

# **FIESTA SUBDIVISION**

## **DESIGN GUIDELINES**

**Adopted in May 2007**

### **GENERAL PROVISIONS**

#### **A. PURPOSE**

The Fiesta Subdivision Declaration of Covenants, Conditions & Restrictions (CC&R's) and Design Guidelines protect the lot owners and the value of the homes in our neighborhood. All property owners and tenants are subject to both the CC&Rs and Design Guidelines, and have agreed to comply with them by purchasing a home in the subdivision. Unnecessary complications and problems can be avoided by a thorough understanding of the CC&Rs and of these Design Guidelines. Compliance by all will help to sustain property values and will allow all to enjoy the pleasing environment and attractive community.

#### **B. BASIS**

These guidelines are intended to augment the Fiesta Subdivision Declaration of Covenants, Conditions & Restrictions (CC&R's), and do not replace or override them. These guidelines may be amended by addition, deletion or alteration at any time by the Architectural Control Committee (ACC). The subdivision is intended to be a cohesive development composed of homes of the highest quality and elegant appearance. Toward this end, it is intended that the ACC have the greatest degree of discretion possible in reviewing and approving or disapproving plans.

#### **C. NEED FOR APPROVAL**

Any exterior addition, change or alteration which is visible from a street, common area or an adjacent property must have prior approval from the ACC. Shrubs and other live landscaping items are subject to approval. Please refer to section AA of this document and the list of recommended landscape species. The ACC has the legal authority to require any homeowner to remove or alter any modification which has not received prior approval or is not built according to approved plans. An ACC application is not required for maintenance or repairs provided no change in color or materials is made that alters the original appearance of the lot or structures there upon. Repairs and maintenance are subject to provisions set forth in section F. "*Quality of Repairs*".

#### **D. APPROVAL PHILOSOPHY**

The approval process is intended to minimize hardships or undue delays, while preventing additions or modifications to property that would be costly to correct if done improperly or in violation of the CC&R's or Architectural Guidelines. The ACC's goal in the review process is not to tell the owner that changes cannot be made to the property, but rather to assist in making changes in a way which conforms to the character of the neighborhood.

## **E. PRECEDENTS**

While the Committee will make every reasonable attempt to be fair and equitable, the Committee and the Board will not necessarily be bound by past decisions of developer, prior ACC's, or prior Boards. The Committee reserves the right to disapprove applications for improvement that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of the community, even if a precedent was set by a decision of the developer, prior ACC's, or prior Boards.

In spite of their best efforts, the Committee and/or the Board will, from time to time, make a decision that, in retrospect, is not in the best interests of the community. The ACC and the Board reserve the right to recognize such a situation, document it in the minutes of a meeting and no longer permit its use as a precedent. The same right applies if the Committee and/or the Board make an inadvertent error in allowing a change or addition.

## **F. QUALITY OF REPAIRS**

From time to time, homeowners will be required to make repairs to portions of their property that may be damaged or deteriorated. This includes such items as curbs, sidewalks, stucco surfaces, porches, fences, walls, balconies, roofs, doors, etc. Repairs are required to be of equal or better quality than original construction and of the same type. The quality of such work may come under the scope of the Committee's responsibilities if the repair is done in such a way that, in the ACC's opinion, it would detract from the appearance of the neighborhood.

## **G. EMERGENCY AND DISASTER REACTION**

Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than six months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the Committee.

Approval for changes to the former structure will be made with all haste possible so as to have no adverse impact on the owner. The Board and the Committee will take whatever action is reasonable to expedite its responsibilities. The intent will be to re-establish the neighborhood to its former quality as quickly as possible.

It is recognized that an owner has the right to take temporary protective action in the event of certain weather conditions, such as flood or tornado warnings. No prior approval for such temporary action is required. However, all such installations must be completely removed and the property restored to its original condition within seven (7) days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a weather-related threat.

## **H. EASEMENT ENCROACHMENTS**

It is not the responsibility of either the Committee or the Board to police encroachment into utility easement areas or approved municipal zoning requirements. If possible, the Committee will advise the owner of a possible encroachment and municipality and recommend that the owner seek approval or waiver from the appropriate utility. However, the Committee will not be liable

for any expense incurred by an owner as a result of action by a utility if such encroachment or violation occurs, even if the Committee approved the change or addition without comment.

### ***I. SETBACK REQUIREMENTS***

No structure, or any portion thereof, including porches, steps, balconies, awnings, pools, patios and courtyards shall be placed, constructed, installed or maintained within twenty (20) feet of the front property line, five (5) feet of any side property line, or within five (5) feet of the rear property line; except driveways and free standing structures such as arbors, pergolas, gazebos or similar structures with approval from the ACC. The ACC shall have the absolute authority to grant a variance from these setback requirements should it conclude the configuration, size, location, or topography of any lot justifies the variance.

### ***J. CONSTRUCTION MATERIALS***

All materials used during the initial construction of homes within the subdivision are approvable by the ACC. Any alternate materials or colors must be specifically approved by the ACC prior to use in any exterior construction.

### ***K. MAINTENANCE***

All improvements on a lot must be maintained in a state of good repair and shall not be allowed to deteriorate. Repairs shall include, but are not limited to, the following:

1. All painted surfaces must be clean and smooth with no bare areas or peeling paint, and all surfaces must be free of mildew.
2. All rotted and damaged wood must be replaced and any damaged stucco repaired.
3. Gutters must be kept in good repair and are not allowed to have missing pieces, large dents, sags, rust, or hanging parts.
4. Roofs must be maintained in good repair with no missing or curling shingles or broken or missing tiles.
5. All glass surfaces must be whole.
6. Walls and gates must be kept in good repair. This includes, but is not limited to, broken blocks, obvious lean of the wall structure, bent or broken gates, or peeling paint.
7. Garage doors must be undamaged and in good repair.
8. Sidewalks, driveways and curbs must be clean and undamaged. Seams must be kept free of weeds.
9. Lawns must be kept mowed, edged, and weed free; graveled areas and flower beds must be kept free of weeds; and shrubs and trees must be kept trimmed.
10. There must be no storage of toys, equipment, clutter and/or debris in public view.
11. Perimeter walls must be maintained and not be exposed to damage by adjacent plantings or land use.
12. Raised beds for composting or planting, composting boxes and flower boxes must not be in contact with the perimeter wall.
13. House numbers must be easily readable from the street.

### ***L. YARD MAINTENANCE***

All lots shall be kept in a healthful and attractive condition, all weeds removed and grass regularly mown and edged. Dead plants, trees, and bushes shall be promptly removed from the property. There must be no storage of toys, equipment, clutter and/or debris in public view.

**NOTE:** The CC&R's give the Association the right and responsibility to have unkempt property maintained and to place a lien against the home for expenses.

## **M. PAINTING**

The intent of these guidelines is for a homeowner to be able to select and apply paint colors that replicate the original homebuilder/developer paint application. If a homeowner wants to select and apply a different color to the exterior of the home, ACC approval must be sought and all paint guidelines shall apply. Paint applications submitted for approval must include a complete description of all colors used on the exterior of the residence. Additionally, the application must be accompanied by paint color samples for the new paint colors proposed on the application. Any application submitted without a paint sample will not be reviewed until paint color samples are provided.

Colors selected from the original color schemes of the home do not require approval. Any other colors used on the exterior of residence or any accessory structures must be specifically approved by the ACC.

Please see attached color list for Pulte Phase.

## **N. ROOFING**

Re-roofing with the same material and color does not require approval from the ACC. Any change in material or color requires specific approval of the ACC.

## **O. YARD WALLS/FENCES**

Wooden, chain link and other types of fences are not permitted. In order to preserve the overall architectural continuity, replacement, repair and alterations of walls should be of the same design, utilizing the same materials and colors as the original wall in that area. Regardless of design, ACC approval is required for all alterations of existing walls or installation of new walls. Applications must include a plot plan that clearly defines the project. Walls may not exceed (8) eight-feet or (12) courses from the high side of the wall. (Wall height will vary from one side of the wall to the other due to elevation differences from lot to lot.)

Any wall that separates two properties is jointly owned by both parties. Both parties must consent to any modification of the wall. All fences and walls shall be subject to the prior written approval of the Architectural Control Committee, and shall comply with all laws and applicable Supplemental Declarations. All fences and walls located anywhere on a Lot must comply with site distance requirements established by Fiesta Subdivision, the Village of Los Lunas ordinances, and all other applicable laws. No fence or wall shall be erected, placed, or altered on any Lot nearer to the street than the minimum building setback line unless the same be a retaining wall of masonry construction which does not rise above the finished elevation of the earth embankment retained, reinforced, or stabilized, except that this restriction shall not apply to fences or walls which have been approved by the Architectural Control Committee.

## **P. YARD ORNAMENTS, FIXTURES, AND FURNITURE**

All lawn ornaments, fixtures and furniture, installed outside of the fenced portion of your property, whether temporary or permanent, will conform to the general restrictions of the

CC&R's. This includes the prohibition of certain materials and the limit of acceptable colors to reasonably subdued earth-tones compatible with the neighborhood. Any and all items kept or displayed outside of your home must be maintained to the same standards as required for your home and lot.

Ornaments include, but are not limited to planters, statues, bird baths, lawn ornaments, borders, and other decorative items. Furniture includes chairs, benches, chaise lounges, tables, etc., designed for outdoor use. Fixtures include swings, lighting fixtures not described elsewhere in this document, barbecue grills, cookers, smokers, etc. Such items are encouraged to promote individuality. However, the following guidelines apply:

### **1. Items on Front Porches**

Items kept on porches such as furniture and planters must meet the general restrictions (CC&R's) but will not require written permission unless a specific complaint is received. For purposes of Architectural Control, an owner may keep for prolonged periods items of furniture, ornaments or planters on the front porch of his/her home without the written permission or consent of the ACC. The review committee or Board will only make a judgment if a specific complaint is received.

### **2. Items in Enclosed Yards**

The intent of the committee is to permit the greatest possible flexibility for use of improvements in enclosed yards. In general, items lower than the height of the wall or fence, of a temporary (48 hours or less) or mobile nature and kept within the confines of the fenced yard area will not require written approval. It will not matter whether the item(s) is visible from the street or an adjoining property as in the case of items behind wrought iron fences.

### **3. Front Yard Items**

Those items kept permanently or for prolonged periods outside of the fenced area of the property will receive the greatest attention and visibility and will require written approval. For purposes of consistency, the term "prolonged periods" will mean more than 48 hours. All of the following paragraphs, unless otherwise specified, refer to items outside the fenced area and not to those on porches or within the fenced areas.

#### **a. Material Composition**

The same general guidelines apply to these items as apply to other structures. Certain materials are generally unacceptable. Such materials include plastic, fiberglass, unpainted aluminum or steel, etc. Acceptable materials are wood (either unpainted or painted to blend into the natural background), brick, stone or cement/concrete, pottery, clay, tile and wrought iron. Exceptions can be made at the discretion of the ACC or the Board.

#### **b. Appearance**

In order for an improvement or change to qualify for acceptance, it must blend with the composition and tone of the surrounding area. The ACC and the Board will exercise their best judgment to determine this compatibility.

### **c. Specific Acceptable Items**

The following items are generally acceptable as long as they are properly maintained in the unfenced portion of a lot, but still require specific approval from the ACC:

- 1) Most lighting fixtures that do not exceed eight feet in height.
- 2) "Park" benches and gliders made of any combination of natural wood, wrought iron, brick, stone or concrete.
- 3) Planters made of any combination of natural wood, wrought iron, brick, stone, clay, pottery or concrete.
- 4) Ornaments, such as statues, sculptures, bird baths, fountains, etc. that are of a size proportional to the surrounding landscape and are composed of natural wood, wrought iron, brick, stone, clay, pottery or concrete. The test for permissibility for this class of items will be the extent to which it blends into the overall landscape of the surrounding properties. As a general rule, the number of front yard ornaments should not exceed six, no more than one of which is over one foot tall.
- 5) Holiday decorations (see Section R, "Holiday Decorations" below).

### **d. Specific Unacceptable Items**

The following items will not be considered acceptable for unfenced areas:

- 1) Any item that can be considered playground equipment or children's toys, such as swings, slides, see-saws, etc.
- 2) Brightly painted items, the color of which makes them sufficiently conspicuous so as not to be compatible with the surrounding properties.
- 3) Any item greater than eight feet tall.

## **Q. EXTERIOR LIGHTING**

In general, the addition of exterior lighting is both acceptable and desirable. This includes ground level lighting, stand-alone lamp posts and lighting mounted on a house or approved structure. Such lighting fixtures must be compatible with the general tone and design of the neighborhood. High intensity lighting is inappropriate for residential neighborhoods. In all cases, stand-alone lighting fixtures must adhere to the eight foot maximum height rule. Flood and area lighting shall be positioned or shielded so as to not affect neighboring properties. An exception to this may be made when owners of neighboring properties deem the lighting to be beneficial to their property and agree in writing to its installation. Generally, only white or yellow lighting shall be approved. The ACC has the right to approve the location, number, size and design of all proposed exterior lighting.

## **R. HOLIDAY DECORATIONS**

Holiday decorations are both permitted and encouraged and will not require approval by the ACC. However, such decorations may be installed no sooner than 30 days prior to the holiday and must be removed within 30 days after the holiday for which they are intended. Furthermore, the ACC does reserve the right to require the removal of decorations that either generates complaints or are deemed offensive. This right will be used sparingly.

## **S. BASKETBALL GOALS AND HOOPS**

Any permanent or portable basketball goal which will be placed in view of the street or side yards must be reviewed and approved by the ACC to assure compliance with these guidelines prior to location and installation on the property.

Basketball backboards must be pole mounted on the side of the driveway or on a rear yard patio not visible from any street. Portable basketball hoops may only be temporarily located on the side of the driveway within the Lot, subject to Board-adopted rules and regulations.

## **T. BACK YARD STRUCTURES**

### **1. Shade Structures**

Shade and free standing structures are permissible with the prior approval of the ACC and in compliance with local building codes. Roofing material will be of the same color, texture and weight as that utilized on the residence. Wood surfaces may be left natural, stained or painted to match the residence. Shade structures in excess of 120 square feet require a building permit from the Village of Los Lunas.

#### **a. Free Standing Structures**

Free-standing structures such as sun shelters, cabanas, gazebos and arbors may not exceed the ten (10) feet in height limitation measured from ground-level.

#### **b. Attached Structures**

A patio cover or shade cover which is a.) firmly and substantially affixed to the main existing residence, and b.) is adjacent to and abutting the main residential dwelling, may be considered a part of the existing structure. As such, it may exceed the height of ten (10) feet. Any cover NOT abutting and firmly and substantially affixed to the main residential dwelling is considered to be free-standing.

### **2. Detached Structures/ Outbuildings**

No detached accessory buildings, including, but not limited to, detached garages (other than provided herein) and storage buildings, will be erected, placed or constructed upon any Lot without the prior consent of the ACC. Every outbuilding, inclusive of such structures as storage buildings or greenhouses, will be compatible with the dwelling to which it is appurtenant in terms of its design and material composition. Exterior paint and roofing materials of such outbuildings shall be consistent with the existing paint and roofing materials of the dwelling.

### **3. Play Structures/Recreational Equipment**

Outdoor athletic and recreational facilities such as playscapes, swing sets and sport courts of a permanent nature will not be placed on any Lot within the Property or the subdivision between the street right-of-way and the front of a Unit unless approved by the ACC pursuant to Article XI of the CC&R's. Basketball goals are address in Section S. above.

## **U. WINDOWS AND TREATMENTS**

No aluminum foil, reflective film or similar treatment will be placed on windows or glass doors. Temporary window treatments must be removed within forty-five (45) days from close of escrow.

### **1. Glass Block Windows**

Glass block windows are allowed on the main residential dwelling with specific approval.

### **2. Security/Storm Shutters**

Security and storm shutters are generally allowed on the exterior of the house with specific approval. All shutters shall be required to be painted so as to blend with the coloring of the home and the design of the community.

### **3. Storm Doors**

Security and/or storm doors will be allowed on the exterior of a home provided that they meet one of the following options:

- 1) Metal frame with glass or screen insert. Color and style must match or compliment the architecture and color of the residence.
- 2) Security/storm door combination utilizing wrought iron. Color and style must match or compliment the architecture and color of the residence.

## **V. ANTENNA AND SATELLITE DISHES**

Except as may otherwise be permitted by the ACC, subject to any provisions of any guidelines or standards adopted by the ACC, no exterior radio antenna, television antennae, or other antennae, satellite dish, or audio or visual reception device of any type shall be placed, erected, or maintained on any Lot except inside a Dwelling unit or placed in a location where it will not be visible to a person driving on the public streets, excluding those (antennae) devices covered in Telecommunications Act of 1996. According to the Telecommunications Act of 1996, the Association shall be empowered to adopt rules and regulations governing the types of "antennae" (including certain satellite dishes) that are permissible hereunder and, to the extent permitted. Notwithstanding the above, a satellite dish antennae eighteen inches (18") in diameter or smaller may be installed on the rear of the Dwelling of a Lot or on the roof at an elevation no higher than thirty-six inches (36") above the eaves of the roof. The satellite dish antennae should be installed in the least conspicuous location on the roof when viewed from the street in front of the Dwelling where an acceptable quality signal can be received, or in the rear yard of the Lot with landscape screening and with approval of the Architectural Control Committee.

## **W. WOODPILES**

Stacked/stored firewood must be stored behind the fence and not visible from any street.

## **X. WINDMILLS/WEATHER VANES/TOWERS**

Windmills, weather vanes and towers of any type are not allowed.



## Y. SIGNS, FLAGS, FLAGPOLES AND STATUES

No sign or emblem of any kind may be kept or placed upon any Lot or mounted, painted or attached to any structure, wall or other improvement upon such Lot so as to be visible from public view or mounted on any vehicle or trailer parked or driven in the Property or the subdivision or carried by any person or by any other means displayed within the Property or the subdivision except the following:

(a) For Sale or For Rent Signs. One "For Sale", or "For Rent" sign may be posted on each Lot with prior written approval by the Architectural Control Committee. No sign may be placed in the common areas without permission from the Board of Directors as specified in the CC&Rs.

(b) Declarant's or Builder's Signs. Signs or billboards may be erected by the Declarant or Builders conducting business within the community.

(c) Political Signs. Political signs may be erected upon a Lot by the Owner of such Lot advocating the election of one or more political candidates or the sponsorship of a political party, issue or proposal provided that such signs will not be erected more than 45 days in advance of the election to which they pertain and are removed within 2 days after the election.

(d) School and Business Logos. Emblems or bumper stickers advertising a resident's school or business mounted upon vehicles parked or driven in the subdivision.

(e) Such signs as may be required by legal proceedings, or prohibition of which is precluded by law.

(f) Such signs as may be required for traffic control and regulation of Common Areas.

(g) Street and directional signs, as may be approved by Declarant or Board

(h) Security monitoring signs – security monitoring window emblems – maximum of one per window.

(i) American Flags and Flagpoles. Within the front yard area, but set back at least 15 feet from the front property line, homeowners may display a standard sized American Flag from a wall mounted standard or from a residentially scaled flag pole, not to exceed 18 feet in height. Proper flag etiquette must be observed (flag not torn or faded, right side up, lighted at night etc.).

(j) Banners & Decorative Flags. Except as stated in this Section regarding American flags and Builder signs, as used by the Declarant, no advertising flagpoles, standards, decorative or school flags, banners, balloons, billboards, flashing lights or lighted panel signs are allowed to be placed anywhere within the Subdivision or in the public right-of-ways or landscape areas immediately adjacent to the Subdivision.

(k) Statues. Statues, lawn ornaments and yard decorations of any size or type must be placed in a location that is not visible from Neighboring Property, unless a waiver is granted by the ACC.

## **Z. SWIMMING POOLS**

Backyard pools require ACC approval. As with all property improvements, the homeowner is solely responsible for easements, property encroachments, spoils disposal, and drainage issues. At a minimum, applications should show property and easement lines along with an outline of the new pool.

## **AA. DESIGNATED PET AREAS /ENCLOSURES**

All pet enclosures must be approved by the Design Review Committee. Pet areas/enclosures must not be visible from any street, Private Amenity, Open Space. All pet areas and enclosures must be constructed in a style harmonious with the main residence and conform to these design guidelines. Animal Kennels are prohibited. No animal enclosure shall provide shelter for more than 2 dogs over 6 months of age. Standard chain link fencing is prohibited.

## **BB. SOLAR EQUIPMENT**

Installation of any type of solar equipment requires specific approval of the ACC.

## **CC. LANDSCAPING**

1. The landscape area includes the entirety of the space located in front of the side yard wall returns not covered by concrete lead walks and drive pads. It also includes that portion of the public street right-of-way that lies between the back of the curb and the front edge of the sidewalk, which the homeowner is required to maintain.
2. At least 25% of the landscape area must be covered with a living ground cover and/or committed to planting beds, xeric gardens or ornamental landscape features. Landscape boulders, mounding and vertical elements less than 3 feet high are encouraged.
4. Not more than 75% of the landscaped area of each of the front, back, and side yard (if a corner lot) may be covered with gravel or crushed rock solely. 25% of any "gravel only" area must include plantings from the approved plant list, or plants approved by the ACC.
5. The use of larger cobbles and aggregates of contrasting subdued earth-tone colors is encouraged.
6. Light weight volcanic rock or colored scoria that can be easily blown, washed or kicked out of place may not be placed within 48" from the edge of any drive pads, sidewalks or the curb.
7. The use of red colored aggregate should be limited to accents only; white, green, blue or other bright colored aggregates are not permitted.
8. Tree bark or wood chips are not permitted for use as ground cover, except they may be used in limited amounts as a mulching material in planting beds or tree rings.
9. The required plant minimums set by the ACC must be maintained by all lot owners; required plants that die must be removed immediately and replaced as soon as weather conditions and growing seasons allow.

10. A minimum of two deciduous and evergreen trees will be required for each lot. Species selected from the approved plant list are recommended. One of the trees installed must have a minimum caliper of 2". A minimum of two five-gallon plants/shrubs, or four one-gallon plants/shrubs will be required. Species selected from the approved plant list are recommended.

Pulte Phase: Minimum Requirements for Landscaped Area:

- 1 gal. Shrub, Wildflower, Ornamental Grass, Groundcover with irrigation at Parkways
- 5 gal. Shrub, Wildflower, Ornamental Grass, Groundcover
- 15 gal. Pine Evergreen
- 15 gal. Deciduous Tree
- 2" Caliper Deciduous Tree

11. The use of non-living objects such as driftwood, petrified wood, animal skulls, wagon wheels and other similar items, for landscape accent materials is generally discouraged and will only be allowed with specific approval of the ACC.

12. **RECOMMENDED LANDSCAPE SPECIES:** The goal of the landscape requirements for individual lots contained herein is to help enhance and maintain property values within the Fiesta Subdivision by creating a plant density and plant pallet throughout the neighborhood. The approved plant species contained in the following list have been selected by the Landscape Architect for their colors, form, drought tolerance, availability and hardiness.

#### DECIDUOUS TREES

Maple (Autumn Blaze)	(Acer)
Desert Willow	(Chilopsis linearis)
Smoketree	(Cotinus coggygia)
Ash (Modesto)	(Fraxinus Velut)
Ash (Raywood)	(Fraxinus Oxy)
Ash (Arizona)	(Fraxinus Velutina)
Honey locust (Shade master)	(Gleditsia Tri)
Plum (Purple Leaf)	(Prunus Cer)
Pear Aristocrat Flowering	(Pyrus Cal)
Prairie Flameleaf Sumac	(Rhus lanceolata)
Chaste Tree	(Vitex agnus-castus)

#### DECIDUOUS SHRUBS

Hummingbird Trumpet	(Anisacanthus thurberi)
Bird of Paradise	(Caesalpinia gilliesii)
Fernbush	(Chamaebatiaria millefolium)
Chamisa	(Chrysothamnus nauseosus)
Summer Broom	(Genista tinctoria)
Dunebroom	(Parryella filifolia)
Mariola	(Parthenium incanum)
Broom Dalea	(Psorothamnus scoparia)
Threeleaf Sumac	(Rhus trilobata)
"Austria Copper" Rose	(Rosa foetida)
Cherry Sage	(Salvia greggii)

## VINES

Trumpet Vine	( <i>Campsis radicans</i> )
Clematis	( <i>Clematis</i> hybrids)
Western Virginsbower	( <i>Clematis ligusticifolia</i> )
Golden Lanterns	( <i>Clematis tangutica</i> )

## EVERGREEN TREES

Curlleaf Mountain Mahogany	( <i>Cercocarpus ledifolius</i> )
One-seed Juniper	( <i>Juniperus monosperma</i> )
Shrub Live Oak	( <i>Quercus turbinella</i> )
Soaptree Yucca	( <i>Yucca elata</i> )
Desert Hackberry	( <i>Celtispallida</i> )
Emory Oak	( <i>Quercus emoryii</i> )

## GROUND COVERS

Fringed Sage	( <i>Artemisia frigida</i> )
Dwarf Coyotebush 'Twin Peaks'	( <i>Baccaris pilularis</i> )
Creeping Broom	( <i>Cytisus decumbens</i> )
Verbena	( <i>Verbena peruviana</i> )
Rocky Mountain Zinnia	( <i>Zinnia grandiflora</i> )

## GRASSES

Western Wheatgrass	( <i>Agropyron smithii</i> )
Sideoats Grama	( <i>Bouteloua curtipendula</i> )
Blue Grama	( <i>Bouteloua gracilis</i> )
Buffalograss	( <i>Buchloe dactyloides</i> )
Sand Lovegrass	( <i>Eragroshs tricoedes</i> )
Blue Avena	( <i>Helictotrichon sempervirens</i> )
Galleta	( <i>Hiliria jamesii</i> )
Indian Ricegrass	( <i>Oryzopsis hymenoides</i> )
Little Bluestem	( <i>Schizachyrium</i> )
Sand Dropseed	( <i>Sporobolus cryptandrus</i> )
Giant Sacation	( <i>Sporobolus wrightii</i> )

## HERBACEOUS PERENNIALS AND ANNUALS

Sand Verbena	( <i>Abronia</i> sp.)
Giant Hyssop	( <i>Agastache cana</i> )
Hollyhock	( <i>Alcea rose</i> )
Mat Daisy	( <i>Anacyclus depressus</i> )
Prairie Sage	( <i>Artemisia ludoviciana</i> )
Wormwood	( <i>Artemisia</i> x 'Powis Castle')
Desert Marigold	( <i>Baileya multiradiata</i> )
Chocolate Flower	( <i>Berlandiera lyrata</i> )
Golden Aster	( <i>Chrysopsis villosa</i> )
California Poppy	( <i>Eschscholzia californica</i> )
Guara	( <i>Gaura lindheimeri</i> )

Perky Sue	( <i>Hymenoxys argentea</i> )
Bush Morningglory	( <i>Ipomoea leptophylla</i> )
Gayfeather	( <i>Liatris punctata</i> )
Tall Gayfeather	( <i>Liatris scariosa</i> )
Scarlet Flax	( <i>Linum graniflorum</i> "Rubrum")
Blue Flax	( <i>Linum perenne</i> )
Blackfoot Daisy	( <i>Melampodium leucanthum</i> )
Four O'Clock	( <i>Mirabilis jalapa</i> )
Giant Four O'Clock	( <i>Mirabilis multiflora</i> )
Mexican Primrose	( <i>Oenothera berlandiera</i> )
White Evening Primrose	( <i>Oenothera caespitosa</i> )
Evening Primrose	( <i>Oenothera hookeri</i> )
Yellow Evening Primrose	( <i>Oenothera missouriensis</i> )
Pale Evening Primrose	( <i>Oenothera pallida</i> )
Mexican Evening Primrose	( <i>Oenothera speciosa</i> )
Bush Penstemon	( <i>Penstemon ambiguous</i> )
Scarlet Penstemon	( <i>Penstemon barbatus</i> )
Palmer Penstemon	( <i>Penstemon palmeri</i> )
Prairieclover	( <i>Petalostemon purpureum</i> )
Russian Sage	( <i>Perovskia atriplicifolia</i> )
Paperflower	( <i>Psilostrophe tagetina</i> )
Autumn or Cherry Sage	( <i>Salvia greggii</i> )
Silver Groundsel	( <i>Senecio longiflora</i> )
Scarlet Globemallow	( <i>Sphaeralcea coccinea</i> )
Fern Verbena	( <i>Verbena bipinnatifida</i> )
Purple Verbena	( <i>Verbena rigida</i> )
Western Vervain	( <i>Verbena wrightii</i> )
Hummingbird Plant	( <i>Zauschneria californica</i> )
Desert Zinnia	( <i>Zinnia grandiflora</i> )

#### **EVERGREEN SHRUBS**

Century Plant	( <i>Agave parryi</i> )
Pointleaf Manzanita	( <i>Arctostaphylos pungens</i> )
Threadleaf or Sand Sage	( <i>Artemisia filifolia</i> )
Big Sage	( <i>Artemisia tridentata</i> )
Fourwing Saltbrush	( <i>Atriplex canescens</i> )
Desert Bloom	( <i>Baccharis salicina</i> )
Algerita	( <i>Berberis haematocarpa</i> )
Mountain Mahogany	( <i>Cercocarpus montanus</i> )
Cliffrose	( <i>Cowania mexicana</i> )
Scotch Broom	( <i>Cytisus scoparius</i> )
Sotol	( <i>Dasyliirion wheeleri</i> )
Mormon Tea	( <i>Ephedra viridis</i> )
Turpentine Bush	( <i>Ericameria laricifolia</i> )
Spanish Bloom	( <i>Genista hispanica</i> )
Red Yucca	( <i>Hesperaloe parviflora</i> )
Creeping Oregon Grape	( <i>Mahonia repens</i> )
Beargrass	( <i>Nolina microcarpa</i> )
Beargrass	( <i>Nolina texana</i> )
Dagger Spine Cholla	( <i>Opuntia clavata</i> )

Cholla	(Opuntia imbricata)
Prickly Pear	(Opuntia phaeacantha)
Antelope Bitterbush	(Purshia tridentata)
Desert Sage	(Salvia dorrii)
Lavender Cotton	(Santolina chamaecyparissus)
Spanish Broom	(Spartium junceum)
Arizona Rosewood	(Vauquelinia californica)
Datil	(Yucca baccata)
Soapweed	(Yucca glauca)

**DD. OTHER DEED RESTRICTION PROVISIONS**

These guidelines are not intended to expand upon all provisions of the deed restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions" (CC&R's). Owners should ensure they are familiar with both the CC&RS and with these Guidelines to ensure continued worry-free enjoyment of the community by all concerned.

**EE. EXCEPTIONS**

Exceptions to these guidelines and/or the CC&Rs will be made in exceptional and unusual cases to accommodate Federal, State and Local laws. An example would be to permit a structure that does not conform to be built for the special needs of a handicapped resident.

In all such cases, the owner will be granted the variance on a temporary basis for only that period during which the exceptional or unusual case exists. A formal document will be drafted and signed by the Board and the resident as to the specifics of the variance. The document will make it clear that when the exceptional or unusual case no longer exists, the temporary variance will no longer be in effect. Exceptions will not be made for reasons of economic convenience or hardship, to accommodate recreation activities or for reasons of individual taste, appearance or beautification.