

Sonoran Desert Willow Homeowners Association Design Guidelines

INTRODUCTION

The Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Sonoran Desert Willow Homeowners Association (the Declaration) provides for an Architectural Review Committee (the "ARC") appointed by the Board of Directors of the Sonoran Desert Willow Homeowners Association to review additions, modifications and alterations (referred to in this document as an "Alteration") to all Lots within the community and to establish rules and guidelines for such Alterations so that a uniform standard for maintenance can be achieved. This is achieved by balancing individual rights with the community needs and values. Capitalized words in this document not otherwise defined shall have the same meaning as described in the Declaration. The purpose of this document is to establish Design Guidelines for the community. These Design Guidelines provide a foundation of criteria for owner projects.

SUBMITTALS

All alterations need to be submitted, unless specifically stated in these Design Guidelines. The Owner shall submit the following to the ARC for approval prior to construction or installation of the Alteration:

1. The completed request form (attached to this document).
2. Plans and specifications for the proposed work, including, if applicable:
 - a. Site plan for the Lot, showing the Alteration in its proposed location along with all other improvements on the Lot (house, driveway, pool, etc.). Dimensions from the Alteration to the nearest existing improvement should also be shown. If plants are a part of the Alteration, the type of plant should be shown on the site plan.
 - b. Plans and specifications for all above-ground construction (e.g., shed, patio cover, gazebo) showing materials, height, width and paint color(s).
 - c. The time frame for beginning and completion of the work to construct or install the Alteration.
3. Additional information may be requested by the ARC.
4. The ARC reserves the right to request "reasonable" modifications to any alteration if deemed appropriate.

VARIATIONS

The following are only guidelines. The ARC, at its discretion, may approve variations from the Design Guidelines, which will be evaluated on an individual basis.

PERMITS

The Lot Owner is solely responsible for obtaining all required permits and approvals from applicable public agencies such as County or City. All improvements are subject to all appropriate permits and inspections being obtained.

The ARC will not knowingly approve any proposal that might violate governmental codes and regulations. However, the approval by the ARC does not indicate or imply compliance with such codes and regulations. Conversely, governmental approval does not guarantee the ARC will also approve the application.

OWNER DISPUTES

The ARC will not address disputes between private property owners, nor will it serve as liaison for resolving issues. The ARC will address architectural issues only.

GENERAL CRITERIA

All proposals should conform to the following general criteria:

- a. **Positive Visual Impact**: harmony with improvements existing on the Owner's lot and in surrounding neighborhood, i.e. similarity of style, material, color, size and quality, including similar character of trees and other landscaping.
- b. **No Adverse Impact**: the work does not impair access, sunlight, ventilation or drainage of adjacent properties, and does not create hazard or nuisance of any kind in the neighborhood, including light pollution.
- c. **Workmanship**: professional, neat, finished, clean, safe.

You may want to discuss your proposal with neighbors before submitting an application to the ARC. In some cases the ARC may request a written notification of your neighbors to be submitted along with your application, as one of the conditions of approval.

LIGHTING

1. Accent malibu type lighting **SHALL NOT** require approval if less than 15 lights are installed and the bulbs are white or amber, not exceeding 18 watts per bulb, not exceeding twenty-four (24) inches in height from ground level, and illumination shall not cause excessive glare or light spillage onto adjacent Lots.
2. All flood lights **SHALL** require approval. All light not installed by the builder, must meet the following requirements:
 - a. The light emitting element and reflecting device of all lighting or illumination units shall be hooded or shielded so that it is not visible from any adjacent lot or real property.
 - b. Lights or illuminating units shall not direct light, either directly or through a reflecting device, upon an adjacent real property.
 - c. Motion lights must turn off within 5 minutes.
 - d. Pole lighting is PROHIBITED.
3. Rear and side yard lighting shall be confined to patio and pool areas and shall not cause excessive glare or light spillage onto adjacent Lots.
4. Holiday lighting **SHALL NOT** require approval if installed 45 days prior to the holiday and is removed 14 days after the holiday associated with the lighting. The opinion of the ARC as to what constitutes holiday lighting shall be binding.

SECURITY SIGNS

Members are permitted to have one (1) sign on their property, which includes information related to a home security system actually in use at that property. Security signs are permitted. Signs **SHALL NOT** require approval if the total surface area on the display side of the sign will not exceed 110 square inches. The top of sign shall not be higher than 18 inches from the surface of the walkway, gravel, dirt, etc. The signs should face the street and shall be located not more than 24 inches from the structure

FRONT YARD LANDSCAPING/IMPROVEMENTS

1. All front yard landscaping **SHALL** require approval of the ARC prior to the installation thereof.
 - a. Hardscape accents (i.e., satillo tile, brick pavers) may be used to construct stepping-stones and borders if the colors are compatible with the community. Acceptable colors include desert hues and other natural colors.
 - b. Lawn ornaments (bird baths, fountains, statues, etc.), except for temporary holiday decorations. Holiday decorations can be installed 45 days prior to the holiday and must be removed 14 days after the holiday.
 - c. Hardscape materials (i.e., concrete, brick, flagstone, tile) used to construct: new or modified walkways, new driveways or driveway extensions, free-standing walls or retaining walls, porch, patio, or seating areas or other similar structures.

2. The following rear and side yard improvements **SHALL** require approval:
 - a. All trees. (See prohibited plant list.)
 - b. Pools, spas and ancillary components of pools and spas (slides, gazebos, machinery, etc.)
 - c. Any structures (i.e., storage sheds, patio fireplaces, patio covers, gazebos, etc.).
 - d. Any increase in the wall height **SHALL** require the prior written approval of the ARC. In addition, a request for changes made to a "shared" wall must be by a joint request signed by all Lot Owners affected by the change. Any increases in wall height may also require the approval of the City of Tucson and/or Pima County.
 - e. Removal of a wall, or a portion thereof, to facilitate access.

When installing landscaping or irrigation, care must be taken to maintain proper grading to eliminate drainage onto neighboring lots. Irrigation systems should not produce excessive watering. All exposed pipes are to be painted the color of the surface they are attached to.

All landscaping vegetation must adhere to:

Approved plant list - See Appendix A
Prohibited Plant List – See Appendix B

DISPLAY OF FLAGS

Display of the American flag **SHALL NOT** require approval if bracket mounted on the garage area of the house.

Windssocks are limited to the rear yard only.

POOLS

ALL POOLS SHALL REQUIRE APPROVAL OF THE ARC.

1. Any walls removed during construction of a pool, spa or other Improvement shall be walls situated on the Owner's Lot; *removal of walls abutting a Common Area shall not be allowed.* Any wall removed shall be replaced in its original state immediately after construction is complete, including stucco and paint (if originally constructed with stucco and paint).
2. Backwashing of pools must be contained wholly on the Owner's Lot. The use of a dry well to retain backwash water is recommended. Backwashed water shall not be permitted to seep onto an adjoining Lot, common area, or street.
3. No above ground pools are permitted.

PAINTING

Use of the original exterior colors **SHALL NOT** require approval from the ARC. If you wish to change your present color scheme, it **SHALL** first be submitted to the ARC for approval.

GATES

Repainting gates either the original color installed by the builder or the same color as the block wall, or the same color as the house **SHALL NOT** require approval of the ARC. New gate installations must be substantially the same as those originally installed by the builder and **SHALL** require prior written approval of the ARC.

For additional privacy, natural wood slats (to exclude particle board and plywood) attached to your gate or the use of black metal screening **SHALL NOT** require approval of the ARC.

SCREENS/SECURITY DOORS

Screen doors **SHALL NOT** require the approval of the ARC if they are wrought iron and painted: (i) the same color as the house, or (ii) the same color as the window frames. Designs on the doors **SHALL** require approval. Screen doors constructed of any other material or color **SHALL** require the prior written approval of the ARC.

GUTTERS AND DOWNSPOUTS

The installation of gutters and downspouts **SHALL NOT** require approval of the ARC if they are painted to match the color of the house or trim adjacent to where the installation occurs. The natural drainage pattern should not be affected by the installation of the gutters.

PROHIBITED MODIFICATIONS AND ADDITIONS

Changing of the established rainwater drainage pattern shall be prohibited, whether within perimeter walls or elsewhere upon the lot.

STORAGE SHEDS

All sheds **SHALL** need to be submitted to the ARC prior to installations. Metal sheds are PROHIBITED.

Criteria for Approval:

1. Placement of the shed needs to be shown on a site plan, in relation to the placement of your house and neighboring property walls. Sheds must be

- located no closer than 15 feet to any property wall.
2. The exterior of the shed must be stuccoed and painted to match either the house or trim color.
3. Roof material of the shed must match the roof material of the house.
4. All ventilators must be painted to match the house or trim color.
5. Consideration will be given to the impact of neighboring properties.

TEMPORARY/PERMANENT BASKETBALL STANDARDS/HOOPS

All basketball hoops **SHALL** require the approval of the ARC. All basketball hoops are required to be placed in the rear yard only.

PLAY AND EXERCISE EQUIPMENT

All Play Equipment that (a) exceeds the height of eight feet (8') from ground level to the cross bar or the highest point, and/or (b) is not placed a minimum of ten feet (10') from all neighboring boundaries **SHALL** require ARC approval

The ARC shall consider Play Equipment if it adheres to the following guidelines:

1. Climbing platforms and slides shall be placed not higher than two (2) feet below the highest point of the rear yard fence to protect the privacy of neighboring Owners.
2. Play Equipment exceeding the height of eight feet (8') and/or not placed a minimum of ten feet (10') from all neighboring boundaries shall be screened from said adjoining property by shrubs or trees which will equal the height of the Play Equipment within a reasonable time period. The ARC may require that the equipment be painted a color compatible with the house on the subject Lot.
3. Brightly colored canopies, roofs, or other visual distractions which are attached to the Play Equipment shall not be Visible From Neighboring Property.
4. Any lights on the Play Equipment must meet the requirements in the Lighting section of these Design Guidelines.
5. Written consent of adjacent lot owners should be included with the submittal.

RAMADAS

1. All Ramadas SHALL require ARC approval.
2. Any Ramada exceeding the height of ten feet (ten') and/or not placed a minimum of ten feet (10') from all neighboring boundaries shall be screened from said adjoining property by shrubs or trees, which will equal the height of the Ramada within a reasonable time period. The ARC may require that the equipment be painted a color compatible with the house on the subject Lot.
3. Any lights on the Ramada must meet the requirements in the lighting section of these Design Guidelines
4. Written consent of adjacent Lot Owners should be included with the submittal.

SHORT WAVE RADIO ANTENNAS

Short wave radio antennas SHALL require prior written approval and may not exceed twelve (12) feet in height. Those requiring more than twelve feet must prove the necessity.

ANTENNAS/SATELLITE DISHES

An antenna one meter or less in diameter or diagonal measurement which is designed to receive signals from direct broadcast satellites (DBS) or designed to receive video programming services from multi-channel multi-point distribution (wireless cable) providers (MNMS) or an antenna that is designed to receive television broadcast signals (TVBS) may be placed, installed, or kept on a Lot if the antenna complies with the following restrictions:

1. The antenna must be placed on the Lot in such a manner as to not be visible from any other Lot, the Common Area or any street unless it is impossible to do so without impairing the user's ability to receive signals from a provider of DBS, MNMS or TVBS.
2. If the antenna cannot be placed on the Lot in such a manner as to not be visible from any other Lot, the Common Area or any street without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS, then the antenna must be screened by landscaping or by some other means so that it is not visible from any other Lot, the Common Area, or any street, unless such screening would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS, in which event the antenna must be screened by landscaping or by some other means to reduce to the greatest extent possible its visibility from other Lots, the Common Area or streets without impairing the user's ability to receive signals from a provider of DBS, MMDS or TVBS.
3. If the antenna is mounted on a residence or other structure and is visible from any other Lot, the Common Area or any street, the antenna must be painted a color which will blend into the background against which the antenna is mounted, unless the painting of the antenna would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS. An antenna that is less than one meter in diameter and is designed to receive video program services from MMDS or an antenna designed to receive TVBS may be mounted on a mast which does not

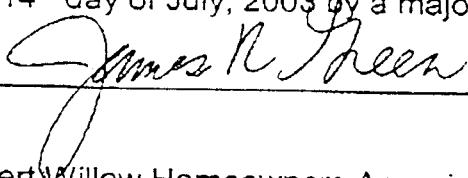
exceed twelve feet (12') in height above the roofline. However, the mast shall be no higher than the height necessary to establish line of sight contact with the transmitter. If the mast or antenna is visible from any other Lot, the Common Area or any street, the mast or antenna must be painted a color which will blend into the background against which the antenna is mounted, so long as the painting of the antenna does not impair the user's ability to receive signals from the MMDS or TVBS provider.

No restriction contained in this section shall be deemed to impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS unreasonably delay or prevent installation, maintenance or use of the antenna, unreasonably increase the cost of installation, maintenance or use of the antenna or preclude reception of an acceptable quality signal.

No antenna which is designed to receive signals from DBS or MMDS and which exceeds one meter in diameter or diagonal measurement and no mast which exceeds twelve feet (12') in height above the roofline may be placed, installed, constructed or kept on any Lot without the prior written approval of the ARC.

Adopted this 14th day of July, 2003 by a majority vote of the Board of Directors.

Signed: _____



President
Sonoran Desert Willow Homeowners Association

Appendix A

Approved Plant List

The following plants are approved for use at Desert Willow Estates in designated areas. Plants approved for revegetation in Natural Areas (indigenous plants) are designated by (N). Plants approved for use within the Development Envelope in Transitional Areas are designated by (T) and include all (N) plants. Plants approved for use in the Private Areas are designated by (P) and include both (N) and (T) plants. Some of the varieties listed may need protection from freezing, check with your local nurseryman and/or landscape architect.

All Natural and Transitional Areas which are disturbed and/or vegetation has been destroyed or removed during construction shall be revegetated with plant types and minimum densities as follows: For every six hundred (600) square feet of disturbed area, the Builder-Developer must plant (2) desert trees, minimum 15 gallon size; (6) desert shrubs, minimum 5 gallon size; and (6) desert shrubs, minimum one gallon size. Cactus may be substituted 2 for 1 for one-gallon shrubs. All container plantings shall be maintained on an irrigation system until the contained plantings are fully established. In addition, the entire disturbed area shall be seeded with a seed mix approved by the AC and watered a minimum of three times per day for two weeks. Further, plant materials salvaged as required in the conservation requirements (see Appendix C) are encouraged to be incorporated into the landscaping scheme for these areas. High visibility Natural and Transitional Areas may require additional vegetation/re-vegetation as determined appropriate by the Declarant.

Trees:

T	<i>Acacia abyssinica</i>	Abyssinian Acacia
N	<i>Acacia constricta</i>	Whitethorn Acacia
N	<i>Acacia farnesiana</i>	Sweet Acacia
N	<i>Acacia greggi</i>	Cat Claw Acacia
N	<i>Acacia smalii</i>	Southwest sweet Acacia
T	<i>Acacia stenophylla</i>	Shoestring Acacia
N	<i>Canotia holacantha</i>	
N	<i>Celtis pallida</i>	Desert hackberry
T	<i>Celtis reticulata</i>	Netleaf hackberry
T	<i>Celtis douglasii</i>	Western hackberry
N	<i>Cercidum floridum</i>	Blue Palo Verde
N	<i>Cercidum michophyoom</i>	Foothills Palo Verde
N	<i>Chilopsis linearis</i>	Desert Willow
P	<i>Eriobotrya japonica</i>	Loquat
T	<i>Laurus nobilis</i>	Sweet Bay
N	<i>Olneya tesota</i>	Ironwood
T	<i>Pithecellobium flexicaule</i>	Texas Ebony
N	<i>Prosopis ssp</i>	Mesquite
P	<i>Prunus ssp</i>	Purple Plum, Carolina Laurel Cherry
T	<i>Quercus emeryi</i>	Emory Oak

Trees, Continued:

T	<i>Quercus gambelii</i>	Gamble Oak
N	<i>Sambucus carnadensis</i>	Elderberry
T	<i>Sophora secundiflora</i>	Mescal Bean, Texas Mountain Laurel
T	<i>Vitex agnus-castus</i>	Chaste Tree

Shrubs and Accent Plants:

P	<i>Abelea grandiflora</i>	Glossy abelia
T	<i>Acacia redolens</i>	Ground Cover acacia
P	<i>Acanthus mollis</i>	Bear's Breech
N	<i>Agave americana</i>	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 'purpurea'</i>	Bronze ajuga
N	<i>Aloe barbadensis</i>	Aloe vera
T	<i>Aloe ferox</i>	Cape aloe
N	<i>Ambrosia deltoidea</i>	Bur sage
P	<i>Antigonon leptopus</i>	Queens Wreath
T	<i>Arctostaphylos pungena</i>	Poinleaf manzanita
N	<i>Asclepias subulata</i>	
N	<i>Asclepias linstis</i>	
P	<i>Asparagus desniflorus sprengeri</i>	Asparagus fern
P	<i>Asparagus falcantus</i>	Asparagus fern
N	<i>Atriplex ssp</i>	Saltbrush (many varieties)
T	<i>Baccharis polularis</i>	Coyote bush
N	<i>Baileya multiradiata</i>	Desert marigold
P	<i>Bambusa ssp</i>	Bamboo
P	<i>Bougainvillea ssp</i>	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 ssp</i>	Cassia and Senna (many varieties)
N	<i>Carnegiea gigantea</i>	Saguaro
T	<i>Convolvulus mauritanicus</i>	Ground Morning Glory
P	<i>Cotoneaster ssp</i>	Cotoneaster (many varieties)
P	<i>Cycas revoluta</i>	Sago Plum
P	<i>Cyperus alternifolius</i>	Umbrella Plant
N	<i>Dasylyron wheeleri</i>	Desert Spoon
N	<i>Dodonaea viscosa</i>	Hopseed Bush
N	<i>Echinocereus engelmannli</i>	

Shrubs and Accent Plants Continued:

<i>T</i>	<i>Penstemon ssp</i>	<i>Penstemon</i>
<i>P</i>	<i>Pilodendron selloum</i>	<i>Philodendron</i>
<i>T</i>	<i>Photinea ssp</i>	<i>Photinia</i>
<i>P</i>	<i>Pittosporum ssp</i>	<i>Mockorange</i>
<i>T</i>	<i>Potentilla ssp</i>	<i>Cinquefoil</i>
<i>P</i>	<i>Pyracantha ssp</i>	<i>Pyracantha</i>
<i>P</i>	<i>Raphiolepis indica</i>	<i>Indian Hawthorn</i>
<i>T</i>	<i>Rhus ovata</i>	<i>Sugar Bush</i>
<i>T</i>	<i>Rose</i>	<i>Rose</i>
<i>T</i>	<i>Rosa banksiae</i>	<i>Lady Banks' Rose</i>
<i>T</i>	<i>Rosmarinus officinalis</i>	<i>Rosemary</i>
<i>T</i>	<i>Santolina ssp</i>	<i>Santolina</i>
<i>T</i>	<i>Senecio cineraria</i>	<i>Dusty Miller</i>
<i>N</i>	<i>Simmondsia chinensis</i>	<i>Jojoba</i>
<i>P</i>	<i>Spiraea ssp</i>	<i>Spiraea</i>
<i>T</i>	<i>Tecoma stans</i>	<i>Trumpet Bush</i>
<i>P</i>	<i>Tecomaria capensis</i>	<i>Cape Honeysuckle</i>
<i>T</i>	<i>Teucrium chamaedrys</i>	<i>Germander</i>
<i>P</i>	<i>Trachelospermum</i>	<i>Star Jasmine</i>
<i>N</i>	<i>Trixis californica</i>	
<i>N</i>	<i>Vauquelinia californica</i>	<i>Arizona Rosewood</i>
<i>P</i>	<i>Viburnum ssp</i>	<i>Viburnum</i>
<i>N</i>	<i>Viguiera deltoidea</i>	
<i>P</i>	<i>Vinca ssp</i>	<i>Periwinkle</i>
<i>N</i>	<i>Yucca baccata</i>	<i>Yucca</i>
<i>N</i>	<i>Yucca ssp</i>	<i>Yucca (many varieties)</i>

