

**VISTA MONTANA ESTATES ASSOCIATION  
Common Project Design Guidelines  
Adopted July 25, 2005**

***ALL CHANGES MADE TO THE EXTERIOR OF THE LOT OR HOME REQUIRE  
THE PRIOR WRITTEN APPROVAL OF THE  
ARCHITECTURAL REVIEW COMMITTEE***

This document is subject to revision and may be amended or supplemented from time to time. To ensure that you have the most recent edition, please contact the Association management representatives. These Design Guidelines (DG) for Common Projects for all residences have been promulgated, pursuant to Article 3.1 to the Declaration of Covenants, Conditions, Restrictions, and Easements for Vista Montana Estates (the Declaration), first recorded at Docket 12408 Page 771 in the office of the Pima County Recorder, Pima County, Arizona, and as may be amended or supplemented from time to time. The DG are binding upon each Owner, Builder-Developer, or other person who, at any time, constructs, reconstructs, refinishes, alters or maintains any Improvement upon a Lot, or makes any change in the natural or existing surface, drainage, or plant life thereof. The DG are administered and enforced by the Design Review Committee (DRC) in accordance with the Declaration and the procedures herein and therein set forth.

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## 10 Vista Montana Estates Philosophy

- (1) Vista Montana Estates, a master planned community within Pima County, is located on the east side of the Tucson Metropolitan area. Vista Montana Estates is unique because of its rich contrasts in topography and the abundance and variety of typical Sonoran desert plant and animal life.
- (2) The overall intent for Vista Montana Estates is to create a master planned community set respectfully into the natural desert. Vista Montana Estates is envisioned and planned to respect its natural desert setting. The development will strive to preserve and enhance the natural setting of this unique location.
- (3) Design standards and restrictions have been developed to implement this vision. Minimum standards of design provide direction to a Homeowner in the development (planning, design, and construction) of one's particular project to ensure compatibility with the particular existing production home community and the overall Vista Montana Estates context. The purpose of the Common Projects Design Guidelines (DG) is to provide an overall framework for quality development and to create a cohesive overall community appearance at Vista Montana Estates, which is reinforced from one project to another. The DRC will encourage creativity in design, innovative use of materials, and unique methods of construction so long as the final result is consistent with Vista Montana Estates's overall intent and vision.
- (4) All Owners are required to maintain a neat and orderly appearance of their lot. This includes, but is not limited to, the maintenance of plants, ground cover, and ornamentation so as to prevent the effects of uncontrolled overgrowth, washout, and deterioration.

## 2.0 Design Review Process and Submittal Requirements

### 2.1 Submittal Requirements

Specific submittal requirements vary based on the type of project and are outlined in subsequent sections of these Design Guidelines.

### 2.2 Reviews of Submittals

The DRC must conduct reviews at such time as it deems appropriate. If the DRC does not respond to a submittal request within 30 days, said request must be deemed denied.

### 2.3 Enforcement

These Design Guidelines must be enforced by the DRC, or the Association as provided herein, or in the Declaration.

### 2.4 Commencement of Construction

No construction activity related to any proposed project shall be allowed to commence until the DRC has approved the project. Time and costs to the homeowner for reversing changes made prior to DRC approval are the responsibility of the homeowner.

### 3.0 Definitions

- (1) Back yard: any area, back or side, fully enclosed by an enclosure wall.
- (2) Enclosure wall: any block wall or wrought iron view fencing designed to establish privacy for the Homeowner. This does not include a pony wall.
- (3) Front yard: any area within an Owner's front or side lot not enclosed completely within an enclosure wall. The outside surface of the enclosure wall, along with the top surface of the enclosure wall must be considered in the front yard. The interior surface of an enclosure wall must be considered the back yard.
- (4) Natural Areas: those portions of a lot, which are designated to remain in a generally undisturbed state. See CC&R's pages 17 & 18, 4.3.2 Natural Open Space and subsections 4.3.2.1 & 4.3.2.2.
- (5) Ornamentation: any decorations, fountains, yard furniture, tables, knick-knacks or statues or any other inanimate objects.
- (6) Party wall: any wall on a shared property line.
- (7) Pony wall: any wall three feet or shorter.
- (8) Tent: any structure with cloth, canvas or plastic walls and roof.
- (9) Gazebo: free standing roofed structure usually open on the side. Acceptable roofing includes, but is not limited to, canvas material.

### 4.0 Structural Additions

- (1) The following are some examples of common Structural addition projects and are required to comply with the guidelines outlined in Section 4:
  - (a) Sheds
  - (b) Detached Structures
  - (c) Patio (porch) Additions
  - (d) Patio (porch) Enclosures
  - (e) House Expansions

#### 4.1 Submittal requirements (needed for DRC review)

Design layout with structural specifications, noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color sample of structure, lighting installation, relationship to existing house structure, location of structure on property, pictorial and/or photo of proposed structure, if available. House expansion requires a set of floor plans and elevation drawings.

## **4.2 General guidelines (expected approved uses) for structural additions**

In general, the DRC reviews structural addition plans for architectural consistency within the community. The DRC encourages Owners who are planning any of these projects to consider minimizing neighboring property interference (views, color clashes, lighting).

## **4.3 Specific approval conditions, exclusions, etc., for structural additions**

- (1) Structural addition roofing color/style materials must match the existing house color/style roof material and installation. Aluminum flashing material must be painted to match the existing house color. White, off-white, aluminum or other highly reflective coatings colors will not be permitted. Roof vents, and other miscellaneous roof penetrations, must be colored or painted to match the adjacent roof color. (See section 11.2 for roofing stipulations)
- (2) The color of the structural addition must be identical to either the main color or the existing house structure or be identical to the overall color scheme of the house.
- (3) All structural additions that exceed six feet in height must maintain a five-foot setback to any adjacent side property line and a five-foot setback to any adjacent rear property line.
- (4) Any freestanding structural additions must maintain a five-foot separation to the main house structure.
- (5) For lighting specifications, see Section 5.1 Lighting.
- (6) Detached, portable storage sheds cannot exceed the height of the surrounding wall. Storage sheds are only permitted within enclosure walls.
- (7) Carports are not permitted.

## **5.0 Ramadas, Tents, Gazebos and Outdoor Fireplaces**

Materials can include stained wood or match the existing structure of house. Additionally, non-reflective natural metal colors such as iron, rusted iron, bronze and copper considered compatible with existing housing colors would be permitted.

### **5.1 Submittal requirements (needed for DRC review)**

Design layout with structural specifications, noting the following (at a minimum): type of material, dimensions (width, height, length) of structure, color sample of structure, lighting installation, relationship to existing house structure, location of structure on property, pictorial and/or photo of proposed structure, if available.

### **5.2 Specific approval conditions, exclusions, etc., for ramadas, gazebos and outdoor fireplaces**

- (1) Outdoor fireplaces must meet all of the following criteria:
  - (a) The visible portion above any wall cannot exceed 3' in width or 30" in height.
  - (b) Installed with a spark arrestor and/or firebox.

- (c) Installed no closer than five feet to a shared party wall.
  - (d) Cannot be installed on a wall where the exterior side of the wall faces an adjacent parallel street.
- (2) Permanent tent structures are not permitted. Temporary tents may be permitted in the back yard only, for a period not to exceed 7 consecutive days.

## **6.0 Requirements for Proposals located in the front yard**

### **6.1 Lighting**

- (1) The following are some examples of common lighting projects that must comply with the requirements of Section 5:
- (a) Accent lighting
  - (b) Security/motion lighting
  - (c) Flood lighting
  - (d) Pole mounted lamp/light
  - (e) Wall/safety mounted lamp/light
  - (f) Holiday lighting

#### **6.1a Submittal requirements for lighting projects (needed for DRC review)**

Layout shows placement/location of lights, direction and elevation of illumination, color of lights, wattage of each light, type of lighting, height of pole-mounted fixture, duration of usage for each light, whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors). Holiday lighting does not require a specific submittal and approval, providing such lighting is consistent with 6.1c(6) below.

#### **6.1b General guidelines (expected approved uses) for lighting projects**

In general, other than for reasons of safety, the DRC advocates the use of lighting at a minimum level. Accent lighting can be used for landscape illumination, safety lighting of pathways, sidewalks, and pools. Security/motion, flood, pole/wall lamp/light can be used to highlight areas and create safety enhancements. Holiday lighting, as with holiday decorations, is to be used in consistency with the timing and theme of the holiday. Illumination of lighting must be directed on Owner's own property and away from neighboring property. Actual wattage, bulb color, shielding of lighting, and illumination patterns to be reviewed and considered on a submittal basis, and may require post-installation inspection to determine if the intensity of the lighting meets the community standard of low intensity/low usage level.

#### **6.1c Specific approval conditions, exclusions, etc. for lighting projects**

- (1) All lighting must contain clear, white or yellow bulbs only.
- (2) All lighting must comply with applicable Pima County Code and the requirements of "Tucson Dark Skies" ordinance. To this end, wall-mounted fixtures, pole lamps, and other lighting visible to neighboring properties must not exceed 40 watts per bulb for white or clear bulbs

or 60 watts for yellow bulbs. Fluorescent lighting with lower wattage but greater lumens is not permitted.

- (3) Accent Malibu type lighting: in only one color (white preferred). Accent/mini lighting strung in/on and around patios, eaves, porches, trees, plants, shrubs, cactus must be approved in advance, unless for seasonal or singular events. Voltage must be 12 volt or if 110 voltage, must be wired directly to house in accordance with electrical codes. String lights plugged into an outlet are meant to be temporary and do not meet the standards noted above.
- (4) Security motion detectors are to be installed with illumination directed at owner's property and must shut off 5 minutes after triggering.
- (5) Flood illumination is to be directed at Owner's property, away from neighboring property (gazebos, ramadas, recreation areas, trees, cactus, and ornamentation), actual wattage and quantity of flood lighting will be reviewed with submittal.
- (6) Pole-mounted lamp/light with pole painted black or painted to match color of house, not to exceed 6 feet in height, with illumination directed at the Owner's property, away from neighboring property.
- (7) Holiday specific lighting can be installed:
  - (a) October 16<sup>th</sup> through November 15<sup>th</sup>
  - (b) November 20<sup>th</sup> through January 30<sup>th</sup>

## 6.2 Ornamentation

- (1) The DRC must approve any ornamentation located within the front yards. Any ornamentation must be constructed of wood, stone, concrete or non-reflective metal.
- (2) No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday.
- (3) Permanent roof-mounted ornamentation is not permitted.

## 6.3 Recreational Equipment (temporary or permanent)

- (1) Other than temporary basketball backboards/poles, no other recreational equipment may be installed in front and side yards. Requirements for basketball poles are as follows:



- (a) Basketball hoops/poles must be stored away and out of sight when not in use. They cannot be stored in front yards.
- (b) Permanent poles/backboards are not permitted.
- (c) The Association discourages, and does not endorse, the installation of recreational equipment, which forces users of such equipment onto the streets to use this equipment. Please note that Pima County ordinances require that public rights-of-way (streets, sidewalks, drainage areas) be maintained free and clear for access by motorists and pedestrians.
- (d) Those who choose to place temporary portable poles in driveway areas will be doing so at their own liability and risk.

#### **6.4 Utility Equipment**

In general, the Association neither encourages, nor discourages, members to paint or screen the utility boxes located on their property, either near the sidewalk/curb area, or mounted directly on the home. If the Owner chooses to paint or screen the boxes, upkeep and maintenance must comply with CC&Rs (encroachments, building repair).

##### **6.4a Specific Approval Conditions**

- (1) For painting curbside boxes or on-house boxes, color must be identical to main color of existing house structure.
- (2) The letters and numbers originally placed on the boxes must not be painted. Replacements must be identical to original.
- (3) If screening curbside boxes with landscaping (plants, bushes, etc.) consider placement of plantings near sidewalk, so that future growth of the plants do not block/encroach on sidewalk. Since utility workers will need access to these boxes, consider landscaping screening that will be easy to work around and does not contain any plants with sharp, thorny branches or limbs.
- (4) NOTE: If the utility company needs to work in the boxes, it has the right-of-way to displace any landscaping or screening (at the Owner's expense) to work on its equipment.
- (5) When painting on-house boxes, meter faces must not be painted.
- (6) The builder or the Association has painted some utility boxes. If so, these boxes must not be repainted a different color without specific written approval by the DRC.

#### **6.5 Mechanical Equipment**

- (1) The following are common mechanical equipment projects:
  - (a) Air Conditioning Units
  - (b) Evaporative Coolers
  - (c) Water Softeners/Conditioners

**6.5a Submittal requirements for mechanical equipment projects (needed for DRC review)**

Layout includes area to be screened and/or painted, designating what colors are to be applied to what areas and/or equipment, and what type of landscaping plants are to be used for each area.

**6.5b General guidelines (expected approved uses) for mechanical equipment projects**

In general, the Association encourages placement of mechanical equipment in garages, or behind privacy walls, to shield it from neighboring views.

**6.5c Specific approval conditions, exclusions, etc. for mechanical equipment projects:**

- (1) No mechanical equipment will be installed on any roof, except as outlined in Sec. 9.0.
- (2) Mechanical equipment potentially visible at the front of the house from the street or sidewalk must be shielded from view (shielding to be approved by the DRC).

**6.6 Exterior Paint and Landscape Color Standards**

In general, all exterior paint of the home must match any color scheme of the homes currently within Vista Montana Estates. Any contemplated color changes must be submitted and approved by the DRC prior to proceeding with such changes.

**6.6a Submittal requirements for exterior paint and yardscape projects (needed for DRC review)**

Provide specific color chip sample and product manufacturer's information, including light reflectivity values. In addition, the DRC reserves the right to require and review a large sample applied to the house or improvement.

**6.6b Specific approval conditions, exclusions, etc. for exterior paint and yardscape color projects**

- (1) Front/rear door: identical to any existing color currently within Vista Montana Estates.
- (2) Security door: must be painted black or identical to main color, trim color or roof color, of house. Additionally, non-reflective natural metal colors such as iron, rusted iron, bronze, and copper are considered compatible with existing housing colors and will be permitted.
- (3) Garage door: identical to the existing main house color or the trim color(s).
- (4) Garage door border: identical to the existing main house or trim color(s).
- (5) Rear patio/balcony: if wood, natural wood stain color or match main color of house. If stucco, paint to match main color of house.
- (6) Gate: if wood, natural wood stain color or match main house color, or match adjacent wall color. If wrought iron, gate must be black or match color of house or wall. Additionally, non-reflective natural metal colors such as iron, rusted iron, bronze, and copper are considered compatible with existing housing colors and will be permitted.
- (7) Window screening/Sun screen material: black, brown or match color of house, or match existing screen color.
- (8) Roof tiles: identical to existing type and color.

- (9) Enclosure walls: the exterior must be identical to existing finish and color.
- (10) Flat/patio roof coating: identical to existing color. Roof coatings for newly constructed flat roof structures may not utilize white, off-white, or reflective aluminum coatings.
- (11) Only Estate Lot homes may have stuccoed walls because they are non-contiguous.
- (12) Driveway: may not be painted or coated.
- (13) Exterior rock gravel: exterior color choices (single or dual color), earth tone, maximum of two colors of rock or gravel. Decomposed granite is not allowed in areas other than those confined within enclosure walls.
- (14) Wrought iron: black or identical to the color of house, wall, and roof or trim. Additionally, non-reflective natural metal colors such as iron, rusted iron, bronze, and copper are considered compatible with existing housing colors and will be permitted.
- (15) Owners are responsible for preventing excessive staining and/or oil deposits from accumulating on their driveway.
- (16) Oil pans, rugs or cardboard are not permitted on driveways.
- (17) Wall/door ornamentation: minimal use of other colors to provide alternative complementary accents.
- (18) Detached portable storage sheds: Earth toned, low reflectivity colors.
- (19) House-mounted utility boxes: match main house color.

## 6.7 Landscaping

The following are common landscaping projects:

- (1) Vegetation (ground cover, shrubs, trees, cactus, vines, grass, flowers)
- (2) Gravel (rocks, boulders, wood chips)
- (3) Irrigation and drainage
- (4) Accent walls/planter boxes
- (5) Trellises, fencing, staking, plant protection, cloth screening
- (6) Fountains
- (7) Flagstone, brick/pavers, concrete, steps
- (8) Driveway expansions
- (9) Railroad ties

### 6.7a Submittal requirements for landscaping projects (needed for DRC review)

A conceptual landscape layout plan identifies location of vegetation, botanical and common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples. Submittals for trellises should include location, color and type as well as plants to grow on trellises. No landscape or other improvement (other than decorative rocks) will be permitted between sidewalks and street curbs.

**6.7b General guidelines (expected approved uses) for yardscaping projects**

- (1) The Vista Montana Estates landscape concept is based on a philosophy of compatibility with the existing Sonoran desert, sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. To this end, existing natural features, such as stands of Saguaros, unique vegetative groups, rock outcroppings, and washes are preserved wherever possible. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants ensuring minimal water usage and compatibility with the built and natural environments. The Association promotes the seven principles of "Xeriscape", which include:
  - (a) Water conserving design
  - (b) Low water use/drought tolerant plants
  - (c) Reduction in turf areas
  - (d) Water harvesting techniques
  - (e) Appropriate irrigation methods
  - (f) Soil improvements and use of mulches, and
  - (g) Proper maintenance practices

**6.7c Specific approval conditions, exclusions, etc. for landscaping projects:**

- (1) All plants incorporated into any landscaping project must comply with the Approved Plant List (see Appendix A), or as otherwise approved by the DRC. Plants on the Prohibited Plant List must not be permitted (see Appendix B).
  - (a) It is impractical to attempt to list all plant materials that may be considered native or transitional, and therefore appropriate for use in the development. Therefore, in considering additions to the Approved Plant List, the DRC must consider other plant materials considered "native" or "transitional" consistent with the concept of minimal water use and desert environment. The applicant must provide documentation from a reliable source such as Tohono Chul Park or Tucson Botanical Gardens regarding the proposed plant materials.
- (2) All landscaping must be installed in a manner to prevent the appearance of a "hedge" or "wall height extension" greater than three feet tall. Hedge restrictions do not apply along property line separating Goret Road and Owner's property.
  - (a) An exception to this provision applies to those pDRCels adjacent to Goret Road. A fence may be installed along Goret property lines composed of material approved by the Board. The Board will approve only one style of material.
- (3) All landscaping must be maintained within property lines.

- (a) All lots and pDRCels, excluding any portion of the lot which is enclosed by a perimeter wall around the back yard, must be landscaped in a manner consistent with the natural desert, with accent features of non-indigenous plants, ground covers and yard ornaments approved in writing by the DRC, for each lot and pDRCel so landscaped.
  - (b) All original and subsequent landscaping must be installed in accordance with a plan approved by the DRC. The objective of the landscaping is to generally enhance the natural desert environment and to screen, accent, soften and improve the visual character of Vista Montana Estates. All plant material should be drought-resistant, water conserving and generally compatible with the indigenous plant materials list in the Approved Plant List. Drip irrigation systems are encouraged.
- (4) All landscaping should reflect the Southwest character of the development:
- (a) Rocks and boulders, patios, sidewalks, courtyards and walls may be used to supplement and create imaginative landscaping design. The only type and color of wall blocks are TCM Block Chocolate Brown or equivalent.
  - (b) The only inorganic (rock) ground cover, which will be approved by the DRC, is crushed rock. Decomposed Granite is unacceptable for use and will not be approved in any area visible from neighboring properties.
  - (c) Woodchips are not allowed as ground cover or the predominate landscaping. Mulching is limited to the needs of particular planting.
  - (d) Paving, flagstone or concrete, subject to DRC approval, can be used in proportion to the overall landscape of the front yard, provided it does not become the dominant feature of the front yard hardscaping. [But see 6.7(c)(14)]
- (5) No tree, shrub or plant of any kind on any lot or pDRCel may overhang, or otherwise encroach upon, any public sidewalk or other public pedestrian way or bikeway from ground level to a height of ten (10) feet without prior approval of the DRC.
- (6) Turf may not be used in front yards.
- (7) When installing landscaping and/or irrigation, care should be given to maintaining proper grading on the lot to eliminate any undue drainage onto neighboring lots. Irrigation systems should not produce excessive watering on walls so as to cause structural damage to party walls.
- (8) Walls greater than 3 feet in height may not be placed any closer to the front lot line than the most forward point of the house structure. Pony walls may be placed in the front yard to form seating areas or small courtyards. The area encompassed by pony walls must be restricted to roughly a 25-30 percent in proportion to the square footage of the front yard. Pony walls may not be placed on property lines or adjacent to the public sidewalk. Pony wall finish materials must be consistent with the house structure.
- (9) Temporary fencing, staking, and plant protection shade cloths must be properly maintained, when visible from neighboring property.
- (10) For color selections on landscaping materials, refer to Section 5.6, Exterior Paint & Yardscape Color Standards.
- (11) Trellises can be used sporadically, providing the height does not exceed 8 feet.

- (12) Driveway extensions may be approved if they do not reach to within 5 feet of adjacent side property line nor obstruct entrance or front windows of house. The DRC may allow exceptions.

## **6.8 Signage**

- (1) The following are common sign projects requirements:
- (a) Signs listed in Sec. 6.8(b) do not require advance approval.
  - (b) Under no circumstances may the gate code be put on signs or any advertising.

### **6.8a Submittal requirements for signage projects (needed for DRC review)**

Signs requiring DRC submittal, review and approval must designate the number of signs to be placed, location of each sign, size of all signs, design and message content of each sign, colors associated with each sign, and construction material type of each sign.

### **6.8b General guidelines (expected approved uses) for signage projects**

- (1) Temporary, one-time usage signs or permanent lot identification signs: Property For Sale/Lease Signs: One (1), post-mounted, not to exceed 5 (five)' high "For Sale/Lease by Realtor/Owner" sign (professionally designed and mounted) is permitted per property lot and placed only at the specific home for sale. The sign for the lot is to be removed when the home is either sold or removed from the resale market listing. The sign is prohibited from being placed on Association common areas & walls.
- (2) No other "For Sale/Lease Realtor/Owner" signs are permitted for posting. No flyer-type (paper) "For Sale/Lease Realtor/Owner" signs are allowed for postings on lots, pDRCels, common areas, postal/mail units, Pima County rights-of-way, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage, buffer walls/plantings, gate, keypad, or community bulletin boards.
- (3) School Announcements, Yard sale, Garage Sale, Bake Sale: Signs (paper and professionally designed/mounted) are allowed on property lots, association common areas, and buffer zones for the day of the event only. Once the event has been completed, all the signs are to be removed immediately. Signs are not allowed on postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, and buffer walls/plantings.
- (4) Open House: In conjunction with the "For Sale/Lease Realtor/Owner" sign a lot owner, may also have one (1) sign (professionally designed and mounted) announcing an open house event on the lot and one (1) small, ground level bandit and/or A-Frame realtor sign (similar in design and less than 24" in height) only in Association common areas for the duration of the open house. No flyer-type (paper) signs for open houses are allowed for postings on lots, pDRCels, common areas, buffer zones, postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, or entryway monuments/signage.
- (5) Lot Identification Signs: Alarm/security identification signs are permitted without DRC approval, providing signs are placed on lots within three (3) feet of house, no more than 18" to top of sign and such signs may not be self-illuminating.
- (6) Construction Signs: Temporary pool and construction signs as required by governmental agencies, and not self-illuminating. Signs must be removed upon completion of the project.

- (7) Vehicular For Sale Signs: Vehicular For Sale signs are permitted on or in vehicles within the community. No Vehicular For Sale signs are allowed for postings on lots, pDRCels, common areas, postal/mail units, regulatory poles/signs, utility boxes, Pima County rights-of-way, fire hydrants, or buffer walls/plantings.
- (8) Signs announcing Board approved community activities/events.
- (9) Political signs: Political signs are permitted on a homeowner's property in accordance with A.R.S. §33-1808 so long as the signs meet the following criteria:
  - (a) No more than three political signs may be displayed on a homeowner's property at one time.
  - (b) No homeowner may display political signs prior to 45 days before the day of an election for which the sign is intended.
  - (c) Signs must be removed within 7 days after the election for which the sign is intended.
  - (d) Signs must meet the definition set forth in the A.R.S. §33-1808 which defines political signs as "a sign that attempts to influence the outcome of an election, including supporting or opposing the recall of a public officer or supporting or opposing the circulation of a petition for a ballot measure, question or proposition or the recall of a public officer."
  - (e) The size of the signs must not exceed 24 inches by 36 inches.
- (10) Lost pet signs: Lost pet signs are permitted on property lots, association common areas, and in buffer zones for a period not to exceed ten (10) days. Signs are not allowed on postal/mail units, regulatory poles/signs, utility boxes, fire hydrants, buffer walls/plantings, and entrance or exit gates.

#### **6.8c Approvals Required**

Other signs, as deemed appropriate and necessary, may be permitted within the community, if prior approval is granted from the DRC.

#### **6.9 Enclosure Projects (Walls, Gates, Wrought Iron, Railings)**

- (1) The following are common enclosure projects:
  - (a) Walls (privacy, party, buffer)
  - (b) Gates/Gate Screening
  - (c) Wrought Iron
  - (d) Railings
  - (e) Wrought Iron Screening

### **6.9a Submittal Requirements for enclosure projects (needed for DRC review)**

Layout of existing enclosures on property, noting height of existing walls, proposed height of additional courses of block, materials of construction, including finish and color and gate/screening material. If submitting plans for screening, color of screen and/or sample of material are required.

### **6.9b General guidelines (expected approved uses) for enclosure projects**

Walls and fences in Vista Montana Estates have two functions. The most basic use of walls and fences relate to privacy and security, both of which are extremely important. The Design Guidelines, however, are concerned with the potential to provide a handsome and unifying element for the overall community.

### **6.9c Specific approval conditions, exclusions, etc., for enclosure projects**

- (1) Residential walls and fences in "normal" conditions may be a maximum of six (6) feet high as measured from the lowest adjacent average finished grade measured on the outside of the wall. Closely spaced parallel walls are not allowed.
- (2) Per CC&R §4.1.18.4, written approval from the affected neighbor must be received for any size or length alterations of a party wall.
- (3) Prior to the construction of any fence or wall, plans indicating materials to be used and location must be submitted to the DRC for approval. Property lines must be verified by the Homeowner prior to construction.
- (4) In the event of a rebuilding of a party wall or party fence, or with respect to the sharing of the cost thereof, such adjoining Homeowners must submit the dispute to the Board for resolution. The decision of the Board will be binding and final.
- (5) Any fences or walls installed, as part of a home's original construction will not be removed, altered or painted without the DRC's prior written approval. All CMU block walls visible from any street, parking area, or common area within the community must be constructed and finished to match the community's original construction standards. Interior block walls may be painted, however, the color must either be identical to the original color of the block wall (chocolate brown) or any of the original colors homes throughout the community.
- (6) Entry gates into front yard courtyards may exceed the pony wall height limitations for the purposes of design or accent.

## **7.0 Requirements for Proposals located in back yard**

All additions or changes to the backyard must be submitted for DRC approval. No plants on prohibited plant list may be placed in back yard. Otherwise, unless specifically addressed below or in Section 6.9c, back yard landscaping proposals will be approved if accompanied by a voucher from the homeowner that only approved plants will be used.

### **7.1 Recreational Equipment (temporary or permanent)**

- (1) The following are common recreational equipment projects:
  - (a) Playhouses
  - (b) Play gyms
  - (c) Swing sets



- (d) Basketball Backboard/Pole
- (e) Volleyball
- (f) Tetherball
- (g) Field Hockey/Loose Equipment

#### **7.1a Submittal requirements for recreational equipment projects (needed for DRC review)**

Layout of area where recreational equipment is to be installed, with a description of equipment, proposed color, design and dimensions of equipment. Sample brochures, pictorial drawings, or photographs of similar equipment are helpful. Permanent attachment of recreational equipment to house structure requires prior DRC approval.

#### **7.1b Specific approval conditions, exclusions, etc. for recreational equipment**

- (1) When placing recreation equipment, such as playhouses, play gyms, etc., in the rear yard; they must be situated at least five feet from party walls or property lines.
- (2) Installation of permanent or portable basketball pole must be placed 10 feet from any Enclosure Wall.

#### **7.2 Pools/Spas (and related equipment)**

- (1) The following are common pool/spa (and related equipment) projects:
  - (a) Pool/spa
  - (b) Heaters (non-solar)
  - (c) Filters
  - (d) Pool Lighting
  - (e) Diving Boards
  - (f) Pool Slides
  - (g) Pool Decking

#### **7.2a Submittal requirements for pool/spa projects (needed for DRC review)**

Design layout with pool specifications noting the following (at a minimum): type of pool filtering system, wall up/down access to pool area during construction, lighting enhancement around pool area, location and height of pool equipment (filters, heaters, diving boards, slides). A pool contractor will usually provide a layout with specifications to meet the above requirements. If a pool/spa installation includes a gazebo/ramada addition, refer to Section 5.0. If lighting is part of the pool installation, refer to Section 5.1 Lighting. For solar heaters and panels, refer to Section 5.5 Mechanical Equipment.

#### **7.2b General guidelines (expected approved uses) for pool/spa projects**

In general, the DRC reviews pool plans for specific safety considerations to be followed during pool construction. Consideration must be given to minimizing impacts of the pool and recreational equipment installation on neighboring properties.

**7.2c Specific approval conditions, exclusions, etc. for pool/spa projects**

- (1) Diving boards are restricted to springboard types. No platform types are permitted.
- (2) Slides must not exceed 8 feet in height and colors are restricted to white, blue, or desert hues. All pool slide locations require DRC approval, with a minimum setback of five (5) feet from side property lines and ten feet from rear property lines.
- (3) A design layout, which results in back flushing into common areas or onto streets, is prohibited. Diatomaceous earth or sand filters require back flushing and, as such, are subject to regulation by Pima County.
- (4) A conditional approval granted for pool installation will require regulated safety measures to be followed by the Owner and pool contractor during construction. The letter of approval, with conditions, must be signed by both Owner and pool contractor prior to beginning of pool excavation.
- (5) Pool and spa mechanical equipment must not be located outside the privacy wall.
- (6) The homeowner must obtain all required permits and submit to the DRC prior to construction.
- (7) Swimming pools/Spas and related equipment may not be located in the front yard.

**8.0 Doors/Windows/Awnings**

- (1) The following are common Door/Window/Awning projects:
  - (a) Internal Window Treatments
  - (b) Screen Doors
  - (c) Security Doors
  - (d) Gated Entries
  - (e) Window Framing
  - (f) Sunscreens (solar and film)
  - (g) Gutters
  - (h) Rolling Shutters
  - (i) Exterior Awnings

**8.1 Submittal requirements for door/window/awning projects (needed for DRC review)**

Layout of house area where project is to be installed, with description, proposed color, design and dimensions are required. Sample brochures, pictorial drawings, or photographs are required.

## 8.2 General guidelines for door/window/awning projects

In general, the Association promotes installation of exterior treatments in harmony with the surrounding southwestern desert theme in colors. Exterior treatments are subject to weathering conditions and will require periodic maintenance to remain in good condition.

## 8.3 Specific approval conditions, exclusions, etc., for door/window/awning projects

- (1) The color of gutters and downspouts must closely match the surface to which they are to be attached (highly reflective aluminum is prohibited).
- (2) Window screening/Sun screen material – must be black, brown, bronze or match color of house, or match existing screen color.
- (3) Plastic sheeting material, when visible from neighboring property, is not permitted as an awning for patios and balconies.
- (4) Security doors made of welded steel tube or wrought iron (for color, refer to Section 5.6).
- (5) No high reflectivity material may be installed on windows or doors.
- (6) Exterior wrought iron window treatment (bars) will be considered on a case-by-case basis, and window-by-window basis, and will be required to meet the highest aesthetic standards. All wrought iron window treatment submittals will require prior written approval from the DRC to include the specific windows approved and wrought iron design for each window. Generally speaking, any approved window wrought iron must be painted the color of the home or the trim. Installation of well designed, custom wrought iron window treatments may be considered for approval, whereas less aesthetically pleasing "bars over windows" will not be approved.
- (7) Exterior awnings (cloth):
  - (a) Only solid colors to match main exterior house color or trim color.
  - (b) Awnings are permitted in the back yard area only.
  - (c) One permitted in lieu of, or in addition to, rear covered patio structure; the dimensions of the patio area/awning must not extend out from the house more than 10 feet from the access door, or footprint of house, while the width of the awning across the structure must not exceed 20 feet.
  - (d) Awnings must be maintained in good condition at all times.
  - (e) Metal framing must be painted beige or the color of the house, trim or wall. Additionally, non-reflective natural metal colors such as iron; rusted iron, bronze and copper are considered compatible with existing housing colors and are permitted.
  - (f) No plastic, metal, aluminum awning material (except frame).
  - (g) Awnings restricted to lower story only.
  - (h) No ground mounted vertical supports.
  - (i) External rolling shutter assemblies will not be allowed.

## **9.0 Antennas /Satellite Dishes**

- (1) The following are common antenna projects:
  - (a) Conventional
  - (b) Dish/Microwave
  - (c) Cabling/mounting hardware

### **9.1 Submittal requirements for antenna projects (needed for DRC review)**

Layout of area where antenna is to be installed on property/structure, type of antenna or satellite dish, dimensions and screening/camouflaging, should be submitted if applicable.

### **9.2 General guidelines (expected approved uses) for antenna projects**

- (1) Antenna definitions:
  - (a) Antennas are defined as any antenna or other device for the transmission or reception of television or radio signals or any other form of electromagnetic radiation (including related hardware, cables, brackets), that must be erected, used, or maintained outdoors on any lot, whether attached to a building or structure or otherwise located within the lot.
  - (b) The definition of antenna is universal and pertains to all manufacturers and technologies.
  - (c) In general, antenna installations will conform to the Federal government regulations as defined in FCC 96-328 or as currently amended.

### **9.3 Specific approval conditions, exclusions, etc., for antenna installation**

- (1) Prior to installation of an antenna or satellite dish, it is advisable to submit plans depicting the location and type of the device to the DRC for review in order to assure that an Owner will not have to modify location and thereby incur unnecessary cost at a later date. In general antennas and satellite dishes should be placed so as not to be visible from neighboring properties, i.e. ground-mounted, or, as an alternative, they should be screened with landscaping, or camouflaged, to mitigate visual impacts. In no event, however, per FCC regulations, must any satellite dish/antenna installations be restricted so as to:
  - (a) Impair an Owner's ability to receive signals.
  - (b) Unreasonably delay or prevent installation, maintenance, or use of such a device.
  - (c) Unreasonably increase cost of installation, maintenance or use of such device.
  - (d) Preclude reception of an acceptable quality signal.

## **10.0 Roof-mounted devices**

- (1) The following are common roof-mounted device projects:

- (a) Solar Panels
- (b) Solar Heaters
- (c) Solar tube
- (d) Skylights
- (e) Roof Ventilators
- (f) External Gable Ventilator

### **10.1 Submittal Requirements for roof-mounted device projects (needed for DRC review)**

Layout of area where roof-mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed. Mechanical equipment, including evaporative coolers, will not be allowed on any roof. As such, all mechanical equipment is to be ground-mounted and screened.

### **10.2 General guidelines (expected approved uses) for roof mounted device projects**

In general, the Association encourages the use of energy efficient devices, providing the devices, materials, colors, and screening are aesthetically acceptable to the community.

### **10.3 Specific approval conditions, exclusions, etc. for roof-mounted device projects**

- (1) Roof-mounted devices, such as solar tubes and skylights must have flashing colored, or painted, to closely match the adjacent roof color. All glazing must be solar bronze or clear with no white glazing allowed.
- (2) Solar energy devices such as solar panels or heaters will be permitted. However, solar applications must be an integral part of the Structure, further concealed by it or be ground-mounted within a private yard area, further concealed by landscaping. Any installation should minimize its exposure when viewed from any other Lot, Common Area, or from the surrounding Vista Montana Estates. Under no circumstances, however, shall the installation or use of a solar energy device be restricted so as to effectively prohibit the installation or use of the device.

## **11.0 Roofing**

- (1) The following are common roofing projects:
  - (a) Structural Additions (refer to Section 4.0 Structural Additions).
  - (b) Maintenance or repair.

### **11.1 General guidelines for roofing projects**

Materials and colors of roof materials are to be maintained and must remain as originally specified and installed. As such, no submittal with respect to maintenance or repair work is required.

### **11.2 Specific approval conditions, exclusions, etc., for roofing projects**

- (1) White, off-white, aluminum or other highly reflective coatings or colors will not be permitted.

- (2) Structural addition roofing color/style materials must match the existing house color/style roof material and installation or be flat roofing with coating in accordance with #1 in this same section or be natural wood stained. Aluminum flashing materials must be painted to match the existing house color. Roof vents, and other miscellaneous roof penetrations, must be colored or painted to match the adjacent roof color.

## 12.0 Flagpoles

- (1) Vista Montana Estates encourages its residents to display the United States and State of Arizona flags. However, the following guidelines must be followed for the flying of these flags by homeowners within Vista Montana Estates:
- (a) The United States flag and the State of Arizona flag must be displayed on a flagpole. It may not be displayed by attaching the flag to a wall, inside or outside of a window, or on a garage door. Flags may be hung from the eaves of a homeowner's dwelling; however, the flag must be free flowing.
  - (b) The flagpole may be mounted vertically, or horizontally, off of an Owner's dwelling. However, no flag, when fully unfurled, must be higher than the highest point of the roofline of the house from which it is being flown. Flagpoles mounted off a homeowner's dwelling may not exceed 7 feet in height, measured from the base of the flagpole to its highest point. All flags, when fully unfurled, must not cross property line boundaries. A flag must not exceed 30 square feet in area.
  - (c) Freestanding flagpoles (i.e., ground-mounted flagpoles) erected to display flags are permitted so long as they do not exceed 15 feet in height, measured from the base of the flagpole to its highest point, and do not cross property line boundaries should the flagpole fall (i.e., there must be at least 15 feet between the flagpole and the street, common areas and neighboring properties).
  - (d) The flagpole must be a pole or staff of wood, metal or plastic. The flagpole must be white, silver, bronze, copper, or natural wood in color. Any flagpole that is not one of the above-mentioned colors must be painted to match the colors of the dwelling to which it is attached.
  - (e) Owners must take reasonable precautions to prevent the generation of noise from the interaction between any parts of the flag, flagpole, or the attaching cords or halyards.
  - (f) No more than two (2) flagpoles may be erected per property. Within Vista Montana Estates, only the United States flag and the State of Arizona flag may be displayed on a regular and continuous basis. No more than two (2) flags may be flown, in total, on any homeowner property at any time. This restriction does not limit the display of seasonal flags, such as holiday flags.
  - (g) The United States flag must be flown in accordance with the Federal Flag Code (Public Law 94-344). In accordance with the Federal Flag Code, the United States flag can only be flown at night if illuminated. Any illumination must comply with the outdoor lighting guidelines set forth in Section 6.1.
  - (h) Prior to the installation of a flagpole, an Owner must submit a request to the DRC for approval. The request must include the type of flag to be displayed, the height, location, and color of the flagpole. If an Owner wishes to fly the flag at night, the Owner must also submit a request to install lighting to illuminate the flag along with lighting specifications required under Section 6.1. Displaying the American Flag,

utilizing a staff pole and a bracket mounted to a main building will be allowed without a submittal so long as the homeowner meets the guidelines set forth above.

### **13.0 Miscellaneous items**

- (1) The following are common miscellaneous items:
  - (a) Refuse/recycle Containers.
  - (b) Maintenance Equipment (tools, ladders, hoses).
  - (c) Mailboxes.

### **13.1 Specific approval conditions, exclusions, etc., for miscellaneous items**

- (1) Containers, primarily designed for trash and recyclables, placed on curb on pickup days must be maintained in a clean, well-kept manner. Such containers may be placed at curb no earlier than 6pm the day before pick-up and removed by 12 o'clock noon the day after pickup.
- (2) All tools and equipment used routinely to maintain the house structure and landscaping must be stowed in a neat, attractive manner and, except for hoses, such equipment and tools must be stored in a location not visible from off-property.
- (3) The property owner must maintain mailboxes in a neat and attractive manner. Mailboxes may be replaced, if damaged; however the design, color and house numbers must match the original mailbox design.

### **14.0 Estate Lot Requirements**

- (1) In applying the DG within the Estate Lot area, differences in lot area, dwelling unit separation, and setbacks from the street, and visibility from the Common Area or adjacent properties should all be considered. The DRC may modify height limitations for structures and planting materials where no impact on adjacent properties may be reasonably anticipated.
- (2) All natural areas are to be maintained in a debris free condition and no storage of any items, including landscape debris, may be stored within a natural area.
- (3) Natural areas that are disturbed at any time must be revegetated within 90 days of the disturbance.
- (4) Under no circumstances must any natural or improved landscaping be permitted to interfere with sight triangle along the roadways throughout the community, nor must landscaping be permitted to block the visibility of any traffic control sign.
- (5) All other areas of the lot, outside a 15 foot radius of the footprint of the home, and five (5) feet from the edge of the driveway, must be landscaped no later than 90 days from the date of initial occupancy or 180 days after initial purchase, whichever date is sooner.
- (6) The only disturbance of natural areas allowed is for passive recreational facilities, benches, approved flood and erosion protection measures, provided installation minimizes destruction of natural vegetation and land contour.

## APPENDIX A Approved Plant List

The following plants are approved for use in common project landscape improvements in Vista Montana Estates, for both front and back yards. Those designated with an **N** are native, indigenous plants, which may be used anywhere on an individual property. Only plants designated with an **N** may be used in natural areas. Likewise, those plants designated with a **T**, for transitional area, may be used anywhere on the property. Use of those plants designated with a **P** is restricted to back yards.

It is impractical to attempt to list all plant materials that may be considered native or transitional, and therefore appropriate for use in the development. Therefore, in considering additions to the Approved Plant List, the DRC must consider other plant materials considered "native" or "transitional" consistent with the concept of minimal water use and desert environment. The applicant must provide documentation from a reliable source such as Tohono Chul Park or Tucson Botanical Gardens regarding the proposed plant materials.

All proposed landscape plans must be submitted to the DRChitectural Review Committee for review and approval, prior to implementation.

### Trees:

T	Acacia abyssinica	Abyssinian Acacia
N	Acacia constricta	Whitethorn Acacia
N	Acacia farnesiana	Sweet Acacia
N	Acacia greggii	Cat Claw Acacia
N	Acacia smallii	Southwest sweet Acacia
T	Acacia stenophylla	Shoestring Acacia
N	Canotia holacantha	
N	Celtis pallida	Desert hackberry
N	Celtis reticulata	Netleaf hackberry
T	Celtis douglasii	Western hackberry
N	Cercidum floridum	Blue Palo Verde
N	Cercidum microphyllum	Foothills Palo Verde
N	Chilopsis linearis	Desert Willow
P	Eriobotrya japonica	Loquat
P	Heteromeles arbutifolia	Toyon
P	Laurus nobilis	Sweet Bay
N	Olneya tesota	Ironwood
T	Pithecellobium flexicaule	Texas Ebony
P	Podocarpus macrophyllus	Yew Pine
N	Prosopis ssp	Mesquite
P	Prunus ssp	Purple Plum, Carolina Laurel Cherry
T	Quercus emeryi	Emory Oak
T	Quercus gambelii	Gamble Oak
N	Sambucus mexicanus	Elderberry
T	Sophora secundiflora	Mescal Bean, Texas Mountain Laurel
T	Vitex agnus-castus	Chaste Tree

### Shrubs and Accent Plants:

P	Abelea grandiflora	Glossy abelia
T	Acacia redolens	Ground Cover acacia
P	Acanthus mollis	Bear's Breech
T	Agave americana	Century Plant



N	<i>Agave huachucensis</i>	Wide-leaf agave
N	<i>Agave vilmoriniana</i>	Octopus agave
N	<i>Agave weberi</i>	Smooth-edge agave
P	<i>Ajuga reptans</i> 'purpurea'	Bronze ajuga
T	<i>Aloe barbadensis</i>	Aloe vera
T	<i>Aloe ferox</i>	Cape aloe
P	<i>Antigonon leptopus</i>	Queens Wreath
T	<i>DRCrostaphylos pungena</i>	Pointleaf manzanita
N	<i>Asclepias subulata</i>	Desert Milkweed
N	<i>Asclepias linaria</i>	Pineleaf Milkweed
P	<i>Asparagus d. sprengeri</i>	Asparagus fern
P	<i>Asparagus falcantus</i>	Asparagus fern
T	<i>Baccharis polularis</i>	Coyote bush
N	<i>Baileya multiradiata</i>	Desert Marigold
P	<i>Bambusa</i> ssp	Bamboo
T	<i>Bougainvillea</i> ssp	Bougainvillea
T	<i>Caesalpinia gilliesii</i>	Mexican Bird of Paradise
T	<i>Caesalpinia pulcherrima</i>	Red Bird of Paradise
P	<i>Callistemon citrinus</i>	Lemon Bottlebrush
P	<i>Callistemon viminalis</i>	Weeping Bottlebrush
P	<i>Camellia japonica</i>	Camellia (many varieties)
P	<i>Carissa grandiflora</i>	Natal Plum
T	<i>Cassia</i> ssp	Cassia and Senna (many varieties)
N	<i>Carnegiea gigantea</i>	Saguaro
T	<i>Convolvulus mauritanicus</i>	Ground Morning Glory
P	<i>Cotoneaster</i> ssp	Cotoneaster (many varieties)
P	<i>Cycas revoluta</i>	Sago Palm
P	<i>Cyperus alternifolius</i>	Umbrella Plant
N	<i>Dasyiron wheeleri</i>	Desert Spoon
N	<i>Dodonaea viscosa</i>	Hopseed Bush
N	<i>Echinocereus engelmannii</i>	Hedgehog cactus
P	<i>Eleaagnus</i> m. 'Ebingei'	Silverberry
N	<i>Encelia fasciculata</i>	Brittle Bush
N	<i>Encelia trifurca</i>	
N	<i>Ephedra faciculata</i>	
N	<i>Eriogonum faciculatum</i> v. <i>poliofolium</i>	Fleabane
P	<i>Euonymus</i> ssp	Euonymus
P	<i>Fatshedera lizei</i>	Fatshedera
P	<i>Fatsia japonica</i>	Aralia
P	<i>Feijoa sellowiana</i>	Pineapple Guave
N	<i>Ferocactus</i> ssp	Barrel Cactus
P	<i>Ficus</i> ssp	Fig
N	<i>Fouquieria splendens</i>	Ocotillo
P	<i>Gardenia jasminoides</i>	Gardenia (many varieties)
T	<i>Gazania</i> ssp	Gazania (many varieties)
P	<i>Gelsemium sempervirens</i>	Carolina jasmine
N	<i>Gutierrezia sarothrae</i>	Snakeweed
P	<i>Hedera</i> ssp	Ivy
T	<i>Hesperaloe parviflora</i>	Red hesperaloe
P	<i>Hibiscus</i> ssp	Hibiscus
P	<i>Ilex</i> ssp	Holly
P	<i>Jasminum</i> ssp	Jasmine
T	<i>Juniperus</i> ssp	Juniper (see Appendix B)
N	<i>Justica Californica</i>	Chapurosa
P	<i>Lagerstroemia indica</i>	Crape Myrtle

T	Lantana ssp	Lantana
N	Larrea tridentata	Creosote Bush
T	Leucophyllum frutescens	Texas Ranger
P	Ligustrum ssp	Privet
P	Liriope muscari	Liriope
N	Lotus rigidus	Deer vetch
N	Lycium exsertum	
N	Lycium fremonfii	
N	Lysiloma thornberi	Feather Bush
P	Macfadyena unguis-cati	Cat's Claw Vine
T	Mahonia aquifolium	Oregon Grape
T	Malehore crocea	Ice Plant
P	Motrs itifioifrd	Fortnight Lily
P	Myrtus comminus	Myrtle
T	Nandina domestica	Heavenly Bamboo
N	Nolina microcarpa	
P	Ophiopogon japonicus	Mondo Grass
N	Opuntia ssp	Prickly Pear Cactus
P	Osteospermum fruticosum	Trailing African Daisy
N	Penstemon ssp	Penstemon
P	Philodendron selloum	Philodendron
P	Photinea ssp	Photinia
P	Pittosporum ssp	Mockorange
T	Potentilla ssp	Cinquefoil
P	Pyracantha ssp	Pyracantha
P	Raphiolepis indica	Indian Hawthorn
T	Rhus ovata	Sugar Bush
P	Rose	Rose
T	Rosa banksiae	Lady Banks' Rose
T	Rosmarinus officinalis	Rosemary
T	Santolina ssp	Santolina
T	Senecio cineraria	Dusty Miller
N	Simmondsia chinensis	Jobba
P	Spirea ssp	Spirea
N	Tecoma stans	Trumpet Bush
P	Tecomaria capensis	Cape Honeysuckle
T	Teucrium chamaedrys	Germander
P	Trachelospermum	Star Jasmine
N	Trixis californica	
N	Vauquelinia californica	Arizona Rosewood
P	Viburnum ssp	Viburnum
N	Viguira delloidea	
P	Vinca ssp	Periwinkle
N	Yucca baccata	Yucca
N	Yucca ssp	Yucca (many varieties)

## Appendix B Prohibited Plant List

Any species of tree or shrub whose mature height may reasonably be expected to exceed the height of the related structure, with the exception of those species specifically listed in Appendix A or those approved by the DRC, are prohibited.

Specific plants prohibited because of aesthetic reasons or their allergy-producing characteristics, or susceptibility to disease include:

Ambrosia deltoidea	Bur sage
Atriplex ssp	Saltbush (many varieties)
Betula ssp	Birch (aesthetic)
Cupressus	Cypress (aesthetic)
Eucalyptus	All varieties (aesthetic)
Fraxinus velutina	Arizona Ash (aesthetic)
Populus fremontii & augustifolia	Cottonwood (aesthetic)
Platanus wrightii	Sycamore (aesthetic)
Parkinsonia aculeata	Mexican Palo Verde (disease)
Pistacia ssp	Pastiche (aesthetic)
Salix (many species)	Willow (aesthetic)
Melia acedarach	Mulberry (law)
Morusalba	(Allergenic)
Acer (many species)	Maple (aesthetic)
Arundo donax	Giant Reed (aesthetic)
Baccharis sarothroides	Desert Broom (weed)
Brachychiton populneus	Bottle Tree (aesthetic)
Gleditsia ssp	Locust (aesthetic)
Grevillea ssp	Silk Tree (aesthetic)
Olea europaea	Olive (law)
Rhus Lancea	African Sumac (aesthetic)
Washingtonia filligera	California Fan Palm
Washingtonia robusta	Mexican Fan Palm
Phoenix dactylifera	Phoenix Date Palm
Pinus elderica	Elderica Pine
Pinus halepensis	Alleppo Pine
Platyclusus orientalis	Arborvitae

Fountain grass (*Pennisetum setaceum*), pampas grass (*Cortaderia Lselloana*) and Buffel grass (*Pennisetum geniculatum*) will be prohibited as a defined weed with the potential to spread through the development.

Common Bermuda grass will be prohibited as a defined weed and for its profuse production of allergy-producing pollen.

All Citrus, Palms, Pines, Cypress, False Cypress, Juniper, Magnolia and Cedar, whose mature growth height may reasonably be expected to exceed 25 feet will be prohibited for aesthetic reasons. Dwarf varieties, and those specimens whose mature growth height can reasonably be expected to be maintained at less than 25 feet, may be installed on individual lots within back yards.

Dwarf Oleanders will be permitted in all areas to a mature height of ten feet (10').