be vertically elevated above the street and sidewalk level wherever possible. Enclosed front porches are prohibited.

3.7.34. Postal Boxes and Lockers

All Builders shall provide for centralized postal (mail) boxes and lockers as required by the DRC in light of the number of residential or commercial units shown on the plat or Site Plan. The Builder shall, however, at its own expense, build the postal box/locker structure to surround the mail equipment after receiving DRC approval. The structure is to have a color and finish to match and compliment the walls within Palm Valley and shall be placed behind the sidewalk. The Builder may apply an anodized or other finish to the mail equipment if approved by the DRC and the United States Postal Service. The Declarant shall provide for centralized postal (mail) boxes and lockers as required by the number of residential units shown on the plat or Site Plan for custom Lot Parcels.

3.7.34.1. Mail boxes shall be subject to the requirements of US Postal Service.

3.7.35. Protection of Neighbors

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

3.7.36. Rental Properties

For purposes of these Design Guidelines, "leasing" is defined as regular, exclusive occupancy of a dwelling unit by any Person other than the Owner, for which the Owner receives any consideration or benefit, including, but not limited to, a fee, service, gratuity, or compensation. A Lot may be leased only in its entirety (e.g., separate rooms within the same dwelling unit may not be separately leased). No fraction or portion may be leased.

3.7.36.1. No structure on a Lot other than the primary dwelling unit shall be leased or otherwise occupied for residential purposes, except that structures used for ancillary purposes, such as guest houses, may be occupied, but not independently leased. There shall be no subleasing of a dwelling unit or assignment of leases except with the prior written approval of the DRC.

3.7.36.2. All leases shall require that tenants and all occupants of the leased Lot are bound by and obligated to comply with the governing documents. The restrictions on lease terms set forth in this paragraph shall not apply to Lots owned by Declarant. Every lease of a Lot shall provide that failure to comply with the requirements and restrictions of this Section shall constitute default under the lease.

3.7.36.3. Notice of any lease, together with such additional information as allowed by Arizona law, shall be given to the Board or its designee by the Owner within ten days of execution of the lease. The Owner must make available to the Tenant copies of the Association's governing documents. The Board may adopt reasonable Use Restrictions and Rules regulating leasing and subleasing and the activities of tenants and subtenants.

3.7.36.4. No transient tenants may be accommodated in a dwelling unit. All leases, including sub-leases, shall be in writing.

3.7.37. Roof Equipment

No devices of any type, including antennas, evaporative coolers, solar panels, and air conditioning units shall be placed on any roof unless approved by the DRC.

3.7.38. Roof Mounted Equipment

Air-conditioning units may be permitted to be roof mounted only in developments on higher density zoned Parcels and only when screened and approved by DRC.

3.7.39. Roof Materials

Acceptable roof materials for sloped roofs include non-reflective clay tile, slate or concrete tile. On Parcels with higher density zoning, other non-wood materials may be considered by the DRC. Roof materials should blend with soffit, fascia, or house. Flat roofs may be used but shall be vertically articulated or combined with pitched roof segments of roof.

3.7.40. Screens, Shade Covers, & Patio Roofs

Screens, shade covers, patio roofs and other similar overhead structures shall be constructed of materials and colors to match or complement the architectural style of the dwelling unit. Screens and shades shall be approved by the DRC prior to installation.

3.7.41. Skylights

Skylights shall be a design element of the roof design and a component of the elevation and roof massing. Electrical lights will not be allowed in skylights.

3.7.42. Solar Collectors

Solar panel equipment, including metal lines and boxes, must match the exterior body color of the dwelling unit as long as it does not damage or impair the quality of panels or unreasonably increase the cost of installation.

Solar collectors should be installed on the plane of the roof and be flush mounted, panels may not break roof ridgeline, cabling must be attached to the structure and not allowed to hang loose, all exterior plumbing lines and visible cabling should be painted in a color scheme which matches as closely as possible to the color of the structure and materials adjacent to the pipes (e.g. pipes/cabling on walls should be painted the color of the walls and/or trim to which it is attached, while roof pipes/plumbing should be the color of the roof. Owners shall comply with these requirements to the extent such compliance does not prevent the installation, impair the functioning of the device or restrict its use, or adversely affect the cost or efficiency of the device.

Solar energy equipment shall be installed on the ground or on a building wall where not visible from adjacent properties or public view. Solar equipment should be mounted in a manner compatible with the dwelling unit's architecture.

3.7.43. Statues

DRC approval is not required for the rear-yard installation of any statue, which, including any pedestal, stands no more than five feet tall. All other statues or yard orientation is subject to prior DRC approval.

3.7.44. Temporary Structures

Temporary structures other than those used during the initial construction of a dwelling unit, including without limitation, shacks are prohibited. Prior DRC approval is required for tents other than camping tents that are used for occasional overnight sleeping by children and are left standing for no longer than 72 hours.

3.7.45. Trash Containment

Other than multi-family residential units, all dwelling units must keep all refuse and containers stored from view, until it is appropriate to place on the street for pickup. At no time are such containers to be visible from Neighboring Property except when they are being made available for collection and then only for the shortest time reasonably necessary to effect such collection. Installation of sub-grade trash receptacles is prohibited. Refuse containers must be tightly covered and of a plastic material. Containers must not exceed 30 gallons of capacity or 50 pounds in weight. Containers are to be maintained in good repair and a sanitary condition.

3.7.45.1. Other than multi-family residential units, all dwelling units must keep all refuse and containers stored from view, until it is appropriate to place on the street for pickup. At no time are such containers to be visible from Neighboring Property except when they are being made available for collection and then only for the shortest time reasonably necessary to effect such collection. Installation of sub-grade trash receptacles is prohibited. Containers are to be maintained in good repair and sanitary condition." This shall be in lieu of the existing verbiage as reflected in the March 2002 revision of the Design Guidelines.

3.7.46. Trellis Features

Trellises shall be constructed of wood, vinyl, or metal with oversized posts and beams. If attached to the dwelling unit structure, trellises must be approved in the context of the elevation of the building. Trellises on residential Lots that are detached from the dwelling unit structure shall not exceed 10 feet and are limited to side yards or rear yards unless otherwise approved by DRC.

3.7.47. Utilities

Pipes, wires, poles, utility meters, and other utility facilities shall be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure. Any utilities or utility equipment not installed below ground or within an enclosed structure requires DRC approval. Utilities include water, sewer, power, telephone, cable, television and miscellaneous conduits.

3.7.48. Variety in Exterior Elevations

Each builder will make a concerted effort to make sure there is a utilization of all exterior elevations and exterior color and roof tile options. Putting like exterior elevations and/or color combinations next to each other should be avoided. This procedure will give a neighborhood a custom appeal and work to individualize each home.

3.7.49. Window Treatments

The DRC must approve installation of sunscreens; material must be of an earth tone and trim to match existing window trimming. Application of window film for the purpose of reducing solar heat gain, ultra-violet light, and glare, is allowed subject to approval by the DRC. Such film is to be transparent in appearance and must not exceed a visible light reflection ratio of 20%

for single pane windows and 25% for dual pane (insulated) windows. The film must also be applicable with pressure sensitive adhesive.

3.7.50. Windows and Doors

"Pop-out" features are required around the exterior of all backyard windows and door jams on Lots, which abut a park, significant open space, or the Golf Course. These "pop-out" features are required around the exterior windows and doors, both the front and back of all custom homes. Additionally, all window frames are to have a non-reflective finish and all windows are to be dual pane.

3.7.51. Woodpiles and Storage of Fuel

All woodpiles shall be kept and maintained in the rear yard only and be screened by adequate planting and/or fencing so as to conceal them from view of neighboring residences and the streets. No aboveground tanks for the storage of fuel, water, or other substance shall be located on any Lot.

3.7.52. Workmanship

The quality of workmanship evidenced in construction shall be equal to or better than that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and even create safety hazards. The DRC assumes no responsibility for the safety or habitability of any construction.

3.8. CUSTOM HOMES

In addition to items previously listed, homes built on custom Lots will include and incorporate the following additional standards and guidelines.

3.8.1. All custom homes must have a minimum plate line height of 10 feet throughout the entire ground level of structure.

3.8.2. Setbacks will be a minimum of 20 feet front, 25 feet back, and 20 feet total side setback with 7 feet minimum, unless noted otherwise on the final plat. In the case of a side entering or recessed garage the minimum front yard setback is 15 feet.

3.8.3. All sides of the structure must be designed with an architecturally aesthetic elevation and receive design approval.

3.8.4. All front entry doors must have a minimum height of 8 feet.

3.8.5. Roof will be a minimum of 4:12 pitch, tile only, with the type and color of tile to be approved by the DRC. Under no circumstances will wood, wood-shake, fiberglass or asphalt shingles be allowed.

3.8.6. Flat roof would be allowed on design review only, and must have a parapet wall on all elevations. Flat roof elements should have a balance and add architectural design to the house plans.

3.8.7. Roof mount equipment will only be allowed by written approval of the DRC, and that approval will require total screening from all sides of the structure.

3.8.8. The minimum livable square footage is 2,400. Certain Lots in Palm Valley may be restricted to single-story structures.

3.8.9. Basements are allowed with 2,400 square feet still being the minimum allowable livable square footage. With approval of the DRC, 2,000 square feet on ground level may be allowed with a minimum front elevation length of 70 feet.

3.8.10. All structures shall have a minimum of a two-car garage. When Lot size and configuration allows, side entry garages are required.

3.8.11. Wing walls, or walls that tie the front of the house to the perimeter fence must match the front elevation of the house; i.e., the same stucco color and texture. Any sidewalls that face the street must match the Theme Wall as seen in Figure 1 of these Design Guidelines.

3.8.12. Plans must be approved by the DRC prior to being submitted to the City for approval. One set of approved plans will be kept on file by the DRC and one approved set will be on file with the management company.

3.8.13. The DRC must approve any exceptions to these Design Guidelines in writing.

3.9. MINIMUM LANDSCAPE REQUIREMENTS FOR CUSTOM HOMES

The Builder/ Purchaser shall be required to plant a minimum of seven (7) shade trees per Lot, and the minimum height shall be (8) feet. In addition, a minimum of thirty (30) shrubs or other approved plant material is required. Corner Lots shall contain in the street side yard an additional one (1) tree and five (5) shrubs in addition to that mentioned previously. All landscaping plans must be approved by the DRC.

3.9.1. DRC may, in its sole discretion, allow some variation from the landscaping requirements herein:

3.9.2. See Appendix A for a list of acceptable trees, shrubs, and ground cover that may be used.

3.9.3. All landscaping shall be completed according to the approved landscape plan prior to final inspection of the residence by the appropriate governmental regulatory agency, the DRC and prior to occupancy unless specifically approved otherwise by the DRC. Any additional landscaping or change in landscaping, which is to be installed after occupancy of the residence, must be approved by the DRC prior to installation.

3.9.4. Any plant material, which dies, shall be replaced by like material in a timely manner.

3.9.5. An automatic underground irrigation system of sufficient size and capacity to irrigate all sodded and landscaped areas must be installed and used to maintain the areas in good and living condition at all times.

3.10. GUESTHOUSES

On Lots having area of not less than 15,000 square feet may have living quarters for guests or employees on the premises in an accessory building or attached to the principal residence.

3.10.1. Detached guesthouse may encroach into the required side and rear yard setback of the Lot, provided that setbacks of five feet shall be maintained from side and rear Property lines. On a through Lot, the detached guesthouse shall not be located closer to the rear Property line than the distance required for front yard setback. On any corner Lot, the detached guesthouse shall not be located closer to the street side Property line than the setback required for the main building.

3.10.2. Detached guesthouse shall not exceed a height of twenty (20) feet.

3.10.3. No detached guesthouse shall have floor areas exceeding fifty (50) percent of principal building.

3.10.4. On Lots having principal building and guesthouse, maximum Lot coverage of all buildings shall not exceed sixty (60) percent.

3.10.5. Where a guesthouse is structurally attached to a main building, it shall be subject to and must conform to all regulations of this ordinance applicable to the main building.

3.10.6. Not more than one (1) guesthouse shall be permitted on any one (1) Lot or Parcel.

3.10.7. Guesthouse whether detached or attached shall not have an address separate from the principal residence on the Lot or Parcel.

3.10.8. Guesthouse shall have no separate utility services.

3.10.9. Guesthouse shall have no entry visible from public rights of way.

3.10.10. A guesthouse shall be constructed of similar materials, colors, and architectural style to the main building.

3.10.11. A guesthouse shall have no separate driveway or parking area for that of the principal residence. The principal residence shall have no less than a three- (3) car garage.

3.10.12. No guesthouse shall be constructed on any Lot or Parcel until the main building has been fully constructed and ready for occupancy. No guesthouse shall be leased or rented.

3.11. OUTDOOR LIGHTING

Outdoor lighting standards and restrictions are to be in accordance with the City of Goodyear Code, which states in part that certain outdoor lighting must be shielded or filtered. Outdoor lighting used for security, landscaping or building illumination, game or sport lighting or area illumination must be shielded so as to reflect no more than a one (1) foot candle onto any adjacent residentially zoned Property. Architectural building or landscape lighting cannot be used from midnight until sunrise unless the lighting complies with the shielding and filtering requirements of the City Code or unless incandescent fixtures of 150 watts or less are used. Recreational facility outdoor lighting cannot be used from midnight to sunrise except to conclude an event begun before 10:00 p.m., or unless the lighting complies with the shielding and filtering provisions of the City Code. Certain low intensity or fossil fuel lights are exempt from these provisions of the City Code.

All light structures will be low profile and shall conform to all City requirements. Additionally, light structures should match or blend with the master streetscape design and are subject to the approval of the DRC and the City.

3.12. RESIDENTIAL LIGHTING

All landscape lighting will be low voltage. High voltage spotlights or security type lighting that is mounted on the house must be directed so as not to impact or illuminate a neighbor's Property.

Low voltage landscape lighting shall be placed along the sidewalk and driveway edges. Landscape "up lighting" will be used to highlight trees, not landscape elements or walls.

All landscape lighting must be approved by the DRC prior to installation.

3.13. SIGNAGE

Permanent signs within the community shall be designed to provide consistent reinforcement of the architectural character of Palm Valley and blend with the surrounding landscape. Signs should not only communicate limited specific information but should add to the attractiveness of the area.

There are three categories of signs in the community: temporary, permanent, and directional. All signs are subject to the City's sign regulations and the Comprehensive Sign Plan for Palm Valley approved by the City.

3.13.1. Real Estate Sales Signs (Temporary)

3.13.1.1. New subdivisions/developments: (recently constructed or under construction): one freestanding, single-face sign per Builder may be located on the same Lot or Parcel as the development under construction, as permitted by the city code. In addition, one lender sign may be located on the Parcel or Lot under construction.

3.13.1.2. Model dwelling unit signs: one sign per model dwelling unit stating the model name may be located on the same Lot as the model dwelling unit.

3.13.1.3. Flags and flagpoles (Builders): Builders are permitted a maximum of two (2) flagpoles (maximum height 60 feet) per model dwelling unit complex. The poles shall display only the American and State of Arizona flags. Other display flags bearing any colors or designs specifically for identifying the builder or marketing the Builder's project must be approved by the Declarant. Any such poles shall be immediately removed at the homebuilder's expense upon cessation of such Builder's home sales and marketing activities at the model complex.

3.13.1.4. Additional Signage: Such additional signs, as may be allowed by the City, may be installed subject to the approval of the DRC.

3.13.2. New subdivisions/developments (Recently Constructed or Under Construction)

One freestanding, single-face sign per Builder may be located on the same Lot or Parcel as the development under construction, as permitted by City Code. In addition, one lender sign may be located on the Parcel or Lot under construction.

3.13.3. Model Home Signs

One sign per model home stating the model name may be located on the same Lot as the model home.

3.13.4. Residential Signs ("For Sale" and "For Lease")

One sign for each detached dwelling unit located on the same Lot as the residence.

3.13.5. Additional Signage

Such additional signs, as may be allowed by the City, may be installed subject to the approval of the DRC. Add "See CC&R's Article IV Section 2(m) Signs for additional sign restrictions.

3.13.6. Builder Identification Signs (Permanent)

3.13.6.1. One or two signs may be located at the primary entrance to an individual residential development and should be integrated into the project entry. The Declarant shall determine if the second sign is necessary and cohesive.

3.13.6.2. One identification sign may be located on multi-family developments and should be integrated into the landscaping.

3.13.6.3. Two identification signs may be located on non-residential developments and should be integrated into the project entry or entries. The Goodyear Sign Ordinance, in addition to requiring Declarant approval, will govern tenant identification signs.

3.13.7. Directional signs

A program of directional and safety signage will be undertaken by the Declarant to facilitate off-site traffic and recreational circulation. The Comprehensive Sign Plan for Palm Valley disallows

off-site directional signs by Builders/Owners in Palm Valley. (See also Section 3.6. on Project Entrances.)

3.14. GRADING AND DRAINAGE

The Declarant, through its consulting engineers, has prepared a Master Drainage Plan to establish overall grading and drainage concepts for the entire development. All grading and drainage improvements constructed within the project are to be in compliance with the overall concepts defined in Master Drainage Plan approved by the City which are further subject to review and approval by the Declarant. Builders' drainage improvements are to be consistent with the Declarant's existing improvements. Failure to maintain proper drainage can result in damage to your home and its foundation.

Grading and drainage are designed to slope away from the home and surrounding fences. This slope must be maintained in order to keep water from standing next to the structure and causing soil movement. Caution must be exercised when installing landscape features and landscape irrigation systems to ensure that surface water and irrigation water is not allowed to accumulate or stand next to foundations, fences, sidewalks, patios and driveways. Engineers have designed the drainage on each homesite to flow according to an overall community design. This drainage pattern must be maintained by the homeowner or anyone who does landscaping on the Lot to avoid water damage.

IT IS THE HOMEOWNER'S OBLIGATION AND RESPONSIBILITY TO MAINTAIN THE DRAINAGE AS IT WAS DESIGNED AND GRADED AT THE TIME OF INITIAL OCCUPANCY.

Any alteration of the drainage on a homesite will void the landscaping and drainage section of the Limited Warranty. Any damage caused to the home, Lot, or Property of others due to alteration of the drainage is the responsibility of the homeowner. If the homeowner delays the installation of landscaping, erosion and silt build up may damage or alter the grading and drainage of the Lot. Landscaping shall be installed as soon as possible after close of escrow.

Developers should consider the following guidelines when grading within the community:

3.14.1. Exposed cut or fill slopes shall be restored so that the finished product blends smoothly with the surrounding terrain and architecture. Decomposed granite river rock, boulders or low water use plant material should be used to prevent erosion and create visually pleasing treatments. Retaining walls may be used instead of or in combination with manufactured slopes to encourage terracing. Retaining walls shall be constructed in accordance with Section 3.4.5. herein.

3.14.2. Graded areas not used for structures shall be landscaped within 120 days after completion of improvements. Open space areas disturbed during construction shall be vegetated with low water use plant material. Common Areas and private landscaped areas should be restored with plants from the list in Appendix A.

3.14.3. When trenching along roadways, contractors shall store the excavated material on the roadway side of the trench to avoid disturbing existing terrain and vegetation adjacent to the roadway.

3.15. UTILITIES

A primary utility system will be completed within the community including sewer, water, phone, cable television, and electric lines. Utility lines will be extended along major collector roads terminating at the beginning of development areas. All electric lines 18kV and smaller are to be underground.

4. RESIDENTIAL DEVELOPMENT

4.1. RESIDENTIAL SITE DEVELOPMENT STANDARDS

4.1.1. In addition to the overall concepts related in previous sections, the following site development standards should be applied to residential developments.

4.1.2. Variable front-yard setbacks, with a combination of right and left-hand units, curvilinear streets, cul-de-sacs, and other site-planning devices should be used to create an interesting streetscape. Whenever possible, setbacks of adjoining residences should vary by a minimum of three feet.

Houses on corner Lots at street intersections should have their driveway on the opposite side.

There is a great deal of landscape existing along portions of the drainage channels and Golf Course. Residents of homes backing up to these areas can enjoy the special beauty of those improved areas and the expansive views of the open spaces. Builders are encouraged to take advantage of these scenic views when planning subdivision layouts in their projects.

Drainageways and retention areas are to be treated as landscaped open spaces for people to use, rather than as bare, utilitarian areas. Proper utilization would include:

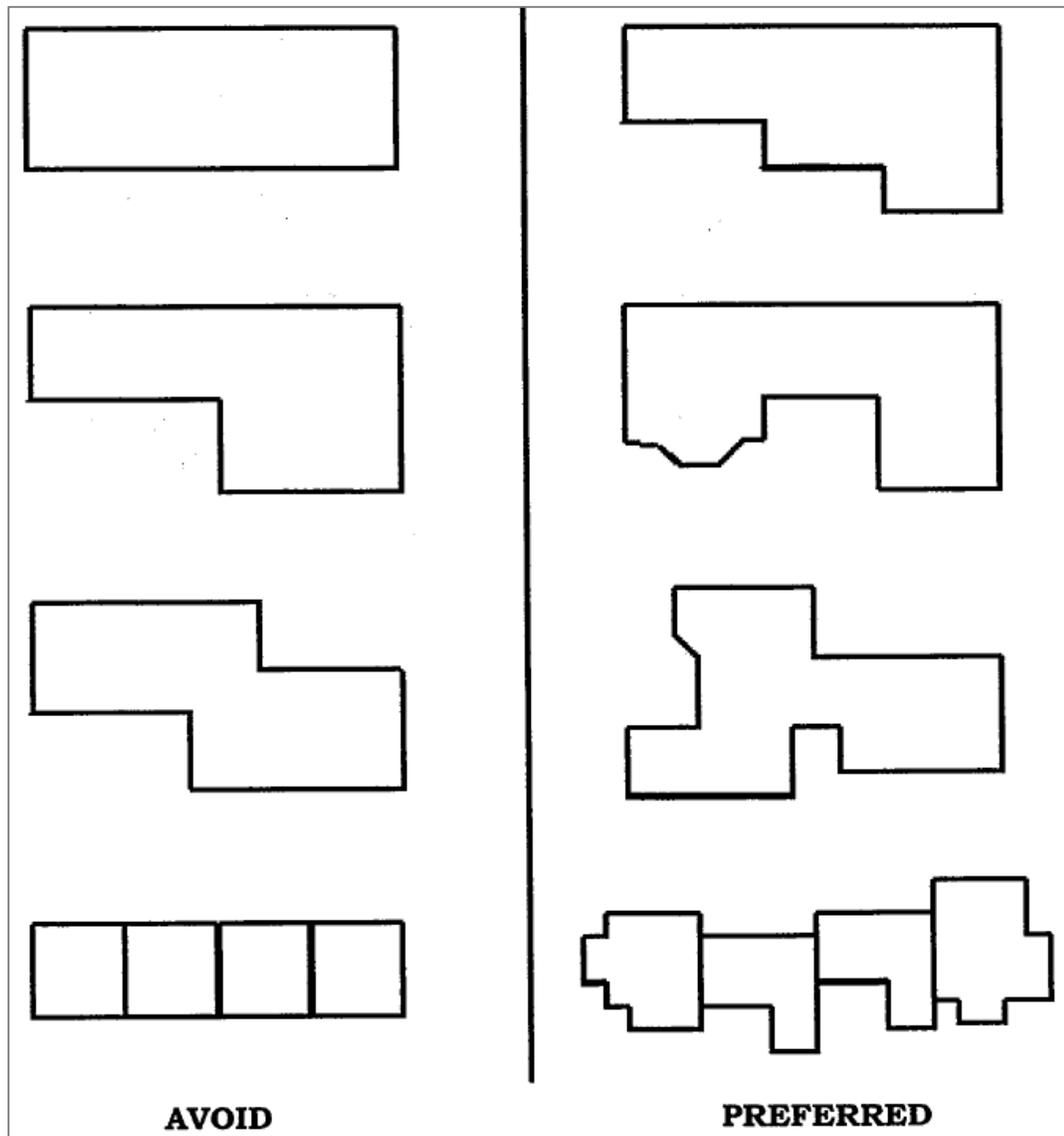
- Mini parks
- Sidewalk connections through areas
- Benches, picnic table areas
- Clusters of shade trees

4.2. RESIDENTIAL ARCHITECTURAL STANDARDS

Residential structures should be designed consistent with the standards previously discussed in Section 3.7., with the following additional standards taken into consideration:

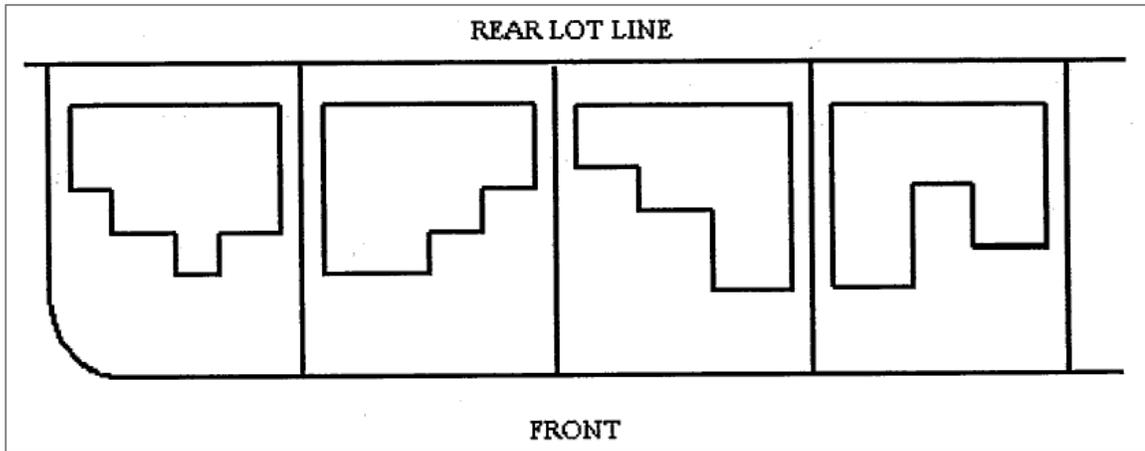
4.2.1. Plan Shapes

The footprint and roof overhang determine the uniqueness of a residential plan and should work together to provide variety and interest along a street of houses. Plan shapes should be arranged to complement each other and adjacent Lots. Whether detached or attached dwelling units, imaginative plan shapes increase the sense of individuality. For multi-family layouts, the plan shapes should vary in both the front and back.



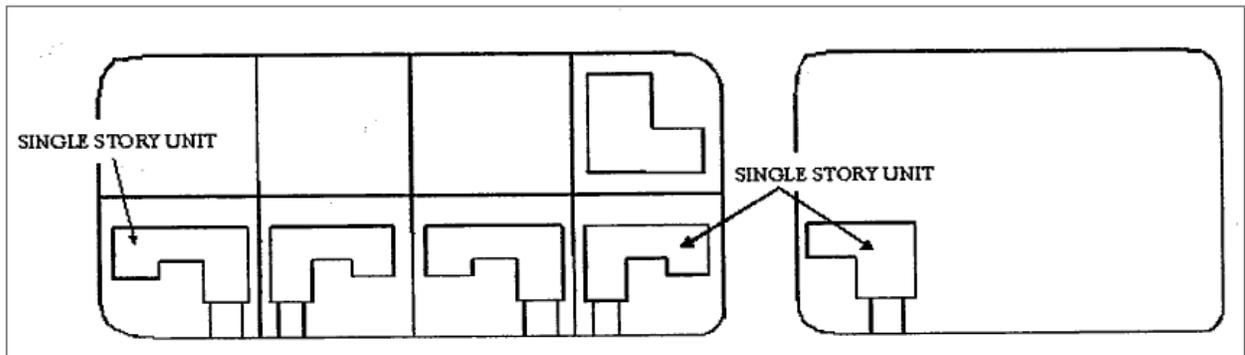
4.2.2. Priority Elevations

It shall be assumed that the houses will be seen from all angles and that there will be a continuity of colors, materials and details on all elevations. Priority shall be given to those sides, which are visible from streets and walkways. The most articulated elevations should be those, which are in public view. For multi-family clusters, this will generally be true of all four exposures.



4.2.3. Site Massing

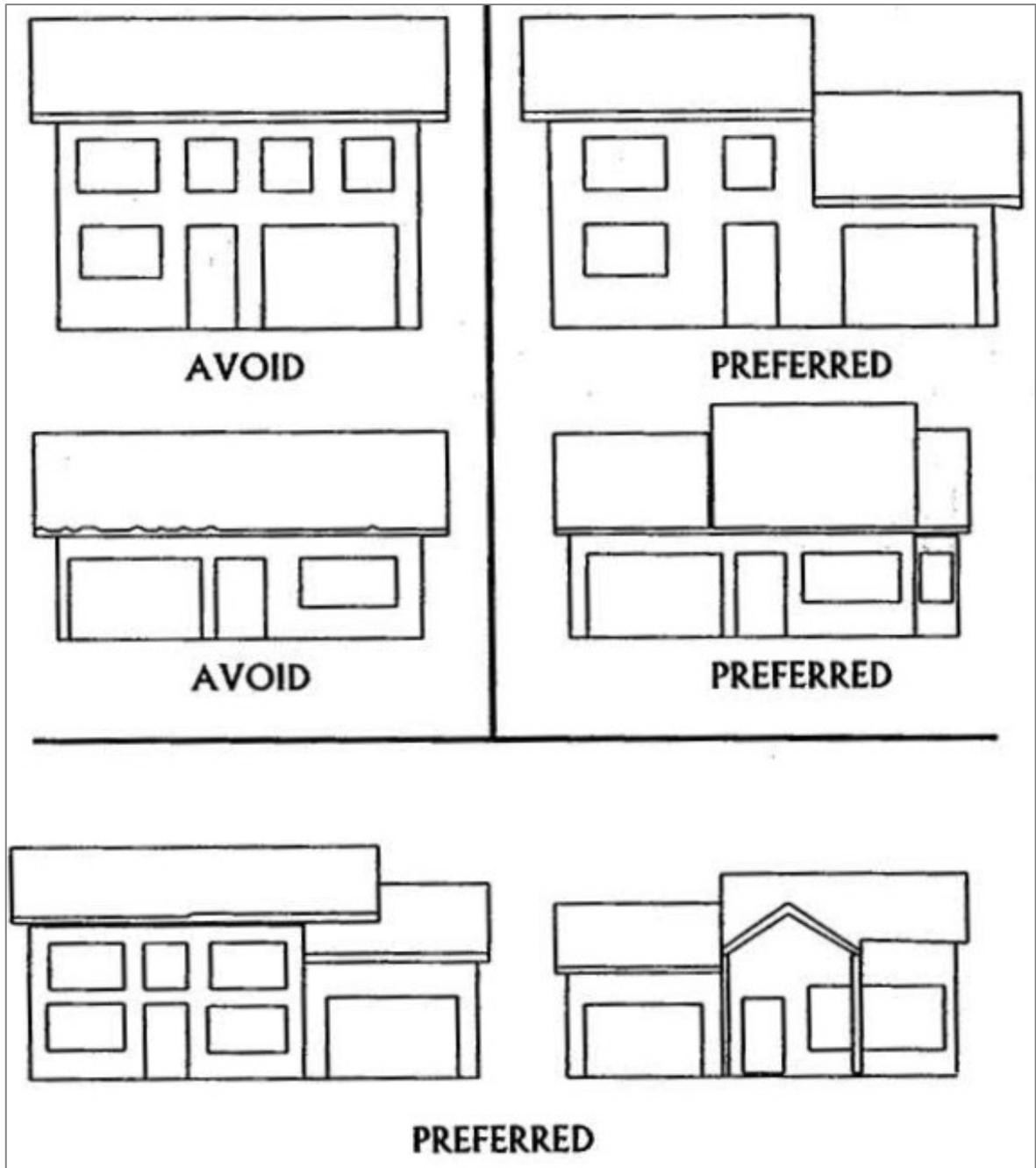
Two-story homes are discouraged on corner Lots, and on Lots abutting major or minor arterials (unless additional open space is provided). Two-story houses shall have a single-story element closest to the front of the house and/or next to the street. Likewise, in multi-family areas, the outside corners shall be lowered with single-story elements. Where a "U" shaped plan has a short and long side; the short side shall be toward the corner or as approved by the DRC. If through architectural diversity a production housing series creates neighborhood variety, the front single-story element may be waived. Such architectural diversity may include varying front setbacks due to moving the garage to the rear of the Lot, adding a useable front courtyard area, and/or using building placement to create private outdoor spaces.



Uses of low walls to complement elevations are encouraged (recommended height: 3').

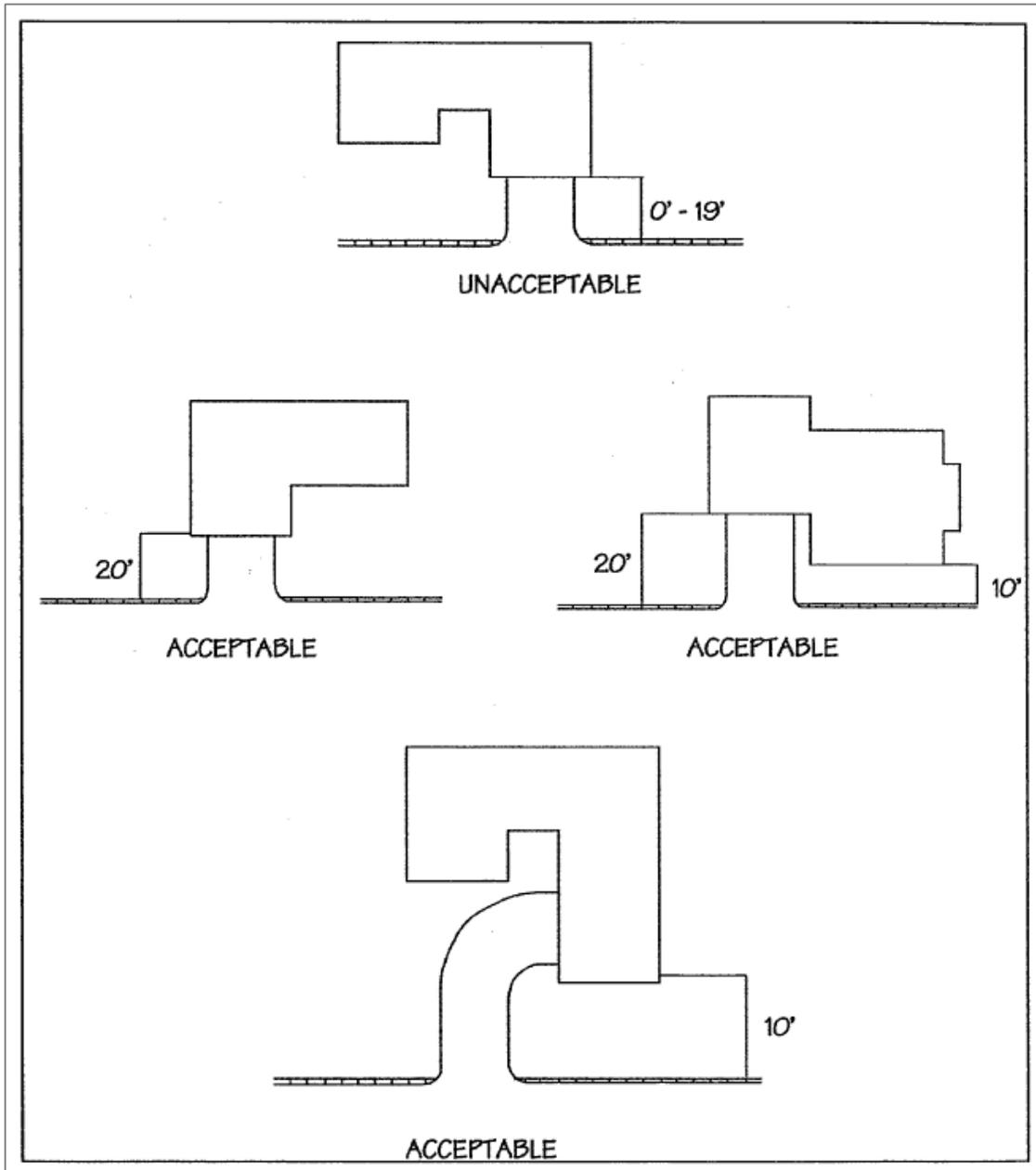
4.2.4. Elevation Massing

The same criteria for breaking up the box shape of a plan applies to the elevations. Two-story residences shall to the extent possible have single-story elements. Single-story residences shall include some variation of the ridgeline. Where a one-story residence occurs next to a two-story residence, the single-story elements shall to the extent possible be adjacent to each other. Builders should encourage privacy as much as possible and avoid creating a two-story structure where occupants may directly overlook into the backyard. Builders shall to the extent possible avoid large upper level deck designs to maintain backyard privacy.



4.3. Off Street Parking

Where high-density cluster development permits minimal setbacks, garages shall be positioned to either fully allow tandem parking between the garage and the sidewalk or prohibit parking in the driveway all together. There shall be a distance of at least 20 feet between the garage door and the closest edge of the sidewalk if parking is to be permitted. Single-family residential developments shall have a minimum of two off-street parking spaces per dwelling unit in an enclosed garage.

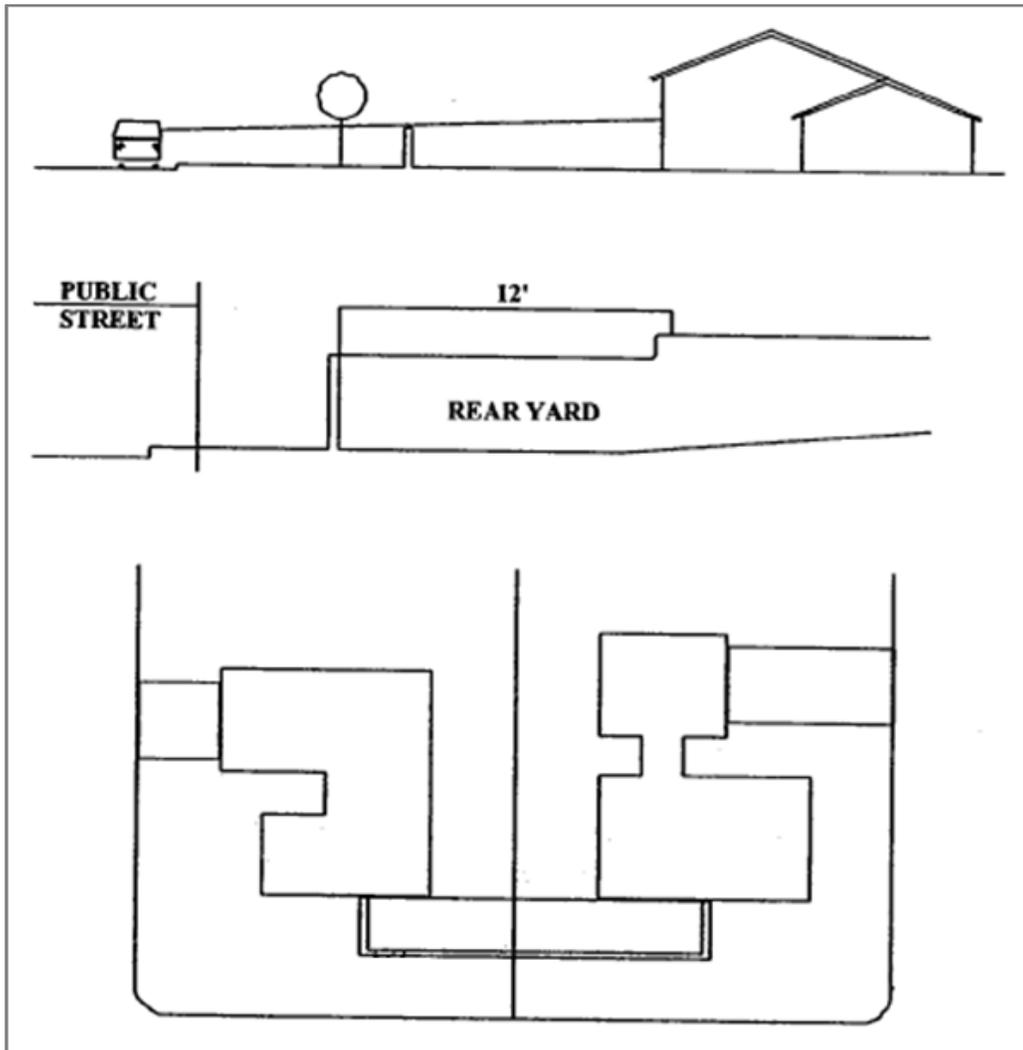


4.4. Rear and Side Yards

Enclosed rear yards are subject to landscaping design review only when abutting the Golf Course or other open space and the following considerations which could have an impact on residential areas within public view from a roadway: that portion of the design and disposition of windows and other exterior openings of a building within public view should be "front elevation" quality. If a side-yard wall in a sloping area would be higher than the rear wall if extended straight out, the side yard wall shall be stepped down (10' prior to intersection) to match the level of the rear wall. Step changes in wall height shall, if possible, be full block heights. Corner houses shall be joined by a wall of uniform design and color, creating a carefully coordinated architectural connection between the two end units.

Approval from the DRC for backyard items would include items that are taller than the fence; e.g.: Trees, ramadas, shade structures, storage buildings, etc.

To soften the effects of neighborhood massing, side setbacks for corner Lots are increased to a minimum of 13 feet. This minimum 13-foot standard is achieved by placing the fence line 8 feet inside the Lot line and the building setback line 5 feet inside the fence line.

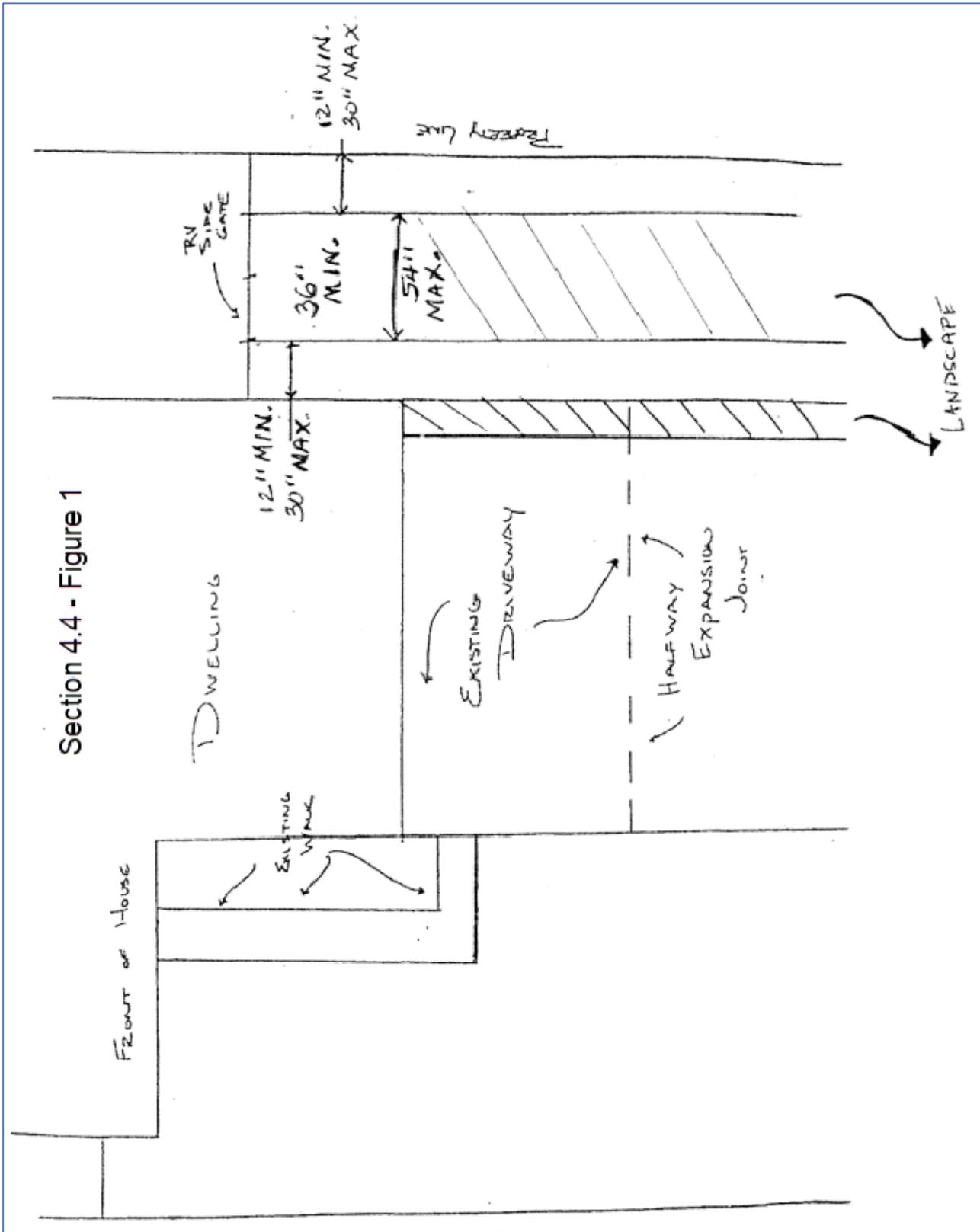


Paver strips in front of the double gate to allow ingress and egress of vehicles are allowed with prior written approval from the DRC and must comply with the following guidelines. Only two (2) driveway paver strips each measuring a minimum of twelve inches (12") wide or a maximum of thirty inches (30") wide may be installed on the front yard landscaping adjacent to the driveway directly in front of the double gates to allow ingress and egress of vehicles. See Figure 1. The paver strips shall be installed at a minimum of thirty-six inches (36") and a maximum of fifty-four inches (54") apart with landscaping between the paver strips. See Figure 1.

Paver strips in front of the entry of the home are prohibited. Vehicles parked/stored in the rear yard shall not be visible above the double gates. Parking or storage of any vehicles in front of the double gate is prohibited. Pavers or concrete must be installed to prevent fluids from vehicles parked behind the double gates from entering the water table. Vehicles may not be parked or stored on the concrete strips or paver strips in front of the double gates.

For iron gate paint information, see Paint Specification section in these Design Guidelines.

Section 4.4 – Figure 1



4.5. Setbacks and Lot Coverages:

Lot Coverage Analysis

4.5.1. Low Density Single Family

UR/L 0-6 DUA

- URL (Urban Residential Low Density), 0 - 6 Units/Acre
- Front Setbacks = 20' or 10' With Side Drive or Recessed Garage
- Side Setbacks = Total 15', 5' Minimum
- Rear Setbacks = 20' Minimum
- Corner Lot Setback for a Side Yard is a Minimum of 5' From Fence Line.
- Fence Line is a Minimum Setback of 8' From Lot Line.
- Basement Footage, if any, is not part of and doesn't affect the total two story maximum footage.

Sample Single Family Detached Lot Sizes	
50 X 120	
• Minimum Lot Size	6,000 sq. ft.
• Maximum Lot Coverage	49%
• Maximum Ground Floor Footage	2,940 sq. ft.
• Maximum Two Story Second Level Footage (50%)	<u>1,470 sq. ft.</u>
• Total Two Story Maximum Footage	4,410 sq. ft.
60 X 120	
• Minimum Lot Size	7,200 sq. ft.
• Maximum Lot Coverage	48%
• Maximum Ground Floor Footage	3,450 sq. ft.
• Maximum Two Story Second Level Footage (50%)	<u>1,725 sq. ft.</u>
• Total Two Story Maximum Footage	5,175 sq. ft.
70 X 120	
• Minimum Lot Size	8,400 sq. ft.
• Maximum Lot Coverage	47%
• Maximum Ground Floor Footage	3,950 sq. ft.
• Maximum Two Story Second Level Footage (50%)	<u>1,975 sq. ft.</u>
• Total Two Story Maximum Footage	5,925 sq. ft.
80 X 120	
• Minimum Lot Size	9,600 sq. ft.
• Maximum Lot Coverage	46%
• Maximum Ground Floor Footage	4,420 sq. ft.
• Maximum Two Story Second Level Footage (50%)	<u>2,210 sq. ft.</u>
• Total Two Story Maximum Footage	6,630 sq. ft.
Continued...	

Sample Single Family Detached Lot Sizes	
90 X 125 (Minimum) or Larger	
• Front Setbacks (With Side Drive or Recessed Garage)	25' or 15'
• Side Setbacks	20% of Width, 8' Minimum
• Rear Setbacks	30' Minimum
• Minimum Lot Size	11,250 sq. ft.
• Maximum Lot Coverage	40%
• Maximum Ground Floor Footage	4,500 sq. ft.
• Maximum Two Story Second Level Footage (50%)	<u>2,250 sq. ft.</u>
• Total Two Story Maximum Footage	6,750 sq. ft.

4.5.2. Medium Density Single Family

UR/M 6-12 DUA

- URM (Urban Residential Medium Density), 7-12 Units/Acre
- Front Setbacks = 20' or 10' With Side Drive or Recessed Garage
- Side Setbacks = 10' Total, 0' Minimum
- Rear Setbacks = 10'
- Coverage Ratio = 55% of Lot Footage Ground Level
- Second Story = 75% of Ground Level Footage
- Attached product with varied setbacks with approved pad plans.
- Basement footage, if any, is not part of and doesn't affect the total two story maximum footage

Sample Single Family Detached Lot Sizes	
40 x 100 (Z Lot)	
• Minimum Lot Size	4,000 sq. ft.
• Maximum Lot Coverage	50%
• Front Setbacks (With Side Drive or Recessed Garage)	20' or 10'
• Side Setbacks	10' Total, 0' Minimum
• Rear Setbacks	10'
• Maximum Ground Floor Footage	2,000 sq. ft.
• Maximum Two Story Second Level Footage (65%)	<u>1,300 sq. ft.</u>
• Total Two Story Maximum Footage	3,300 sq. ft.
50 X 110	
• Minimum Lot Size	5,500 sq. ft.
• Maximum Lot Coverage	50%
• Front Setbacks (With Side Drive or Recessed Garage)	20' or 10'
• Side Setbacks	15' Total, 5' Minimum
• Rear Setbacks	15'
• Maximum Ground Floor Footage	2,750 sq. ft.
• Maximum Two Story Second Level Footage (65%)	<u>1,780 sq. ft.</u>
• Total Two Story Maximum Footage	4,530 sq. ft.
Continued...	

Sample Single Family Detached Lot Sizes	
60 x 110	
• Minimum Lot Size	6,600 sq. ft.
• Maximum Lot Coverage	50%
• Front Setbacks (With Side Drive or Recessed Garage)	20' or 10'
• Side Setbacks	15' Total, 5' Minimum
• Rear Setbacks	15'
• Maximum Ground Floor Footage	3,300 sq. ft.
• Maximum Two Story Second Level Footage (60%)	<u>1,980 sq. ft.</u>
• Total Two Story Maximum Footage	5,280 sq. ft.

4.5.3. High Density Multi-Family

UR/H 12-25 DUA

Same requirements as set forth for MF-18 Multi-Family in the City Zoning Code. Lattice-work-type structures, architectural features, roof overhangs, portals, bay windows and fireplace projections will be excluded from Lot coverage calculations and may encroach on setbacks. (These said structures and features might not encroach more than two feet beyond the Lot setback lines, except for portals, which may encroach up to the Property line).

4.6. STREET FURNITURE:

Mailboxes, light structures, benches, bicycle racks, gates and details such as address plaques shall be controlled by individual project Design Guidelines and treated as opportunities to reinforce the design theme of each neighborhood; however, consult the CC&R's in respect to address plaques.

4.7. ROOF MOUNTED EQUIPMENT – Intentionally left blank

4.8. TRASH COLLECTION:

Single-family residential units must keep all refuse and containers behind the side-yard gate, until it is appropriate to place on the street for pickup. At no time will trash, refuse, containers or other debris items be allowed to be left in the front yard of the house.

For anything other than single-family developments, trash collection areas must be provided and shall be fully enclosed with masonry walls and doors on metal frames. Color and finish of masonry walls should match the exterior look of the theme wall elevations as called out by Figure 1. Where possible, they should also be landscaped on at least two sides.

5. CONSTRUCTION STANDARDS

To assure that damage during construction activities is avoided to the greatest extent possible, the following construction regulations will be enforced during construction activity within Palm Valley:

5.1. CONSTRUCTION TRAILERS, PORTABLE FIELD OFFICES AND TEMPORARY LANDSCAPING

Builders shall contact the Declarant and the City of Goodyear regarding construction trailers to be brought on site. The Declarant will work closely with the Builder to determine the best possible location for the trailer. Any temporary landscaping installed by a Builder shall be consistent with the Xeriscape landscaping plan discussed in these Design Guidelines and shall be first approved by the Declarant.

All trailers or portable offices shall have exterior walls with non-reflective and muted colors and tones. The Builders name and/or logo may be displayed on the exterior walls of any such trailer or office provided that a colored scale drawing showing the name and/or logo on the trailer has been submitted to and approved by the Declarant. The Builder shall be responsible for obtaining all applicable city sign permits. Additionally, landscaping installed by the Declarant shall be inspected prior to any construction and restored to original condition with similar size plant material upon completion of work.

5.2. CONSTRUCTION ACCESS

In order to ensure that construction activities will have minimal impact on surrounding properties, the Builder will designate construction access and provide sufficient care and cleaning to keep all roads, sidewalks and adjacent Lots clean and free from dirt, equipment, dumpsters and debris.

5.3. DEBRIS AND TRASH REMOVAL

All materials shall be contained and covered in order that all debris and trash is as non-visible as possible. If the cover is off during construction hours, all lightweight materials shall also be weighted down to prevent the wind from blowing such materials off the construction site. Trash and debris shall be promptly removed from the construction site and not be dumped, buried or burned. Construction sites shall be kept neat and properly policed to prevent the construction from affecting other Property.

5.4. SANITARY FACILITIES

Builders will be responsible for providing adequate sanitary facilities for their construction personnel.

5.5. CONSERVATION OF LANDSCAPE MATERIALS

Builders are advised that the Property within the community contains valuable landscaping that needs to be protected during construction. It is the goal of the Declarant for Builders to landscape as soon as possible.

5.6. CUSTOM LOT BUILDER SPECIAL REQUIREMENTS

All custom Lot Builders are required to locate a dumpster on the Lot for placement of all construction trash and debris. The dumpster is to be emptied as often as necessary so as to avoid any overflowing. Also, a chain link fence is required to be built along the envelope portion of the Lot during the construction process so as to contain debris. The Builder prior to the start of construction will provide a port-o-john.

Once construction has started, construction must continue at a professionally accepted schedule until completion. Association fines may be applied against the Lot Owner if work stops for longer than 30 working days.

5.7. RESTORATION OR REPAIR OF OTHER PROPERTY

Builders shall take precautions to assure that other Property, including open space, other Lots, and roads, driveways and/or other improvements, are not damaged or scarred during construction. Builders shall at all times encourage safety. Builders will be held responsible for the acts of their contractors, subcontractors' employees or agents. If damage or scarring occurs on other Property, the Builder whose contractor, subcontractor's employee or agent caused the damage will promptly repair and/or restore the other Property to its prior condition at its expense.

After completion of construction, each Builder will promptly restore all improvements, including grades, shrubs and trees and repair any streets, driveways, pathways, drains, culverts, ditches, signs, lighting, fencing or other improvements or utilities that may have been damaged during construction.

5.7.1. BUILDER'S BOND

To guarantee that the construction regulations are adhered to, each Owner or Builder, before beginning any construction, shall post with the DRC a cash bond for each lot in an amount of \$2,000. (Any interest earned shall be credited to the Owner or Builder.)

Should it become necessary for the DRC to remedy any violation of these construction regulations, the costs of such remedy will be charged against the bond. The obligation of the Owner and/or Builder to repair, correct, complete or otherwise comply with these construction regulations shall not be limited to the amount of such bond. Upon completion of construction, the bond, less any expenses to cure any violations, shall be returned to the Owner or Builder. Any additional expense over and above the bond incurred by the DRC in enforcing compliance with these Design Guidelines will be recorded against the Lot, as a lien, until paid.

5.7.2. PRE-CONSTRUCTION CONFERENCE

Prior to commencing construction, the Builder shall meet with the DRC to review construction procedures and to coordinate construction activities.

The Builder shall supply the construction gate guard with an up to date list of all employees, suppliers, subcontractors, and agents who will have access to and from the Lot during

construction. All the aforementioned shall stop and register at the construction gate upon each visit to the site.

5.7.3. GOVERNING AUTHORITY

All Builders and Owners shall comply with the regulations of any governing authority as well as all applicable Occupational Safety and Health Act regulations and guidelines (OSHA).

5.7.4. VEHICLES AND PARKING AREAS

Construction crews shall not park on, or otherwise use, other Lots or any open space. Private and construction vehicles and machinery shall be parked only within the building envelope or in areas designed by the DRC. All vehicles shall be parked so as not to inhibit traffic.

Each Builder shall be responsible for assuring that the subcontractors and suppliers obey the speed limits posted with the development. Fines will be imposed against the Builder and/or its Builder's bond for repeated violations. Adhering to the speed limits shall be a condition included in the contract between the Builder and its subcontractors/suppliers. Repeat offenders will be denied access to Palm Valley.

5.7.5. BLASTING

If any blasting is to occur, all local government

agencies and the DRC must be informed far enough in advance to make sure the Owner has obtained the advice of expert consultants that blasting may be accomplished safely. These consultants must so advise the DRC in writing. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the DRC, which shall be based upon such advice from a qualified consultant.

Applicable governmental regulations concerning blasting must be observed. The DRC's only responsibility is to require evidence of such consultant's expertise and shall have no liability for the blasting.

5.7.6. EXCAVATION MATERIALS

Excess excavation materials must be hauled away from Palm Valley and properly landfilled. Failure to do so shall result in the DRC removing the material and charging the expense against the construction bond.

5.7.7. REVIEW FEES

The Board may establish and charge a reasonable architectural review fee to defer the costs of the DRC and/or consultants in considering any request for architectural approval. The review fee shall be paid at the time of the request for review and approval is submitted. The Board may also establish and charge a fee to be paid by the Owner with the submittal of an appeal to the DRC. The DRC may also charge additional fees to cover the cost of retaining consultants and

other professional services needed to properly evaluate any matter submitted to the DRC or Board for review.

5.7.8. MISCELLANEOUS AND GENERAL PRACTICES

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, Builders, contractors and subcontractors while in Palm Valley. The following practices are prohibited:

5.7.8.1. Changing of oil or equipment of any vehicle on the Lot itself or at any other location within Palm Valley other than at a location, if any, designated for that purpose by the DRC.

5.7.8.2. Allowing concrete suppliers, plasterers, painters, or any other subcontractors to clean their equipment anywhere but the location specifically designated for that purpose by the DRC. Such cleaning outside the designated area anywhere on the Lot is strictly prohibited. Violation of this provision will result in a \$100.00 fine per occurrence or the repayment of expense of repairing the damage, whichever is greater.

5.7.8.3. Removing any rocks, plant material, topsoil, or similar items from any Property of others within Palm Valley, including other construction sites.

5.7.8.4. Carrying any type of firearms within Palm Valley.

5.7.8.5. Using disposal methods or equipment other than those approved by the DRC.

5.7.8.6. Careless disposition of cigarettes and other flammable material. At least three 10-pound ABC-rated dry chemical fire extinguishers shall be present and available in a conspicuous place on the construction site at all times.

5.7.8.7. Smoking by construction workers outside the area designated for smoking. Such areas will be contained within the building envelope, and Builder shall provide ash cans.

5.7.8.8. Destruction or removal of protected plant materials or plants not previously approved by the DRC.

5.7.8.9. No pets, including dogs, may be brought into Palm Valley by either Builders or construction personnel. In the event of a violation, the DRC, Declarant, or the Association shall have the right to contact authorities to impound any pet, to refuse to permit the Builder or subcontractor involved to continue on the project or to take such action as permitted by law, these Design Guidelines or the CC&R's.

5.7.8.10. Radios and other audio equipment, which can be heard outside the construction site. Electronic equipment is recommended to have headphones.

5.7.8.11. The use of horns by any catering trucks. Trash generated by the purchase of items shall be contained and disposed of properly. Repeated problems with these requirements will result in the catering trucks being denied admittance to Palm Valley.

5.7.8.12. Dust, Mud and Noise: Each Builder shall be responsible for controlling dust, mud and noise, including, without limitation, music from the construction site.

5.7.8.13. Daily Operation: Daily working hours for each construction site shall be as follows:

Construction Start/Stop Times	
From April 15 - October 15 (Inclusive)	
• Monday - Friday	6 a.m. - 7 p.m.
• Saturdays, Sundays & Holidays	7 a.m. - 7 p.m.
From October 16 - April 14 (Inclusive)	
• Monday - Friday	7 a.m. - 7 p.m.
• Saturdays, Sundays & Holidays	7 a.m. - 7 p.m.
Concrete Construction Start/Stop Times	
From April 15 - October 15 (Inclusive)	
• Monday - Friday	5 a.m. - 7 p.m.
• Saturdays, Sundays & Holidays	7 a.m. - 7 p.m.
From October 16 - April 14 (Inclusive)	
• Monday - Friday	6 a.m. - 7 p.m.
• Saturdays, Sundays & Holidays	7 a.m. - 7 p.m.

5.7.8.14. Construction hours are subject to change and will be determined by DRC from time to time.

5.7.8.15. Additionally, the construction site and all impacted areas will be left in a weed free condition.

PAINT SPECIFICATION

Palm Valley Phases Desert Breeze IIIA & Desert Vista IIIB – Fence, Gates and Walls

Masonry Paint

1st and 2nd Coats: Dunn Edwards EVERSHIELD Exterior Masonry Paint W701, Brown Owl Q519D.

Iron Side Yard and Double Gates

The iron frame of all side yard and double gates shall either be painted black, Weathered Brown or painted to match the exterior paint color of the body of the house. Wood slats in side yard or double gates shall be stained brown or painted black, Weathered Brown or painted to match the exterior paint color of the body of the house

Prior written approval from the DRC is required to paint or finish all iron side yard or double gates. However, if both the iron frame and wood slats will be painted or finished with the same colors then approval by the DRC is not required.

Wrought Iron Paint

1st Coat: Dunn Edwards BLOC-RUST, Red Oxide Primer 43-4

2nd and 3rd Coats: Needs to be one of the following:

- 1. Painted Black**
- 2. Painted to Match the Body Color of Your Home**
- 3. Painted Dunn Edwards Enduragloss Enamel 42-53 Italian Dusk 4904D Color**
- 4. Painted Dunn Edwards Enduragloss Enamel 42-53 Weathered Brown SP-56 Color**

Note: Suggest that wrought iron be pre-finished in the fabrication shop providing a system can be implemented to transport fence sections to job site without damage to finish. Minor touch-up is to be expected after wrought iron is installed. Allow at least two (2) weeks lead time for ordering all wrought iron. All coatings specified are top of the line, first quality materials designed to provide optimum performance, aesthetics and minimal maintenance.

Palm Valley Phase II – View Fence, Gates, and Walls

Masonry Paint

1st and 2nd Coats: Dunn Edwards EVERSHIELD Exterior Masonry Paint W701, "Brown Owl" - Color #Q519D.

Wrought Iron Paint - Residential View Fencing and Gates

- 1st Coat: Dunn Edwards BLOC-RUST, Red Oxide Primer 43-4.
- 2nd & 3rd Coats: Dunn Edwards ENDURAGLOSS Enamel 42-53, "Weathered Brown" - Color #SP-56.

Note: Suggest that wrought iron be pre-finished in the fabrication shop providing a system can be implemented to transport fence sections to job site without damage to finish. Minor touch-up is to be expected after wrought iron is installed. Allow at least two (2) weeks lead time for ordering all wrought iron. All coatings specified are top of the line, first quality materials designed to provide optimum performance, aesthetics, and minimal maintenance.

General Specifications

1. Masonry and wrought iron fencing shall comply with all local, state, and federal codes, regulations and ordinances.
2. Contractor shall field verify existing conditions with owner's representative prior to construction.
3. Walls shall be centered on property lines unless otherwise indicated.
4. All perimeter walls shall be 6'-0" in height (minimum) with 8" steps to follow contours.
5. Natural, undisturbed grade is an acceptable substitute for 95% compacted subgrade.
6. Job site shall be maintained clean at all times, with all excess debris removed daily and upon completion of work. Any damage of existing facilities shall be repaired at contractor's expense.
7. Submit individual plot layouts to city department for permit and request necessary inspections in accordance with city and code requirements.

Theme/View Masonry Walls

1. All perimeter walls along street frontage golf course and public open space shall be 4" post tension interlocking Royce wall Proto II or equal. All workmanship shall comply with engineering report and be guaranteed in writing against structural defect.
2. 4" interlocking perimeter wall designs are not to be used for retaining earth above 12".
3. Undisturbed soil or 95% compacted subgrade shall have a minimum bearing capacity of 1,000 pounds per square foot and lateral capacity of 2,000 *13*ound per square foot per foot of depth.
4. Soil shall be well drained for footings and foundations. Use concrete with a minimum strength of 2,000 psi - type II.

5. Footings should be level, *or* if ground slopes. Use step footings. Each step should be of a height to fit masonry system. All excavations should be clean and contain no loose earth or foreign matter. Spread *footings* at 6' o.c., or as required (13' o.c. for party walls).
6. Reinforcing rods shall conform to ASTM A615, and lap 24".
7. Concrete masonry units shall be 2.000 psi minimum.
8. All block and grout shall be brown (or approved equal).
9. Single score block joints shall align across and down.
10. First course may be set in fresh concrete footing, center on footing.
11. Head joint may be omitted in first course for weep holes.
12. Post tension rods and anchor bolts shall be 7/16" diameter with 1/2" diameter roll threads or 1/2" diameter with 1/2" diameter cut threads. Rods shall conform to ASTM C1008.
13. All steel threads and nuts shall be appropriately lubricated and free of rust.
14. Full height rods may be used at contractor's option in lieu of anchor bolts and couplers. 3 hooks required at end in footing.
15. Post tensioned rods shall be tensioned to 6,000-foot pounds using a calibrated torque wrench or other appropriate means.
16. Rods and/or anchor bolts may be stabbed into wet concrete or tied in place at contractor's option.
17. Vertical control joints shall be provided at 4'-0" minimum. Control joints shall be placed between post tensioned rods such that rods are within 4'6" (maximum) of control joint. Masonry blocks to interlock. May be interrupted at control joints.
18. Horizontal joint reinforcing shall be placed in the top three mortar joints and then at 16" o.c. Re-enforcing shall be 9 gauge in diameter, ladder or truss type, and conform to ASTM A82.
19. Lap horizontal joint reinforcing 6".
20. Mortar shall be type -S, 2.000 psi minimum. Mortar may be used as grout in 8" high lifts.

Metal View Fences and Gates

1. All metal work to be warrantied, in writing, against rust for 2 years.
2. View wall fencing shall be 1" x 1" tubing. 16 gauge, at 4-1/2" o.c. (vertical).

3. Along golf course and common areas, all view wall panels shall be installed flush with face of masonry block to eliminate possible toe hold.
4. Metal fencing and gates shall be installed plumb, square and straight with masonry.
5. Weld all sides of adjoining tubing and ground smooth.
6. Fill all voids. Pitting, roughness and seams prior to metal primer. Paint when thoroughly cured, apply *two* coats of enamel paint as specified.
7. Pre-assemble items in shop to greatest extent possible to minimize field fitting and assembly.
8. Store all handle metal fabrication items off ground to prevent damage and deterioration.
9. All scratches to be re-primed and painted following installation.
10. Fabrication and installation of view fence shall be capable of withstanding a load of at least 50 lbs. per linear foot acting simultaneously, laterally and vertically at any point, without damage to members or anchors.
11. Welding to comply with American Welding Society (AWS) structural welding code.
12. Fabricate and space anchoring devices to provide adequate support for intended use.

FIGURE 2

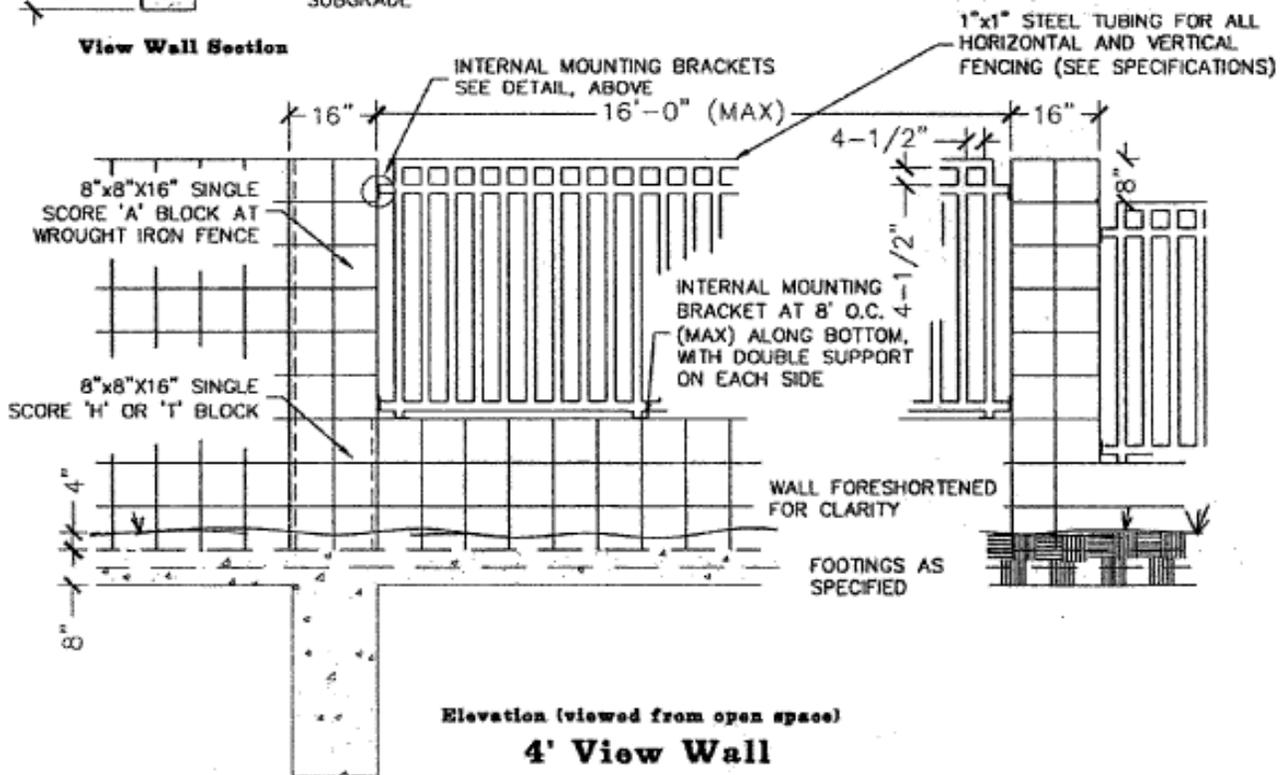
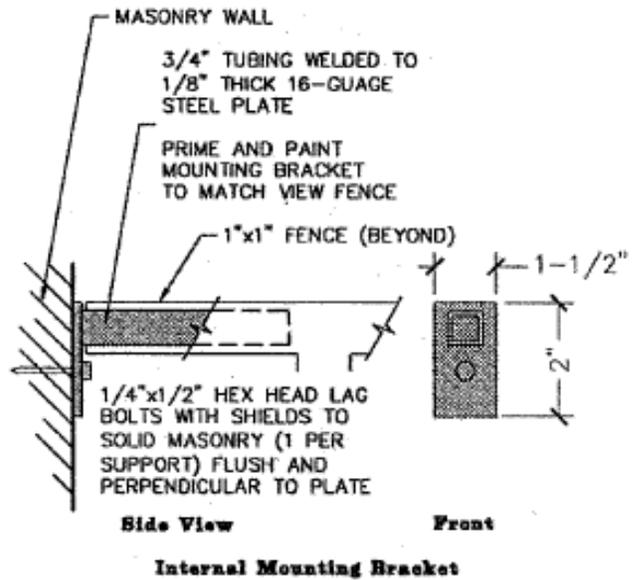
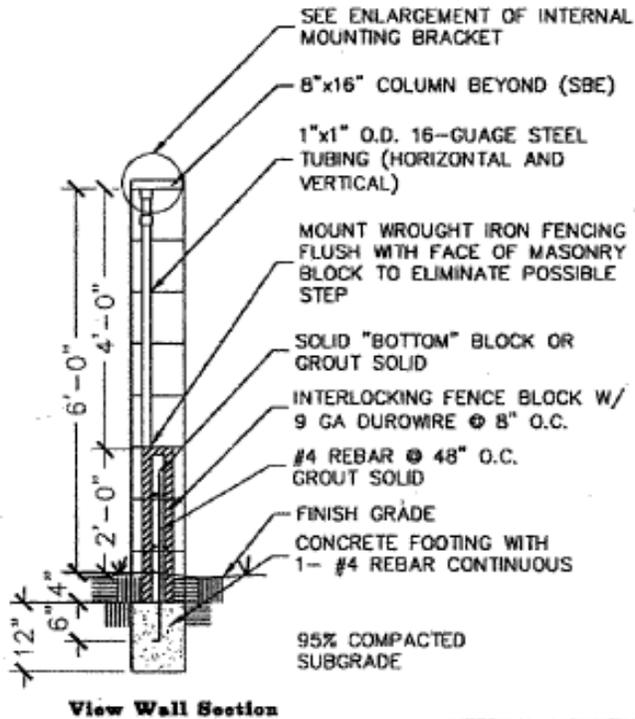
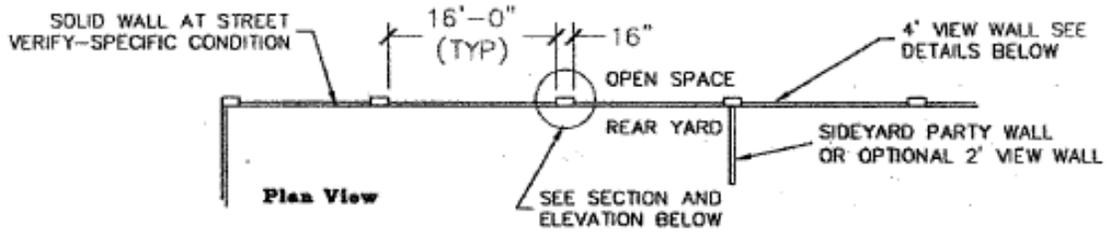


FIGURE 3

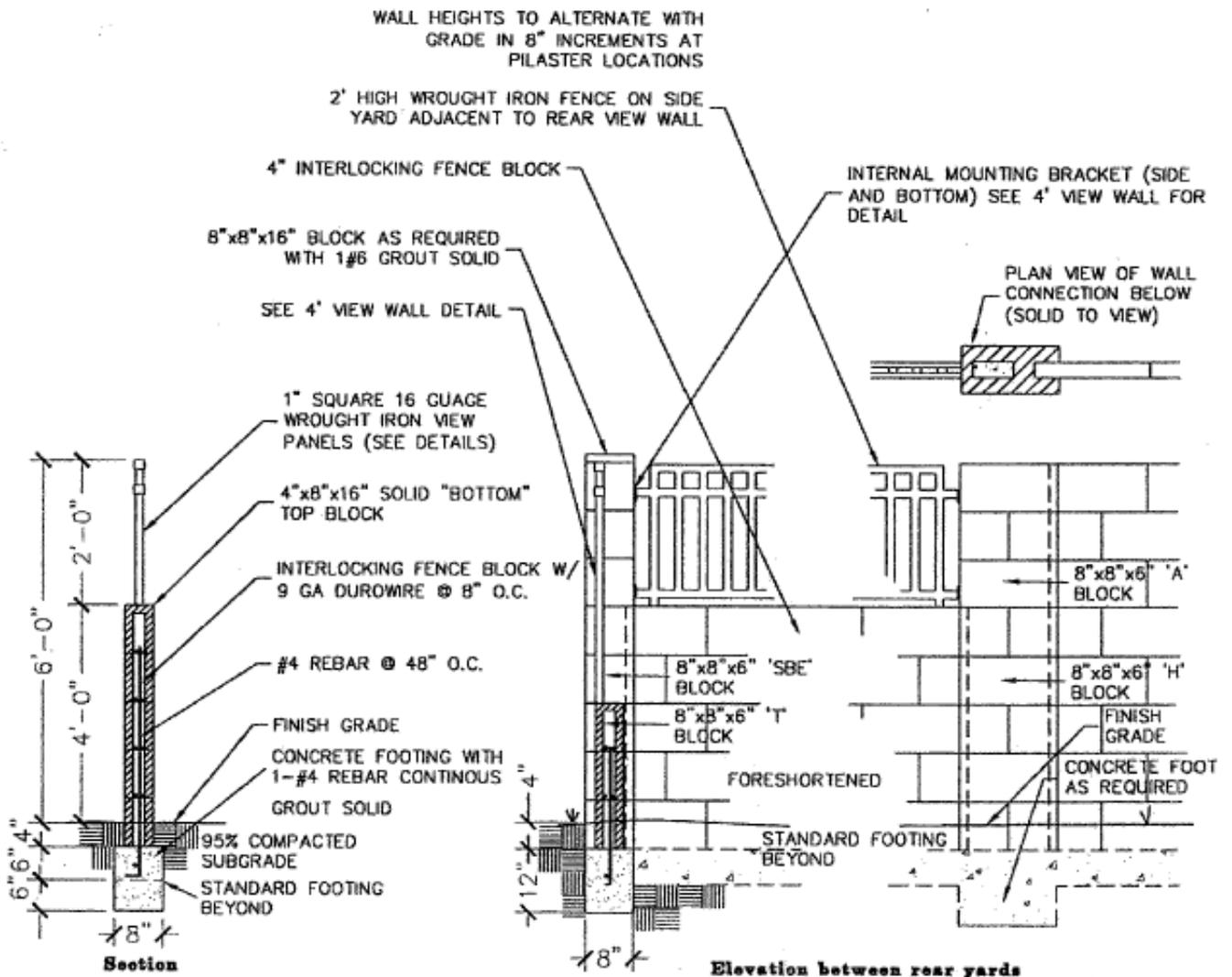
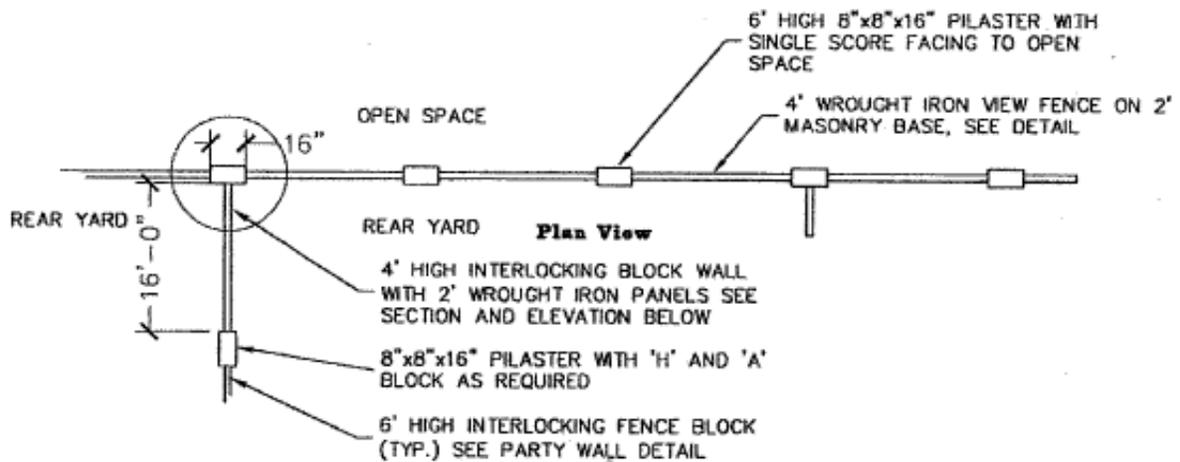
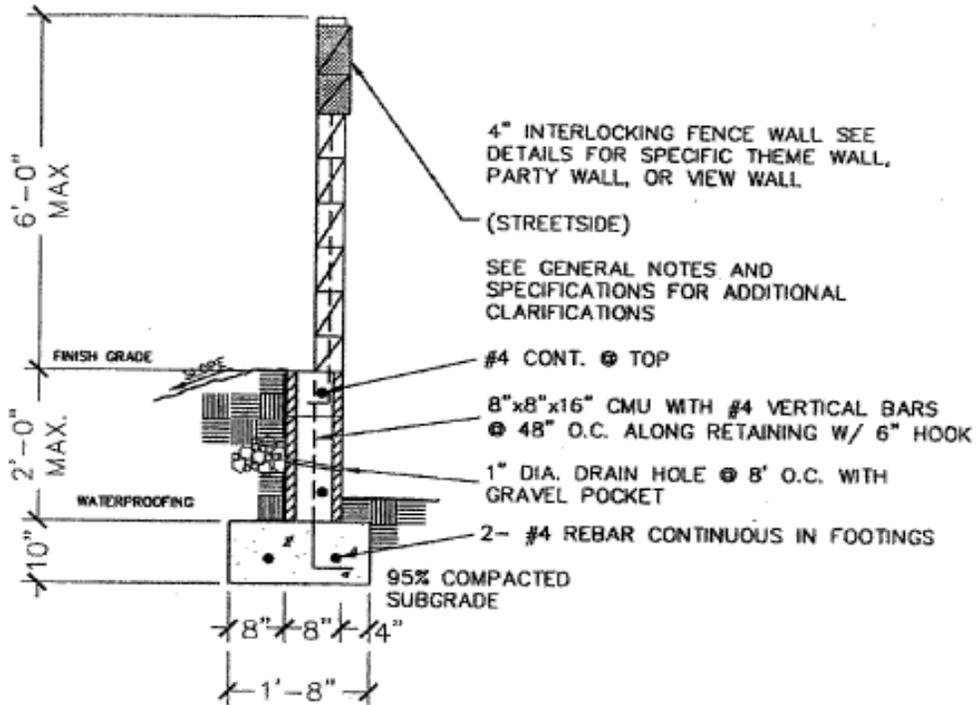
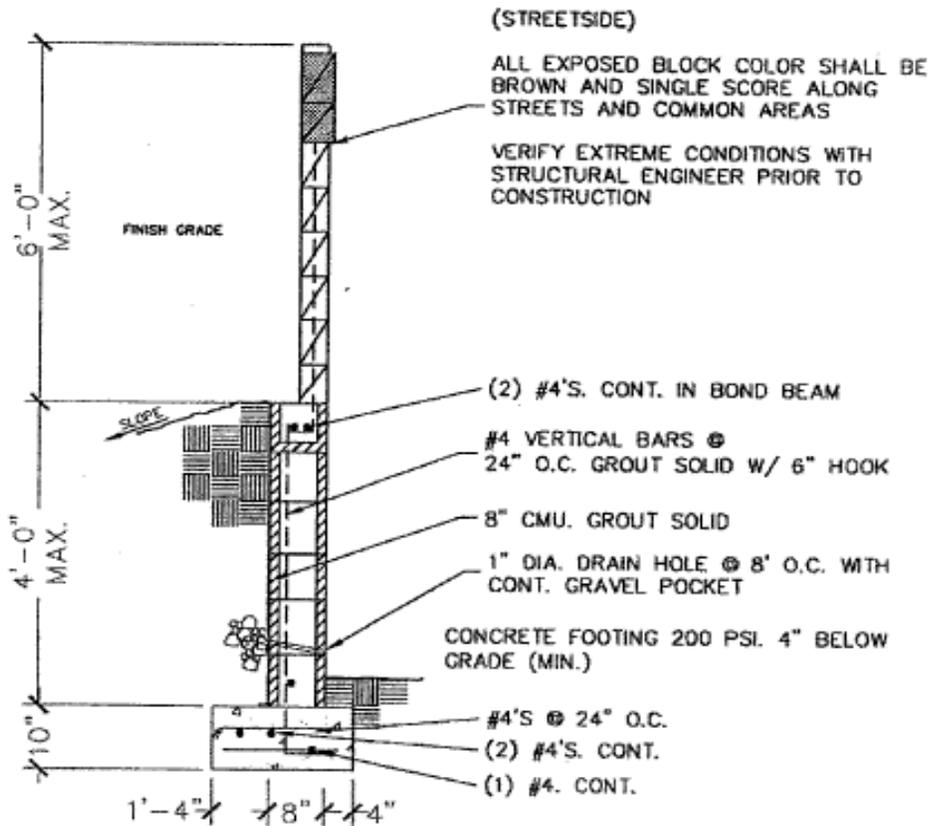


FIGURE 4

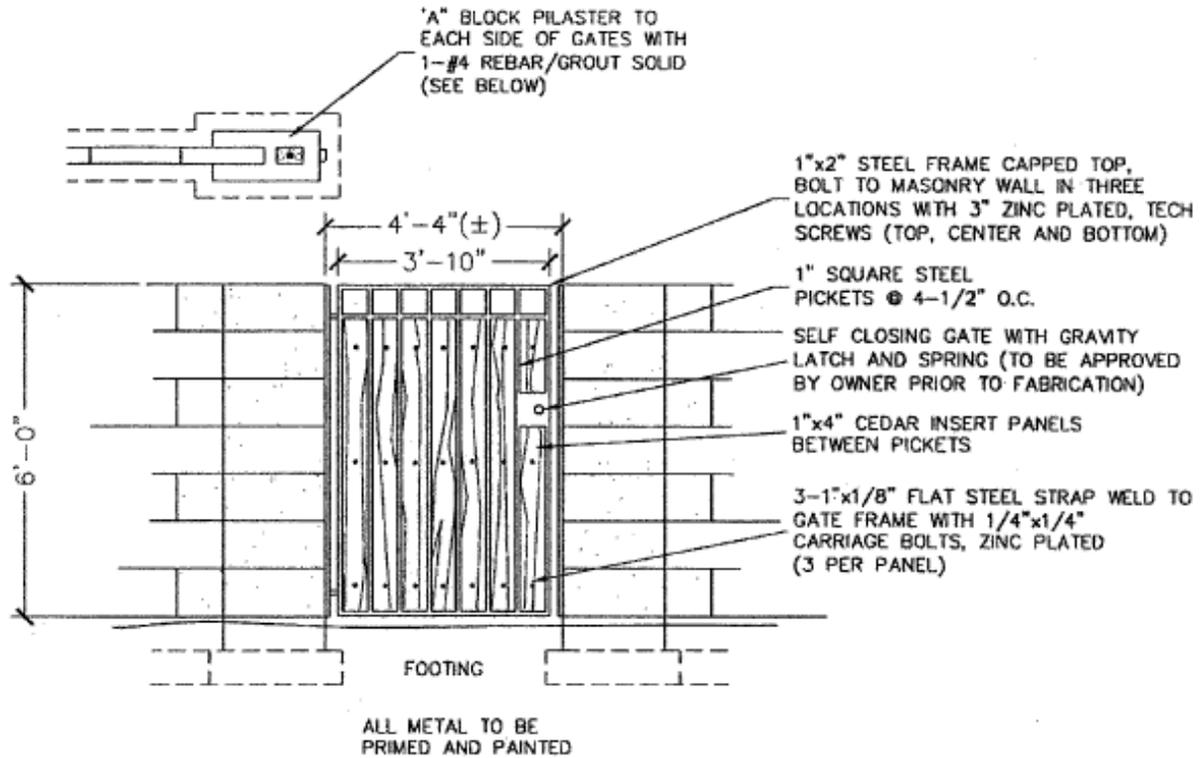


(1'-2') Retaining Wall



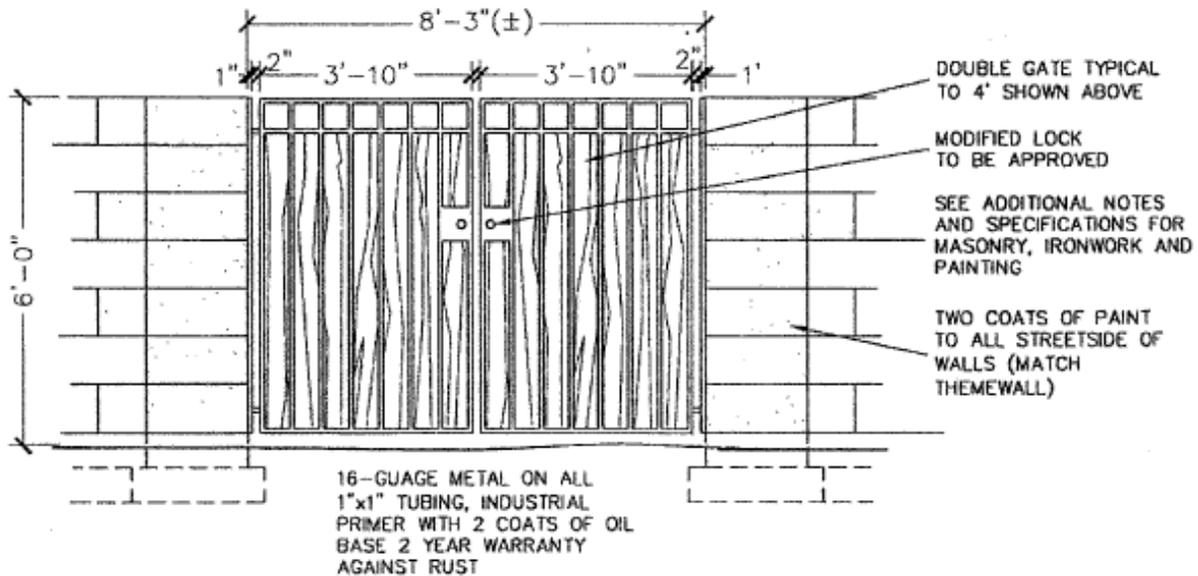
(2'-4') Retaining Wall

FIGURE 5



Typical 4' Rear Yard Gate/Wall

NOTE:
REAR YARD ACCESS GATES MEET ALL LOCAL AND STATE CODES FOR SWING LATCHES, AND SELF CLOSURE FOR SWIMMING POOLS. SUBMIT SHOP DRAWINGS WITH SPECIFIC LATCH, LOCK AND CLOSURE EQUIPMENT FOR ALL APPROVAL PRIOR TO FABRICATION.



Optional 8' Access Gate

APPENDIX A – APPROVED PLANT LIST

Plants that live in the desert have numerous particles to aid in their survival. These include taproots, waxy leaf coatings, dormancy in drought, the ability to close leaves or to absorb enormous amounts of water in brief periods of time. Many of these devices work to minimize the evapotranspiration rate, allowing these plants to exist on incredibly small amounts of rainfall. By providing supplementary irrigation at regular intervals, one can maintain the optimal appearance of these plants. For this reason, the plants on the following list are either indigenous to the region, or are from other semi-arid regions of the world.

As a helpful reference, the following five books can be used for clarification and information.

1. Plants for Dry Climates - 1992 Edition by Duffield and Jones
2. New Western Garden Book by Sunset
3. Native Texas Plants by Wasowski and Wasowski.
4. Low Water Use Plants by Shuler
5. The Low Water Flower Gardener by Johnson and Millard

Plants may be deleted or added to this list at the discretion of the Declarant or upon the request of an Owner provided the suggested new plant meets the following criteria: native to a semi-arid region; compatible with the existing environment in color, texture and mass; drought tolerant; adaptive to the soil; attractive foliage; extended bloom period; ease of maintenance. The plant list may also be modified by the Declarant for an individual Parcel. This may be considered to allow for greater compatibility with an architectural style or theme. The botanical name, description and other pertinent information that may be necessary to ascertain if the plant meets the above criteria may be submitted to the DRC for its consideration and approval.

This plant list has been broken down into the following categories: trees, shrubs, vines, ground covers, cacti/succulents, grasses and annuals. Without exception, each plant has been selected for its attractiveness as a landscape plant, its ability to blend with the neighborhood landscape masterplan, and for its foliage and flower season.

Approved Plant List – Streetscape and Common Areas

TREES - Common Name	Botanical Name
• Desert Museum Palo Verde	Ceridium floridium
• Chilean Mesquite (Thorn tree)	Prosopis chilensis
• California Fan Palms	Washingtonia filifera
• Date Palms	Phoenix Dactylifera
• Native Ironwood	Olneya tesota
• Willow Acacia	Acacia salicina
ACCENTS - Common Name	Botanical Name
• Desert Milkweed	Asclepias subulata
• Green Desert	Dasyliion wheeleri
• Spoon Red Yucca	Hesperaloe parviflora
SHRUB & GROUND COVERS - Common Name	Botanical Name
• 'Barbara Karst' Bougainvillea	Bougainvillea 'Barbara Karst'
• Brittlebush	Encelia farinosa
• Chaparral Sage	Salvia Clevelandii
• Compact Texas Sage	Leucophyllum, frutescens 'Compactum'
• Desert Carpet Acacia	Lantana camara
• Desert Marigold	Baileya multiradiata
• Desert Ruellia	Acacia redolens, 'Desert Carpet'
• Dwarf Coyote Bush	Baccharis pilularis
• Easter Egg or Emu Bush	Eremophila racemosa
• 'Green Cloud' Texas Sage	Leucophyllum, frutescens 'G.C.'
• M. Lemon Marigold	Tagetes Lemmonii
• Native Verbena	Verbena rigida
• Petite Oleander	Nerium oleander
• Radiation Lantana	Ruellia peninsularis
• Red Bird of Paradise	Caesalpinia pulcherrima
• Silvery Cassia	Cassia phyllodenia
• Trailing Rosemary	Rosmarinus officinalis 'prostrata'

Accepted Plants for Private Use

TREES - Common Name	Botanical Name
• Acacia	Acacia species (Under 35') Rhus lancea
• African Sumac	Rhus lancea
• Anacacho Orchid	Bauhinia Congesta
• Apple, Peach, Apricot	Dwarf Fruit
• Arizona Rosewood	Vauquelina Californica
• Ash Species	Fraxinus (SP)
• Brazilian Pepper	Schinus terebinthifolius
• Cascalote	Caesalpinia cacalaco
• Chaste Tree	Vitex angus-castus
• Chilean Mesquite	Prosopis Chilensis
• Chinese Pistache	Pistachia Chinensis
• Citrus	Rutaceae
• Desert Hackberry	Celtis pallida
• Desert Willow	Chilopsis linearis
• Evergreen Elm	Ulmus Parvifolia
• Fern-of-the-Desert	Lysiloma Microphylla Thornberi
• Ficus (Should only be used in large areas. Don't recommend for front yard; will cause problems with homes and take over front yard.)	Ficus Nitida
• Ficus (Should only be used in large areas. Don't recommend for front yard; will cause problems with homes and take over front yard.)	Ficus Microcarpa
• Fruitless Olive 'Swan Hill'	Olea Europaea
• Italian Cypress (dwarf species recommended)	Cupressus sempervirens
• Ironwood	Olneya tesota
• Jacaranda	Jacaranda Mimosifolia
• Japanese Sago Palm	Cycas Revoluta
• Live Oak & Oak Species	Quercus Virginiana (SP.)
• Mediterranean Fan Palm	Chamaerops Humilis
• Mesquite (Should be used in dry landscapes for summer shade, not to be used in small areas or lawn areas. Can grow wide and cause problems.)	Prosopis species
• Mexican Ebony	Pithecellobium mexicana
• Mexican Fan Palm	Washington Robusta
• Mimosa	Albizia julibrissin

• Mondel Pine	Pinus Eldarica
• Palo Verde	Cercidium species
• Palo Verde 'Desert Museum'	Cercidium Hybrid
• Purple Orchid Tree	Bauhinia variegata
• Pygmy Date Palm	Phoenix Roebelenii
• Queen Palm (These don't handle the weather extremes of the Sonoran desert well.)	Arecastrum Romanzoffianum
• Sago Palm	Cycas Revoluta
• Sissoo	Dalbergia Sissoo
• Std. Oleander	Nerium Oleander
• Texas Ebony	Pithecellobium flexicaule
• Weeping Bottle Brush	Callistemon Viminalis
• Windmill Palm	Trachycarpus Fortunei
• Yew Pine	Podocarpus Macrophyllus
SHRUBS - Common Name	Botanical Name
• Abelia	Abelia Grandiflora
• Agapanthus	Amaryllidaceae (SP.)
• Arizona Rosewood	Vauquelinia californica
• Bird of Paradise	Caesalpinia species
• Blue Hibiscus	Alyogyne huegelii
• Bougainvillea	Bougainvillea (SP.)
• Box Leaf Euonymus	Euonymus Microphylla'
• Boxwood	Buxus
• Bush Bougainvillea	Bougainvillea varieties
• Bush Morning Glory	Convolvulus cneorum
• Cape Honeysuckle	Tecomaria capensis
• Cape Plumbago	Plumbago auriculate
• Cassia Varieties	Cassia species
• Compact Myrtle	Myrtus communis 'Compacta'
• Cordia	Cordia boissieri
• Crape Myrtle	Lagerstroemia indica
• Creosote Bush	Larrea tridentate
• Crucifixion Thorn	Canotia holocantha
• Deer Grass Species	Muhlenbergia (SP.)
• Desert Carpet Acacia	Acacia redolens 'Desert Carpet'
• Desert Fern	Lysiloma thornberi
• Desert Honeysuckle	Justicia species
• Desert Lavender	Hyptis emoryi
• Desert Milkweed	Asclepias subulata
• Dwarf Bottlebrush	Callistemon Viminalis
• Dwarf Myrtle	Myrtus Communis Compacta

• Dwarf Pittosporum	Pittosporum tobira
• Dwarf Pomegranate	Punica Granatum
• Dwarf Xylosma	Xylosma congestum
• Dwarf Yaupon Holly	Ilex vomitoria
• Easter Egg or Emu Bush	Eremophila racemosa
• Emu Bush 'Valentine'	Eremophila (SP.)
• Euonymous	Euonymous (SP.)
• Fairy Duster Varieties	Calliandra species
• Frasers Photinia	Photinia fraseri
• Giant Hesperaloe	Hesperaloe funifera
• Goldeneye	Viguiera deltoidei
• Greythorne	Ziziphus obtusifolia
• Hibiscus	Hibiscus Rosa-Sinensis
• Hopseed Bush	Dodonaea viscosa
• Indian Hawthorne	Raphiolepis Indica
• Indian Mallow	Abutilon palmeri
• Indigo Bush Varieties	Dalea species
• Jojoba	Simmondsia chinensis
• Juniper	Juniperus (SP.)
• Lantana Species	Lantana Camara
• Lavender	Lavendula Angustifolia
• Lavender Spice	Poliomintha Maderensis
• Liriope	Liriope Muscari
• Littleleaf Cordia	Cordia parviflora
• Mescal Bean	Sophora secundiflora
• Morea Bicolor	Dietes bicolor
• Mormon Tea	Ephedra trifurca
• Mount Lemmon Marigold	Tagetes lemmonii
• Mountain Marigold	Tagetes lucida
• Nandina Species	Nandina Domestica
• Natal Plum	Carissa (SP.)
• Petite Oleander	Nerium Petite
• Photinia	Photinia Fraseri
• Pittosporum	Pittosporum Tobira
• Privet	Ligustrum Japonicum
• Purple Heart	Setcrea pallida
• Pyracantha	Pyracantha (SP.)
• Rosemary Varieties	Rosemarinus officinalis
• Roses	Rosa
• Ruellia Species	Ruellia (SP.)
• Sage Varieties	Leucophyllum species
• Salt Bush	Atriplex varieties

• Scarlet Betony	Stachys coccinea
• Sugar Bush	Rhus ovata
• Texas Mountain Laurel	Sophora secundiflora
• Texas Sage Species	Leucophyllum (SP.)
• Thevetia	Thevetia Peruviana
• Tropical Bird of Paradise	Strelitzia Reginae
• Turpentine Bush	Haplopappus laricifolia
• White Bush	Aloysia lycioides
• White Plumbago	Plumbago Scandens
• Yellow Bells	Tecoma stans
VINES - Common Name	Botanical Name
• Bougainvillea	Bougainvillea (SP.)
• Carolina Jasmine	Gelsemium sempervirens
• Cat's Claw Vine	Macfadyena unguis-Cacti
• Creeping Fig	Ficus pumila
• Flowering Jasmine	Jasminum florididum
• Hardenbergia (Lilac Vine)	Hardenbergia violacea
• Honeysuckle Species	Lonicera japonica
• Jasmine Species	Jasminum (SP.)
• Lady Banks' Rose	Rosa banksiae, 'Alba Plena' or 'Lutea'
• Mascagnia	Mascagnia species
• Podranea	Podranea rica-soleana
• Pyracantha	Pyracantha (SP.)
• Queens Wreath Vine	Antigonon leptopus
• Snail Vine	Vigna Caracalla
• Star Jasmine	Trachelosperum jasminoides
• Vining Pyracantha	Pyracantha fortuneana
• Yellow Orchid Vine	Mascagnia macroptera
GROUND COVERS - Common Name	Botanical Name
• Angelita Daisy	Hymenoxys Acaulis
• Asparagus Fern	Asparagus (SP.)
• Blackfoot Daisy	Melampodium leucanthum
• Blue Curl	Trichostema arizonicum
• Buckwheat	Eriogonum fasciculatum
• Bursage	Amobrosia deltoidea
• Bush Morning Glory	Convolvulus Cneorum
• California Fuchsia	Zauschneria californica
• Damianta	Chrysactinia Mexicana
• Daylily	Hemerocallis hybrid
• Desert Mallow	Sphaeralcea ambigua
• Desert Marigold	Baileya multiradiata
• Desert Milkweed	Asclepias sublulata

• Dwarf Coyote Bush	Baccharis centennial
• Dwarf Lantana Varieties	Lantana varieties
• Gazania	Gazania species
• Grey/Green Santolina	Santolina varieties
• Honeysuckle Varieties	Justicia species
• Ice Plant	Desloperma varieties
• Kangaroo Paw	Anigozanthos havidus
• Lantana 'Trailing'	Lantana Montevicensis
• Little Leaf Myoporum	Myoporum parivifolium
• Mexican Primrose	Oenothera berlandieri (varieties)
• Paper Flower	Psilotrophe cooperi
• Penstemon	Penstemon species
• Prostrate Germander	Teucrium chamaedrys
• Rain Lily	Zephyranthes Candida
• Ruellia	Ruellia (SP.)
• Sage	Salvia species
• Texas Betony	Stachys coccinea
• Trailing African Daisy	Osteospermium fruticosum
• Trailing Indigo Bush	Dalea greggii
• Verbena	Verbena species
• Vinca Minor	Vinca
• Wedelia	Trilobata
• White Primrose	Oenothera caespitosa
• Zinnia	Zinnia grandiflora
CACTI/SUCCULENTS - Common Name	Botanical Name
• Agave	Agave species
• Aloe	Aloe species
• Barrel Cactus	Ferocactus acanthodes
• Bulbine	Bulbine frutescens
• Desert Spoon (varieties)	Dasylyrion sheeleri
• Hedgehog Cactus	Echinocereus engelmannii
• Indian Fig	Opuntia ficus-indica
• Mexican Fence Post	Stenocercus marginata
• Ocotillo	Fouquieria splendens
• Pink Hesperaloe	Hesperaloe parviflora
• Prickly Pear, Cholla	Opuntia species
• Saguaro	Carnegiea gigantea
• Soaptree Yucca	Yucca elata
• Trailing Ice Plant	Lampranthus spectabilis
GRASS (NON-TURF) - Common Name	Botanical Name
• Arizona Cotton Top	Digitaria californica
• Bear Grass	Nolina microcarpa

• Cochise Love Grass	Eragostis atherstone
• Deer Grass	Muhlenbergia rigens
• Galeta	Hilaris rigida
• Purple and Red Fountain Grass	
• Indian Wheat	Plantago insularis
• Red Brome	Bromus rubens
• Red Three Awn	Aristida purpurea
• Regal Mist	Muhlenbergia capillaris
• Schismus	Schmismus barbatus

Note

If turf is used, it must be any non-pollinating Hybrid Bermuda such as Tiff, Midiron, Tiffway, Santa Ana or Saint Augustine in shaded areas.

All non-turf yard area must be covered with two inches (2") of approved granite. (See Sections 3.1.5 and 3.1.6.)

Annuals

Annuals shall not exceed three feet in height.

Indigenous native varieties are encouraged and may be displayed more openly. Indigenous varieties may include Poppy, Desert Marigold, Lupine, Verbena, Penstemon, Coreopsis, Dyssoxia and Nierembergia.

The following vegetation types and varieties are expressly prohibited:

1. Cypress (Cupressus), except for dwarf Italian variety only with DRC approval, and Pine.
2. Olive trees/Olea Europaea (except for non-pollinating, which are acceptable).
3. All Eucalyptus, Mulberry and Pecan trees.
4. Ironwood Trees are no longer permitted trees within the front yard of Lots.
5. Palo Verde trees including "Blue Palo Verde" and "Palo Verde Desert Museum" are no longer permitted trees within the front yard of Lots.
6. Bougainvillea

Granite

All granite will be in the lighter shades of color, no deep/dark red or browns and no "two tone" color combination. The approved colors are:

- Arizona Blonde
- Madison Gold

- Desert Spice
- Palomino Gold
- Table Mesa
- Apache Brown
- Navajo Brown
- Slate

Colored rock, pea gravel or other surface rock coverings are not to be used.

River rock is only to be used in "drainageway" design elements. They are not for mounding or accent pieces on the surface grade.

Landscape Lighting

All landscape lighting, both area and up lighting will be low voltage.

Low voltage landscape area lighting will be used to enhance improved walkways and driveway edges.

Landscape up-lighting will be used to highlight trees and plants, not hardscape elements or walls.

Turf Grass

Grass will be kept in a well-manicured condition. Healthy and green with appropriate frequency and quantity of water applications. All turf areas may be over-seeded with a Rye winter grass during the winter season.

Artificial turf shall be regularly maintained and cared for as part of the proper maintenance for the artificial turf material.