

La Fortina
Homeowners Association
Architectural Guidelines
and
Association Rules & Regulations

ADOPTED SEPTEMBER 1, 2011
AMENDED OCTOBER 2, 2019

Table of Contents

ARCHITECTURAL & LANDSCAPE GUIDELINES 4

- ANIMALS 6
- ANTENNAS & SATELLITE DISHES..... 6
- AWNINGS 7
- BASKETBALL GOALS 7
- CHIMNEYS 7
- DECORATIVE ITEMS 7
 - HOLIDAY & SEASONAL ITEMS 7
 - DECORATIVE ART ON HOUSES 8
 - WATER FEATURES, STATUARY, ETC. 8
- DOORS, SECURITY/SCREEN DOORS (SEE SECURITY DOORS)
- DRIVEWAY EXTENSIONS & ADDITIONAL SIDEWALKS 8
 - ADDITIONAL SIDEWALKS 8
- FENCES & WALLS (INCLUDING DECORATIVE WALLS)..... 8
- FLAGPOLES 9
- GATES 9
- GUTTERS AND DOWNSPOUTS 9
- HVAC INCLUDING EVAPORATIVE COOLERS 9
- LANDSCAPE GUIDELINES 10
 - FRONT YARD LANDSCAPING 10
 - HARDSCAPE 10
 - ROCK GROUND COVER..... 10
 - ARTIFICIAL/SYNTHETIC GRASS.....10
 - PROHIBITED PLANT MATERIAL 11
 - LANDSCAPE MAINTENANCE 12
- LIGHTING(SEE SECURITY LIGHTING).....
- MACHINERY & EQUIPMENT 12
- MOTOR VEHICLES /INOPERABLE VEHICLES 12
 - OIL STAINS 12
- PAINT- EXTERIOR COLORS 12
- PARKING 13
 - STREET PARKING 13
 - OWNER/RESIDENT PARKING 13
 - PARKING ENFORCEMENT & TOWING 14

PATIO COVERS 15

PLAYGROUND EQUIPMENT 15

POOLS & SPAS 15

POOL FENCING & EQUIPMENT 15

ROOF & ROOF STRUCTURES 16

SANITATION 16

SECURITY LIGHTING & DEVICES 16

SECURITY/SCREEN DOORS..... 16

SHADE COVERS (GAZEBOS, UMBRELLAS, ETC) 16

SIDEWALKS...(SEE DRIVEWAYS & ADDITIONAL SIDEWALKS)..... .

SIGNS 16

SOLAR PANELS & EQUIPMENT 17

STORAGE SHEDS 17

WINDOWS & WINDOW COVERINGS 17

**Architectural Rules and Association Rules & Regulations
for
La Fortina Homeowners Association**

October 2, 2019

The Architectural Rules and Association Rules & Regulations (“RULES”), as set forth in this document shall interpret and implement procedures for the Architectural Committee’s (“Committee”) review and standards and the Rules set forth by the Board of Directors (“BOARD”). These “RULES” are intended to enhance property values and high standards of living that exist within La Fortina. Unless specifically identified as not requiring submittal for approval within this document, prior approval from the “Committee” is required. The rules are established to assist residents in conforming to the standards established, and amended from time to time, by the “Committee”. Each application will be reviewed on a case-by-case basis.

PRIOR TO THE COMMENCEMENT OF MAKING CHANGES TO YOUR LOT, APPROVAL IS REQUIRED FROM THE COMMITTEE. FOLLOWING THESE RULES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS (UNLESS SPECIFICALLY NOTED).

APPLICATION PROCEDURE:

Submittal: Application and plans, to be kept on file with the Association, should be mailed to:

LA FORTINA HOMEOWNERS ASSOCIATION
c/o PREFERRED COMMUNITIES
PO BOX 5720
MESA, AZ 85211
(480) 649-2017 (P) (480) 649-0902 (F)
info@gothoa.com

The following information should be included with the submittal:

1. Architectural Design Review Form: a completed form may be obtained online at <http://www.gothoa.com/>
2. **Plot Plan or drawing of the Lot:** a site plan showing dimensions in relation to existing dwelling and property lines (setbacks). Measurements must be written on the plans.
3. **Elevation Plans:** plans showing finished appearance of improvement in relation to existing dwelling.
4. **Specifications:** detailed description of materials to be used, color samples and dimensions must be submitted.
5. **Photographs:** submit photos or pictures of what the desired product looks like

REVIEW: APPROVAL AND/OR DISAPPROVAL

The Committee shall have forty-five (45) days after submittal of plans to approve or disapprove plans. No verbal approvals/disapprovals will be given by the management company. All decisions will be mailed via US Mail.

The Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the lot and impact on neighboring lots. The location of the improvement with respect to topography and finished grade elevation is also considered.

Neither the Committee nor the Board of Directors shall have any liability in connection with or related to approved plans, specifications, or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the improvement or its effect upon existing or future drainage. The review of the plans is for aesthetic purposes only.

Approval Expiration: Construction must be started within ninety (90) days of the date of the Committee's approval of the application, or the Committee's approval shall be deemed withdrawn and plans must be resubmitted in accordance with these Rules.

Construction Period: Once started, construction shall be pursued diligently in order to assure prompt completion thereof and must be completed within 6 months of the date of the Committee's approval of the application.

Appeal: any appeal of the Committee's decision must be submitted in writing, within thirty (30) days of the Mailing date of the Committee decision. Appeals may be mailed to the same mailing address, fax or email address as the original submittal.

NOTE: These rules may be amended from time to time by a majority vote of the Board of Directors.

ARCHITECTURAL GUIDELINES AND ASSOCIATION RULES & REGULATIONS

ANIMALS:

1. Customary household pets such as dogs, cats and household birds may be kept but only in such a number and type that will not create a nuisance or disturb the health, safety, welfare or quiet enjoyment of other residents in the community.
 - a. Please report barking dogs or animal cruelty to the city of Mesa Animal Control and to the Association's Management Company.
2. All animals shall be confined to their owners' lots and shall be kept under reasonable control at all times in accordance with applicable laws. This includes keeping all dogs not confined on the owner's lot on a leash not to exceed six (6) feet in length.
 - a. Any owner, tenant or their guest(s) found letting their dog run at large without a leash in the common areas (park, sidewalks, streets, etc.) is subject to a \$250.00 fine.
3. Pet owners are required to immediately cleanup after their pets in common areas and/or on individual lots. If animal waste is allowed to accumulate on an individual lot so as to cause a foul odor or a safety issue for residents in the community, Mesa Animal Control will be called. **A fine of \$100 shall be assessed for each violation.**
4. **Wild Bird Feeding**, except for hummingbirds and/or finches, is strictly prohibited within the community. This is in compliance with Mesa City Law. A fine of \$100 shall be assessed for each violation.

ANTENNAS & SATELLITE DISHES: To the extent permitted by applicable law, the installation of antennas, satellite dishes or other devices for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be subject to the prior written approval of the Committee unless applicable law prohibits the Committee from requiring prior approval for the installation of certain antennas, any such antennas are to be installed as follows:

The preferred installation locations are as follows in descending order of preference:

1. A location in the back yard of the Lot where the Receiver will be screened from view by landscaping or other improvements.
2. On a party wall, below the top of the wall so as not to be visible from neighboring properties.
3. An unscreened location in the backyard of the lot
4. On the roof, but below the roofline
5. A location in the side yard of the Lot where the Receiver and any pole or mast will be screened from view by landscaping or other improvements.
6. On the roof above the roofline
7. An unscreened location in the side yard
8. A location in the front yard of the lot where the Receiver will be screened from view by landscaping or other improvements.

Wires must be securely attached to the dwelling and painted to match where attached to the house.

AWNINGS: All awnings must be approved by the Committee. Awnings over all windows shall be canvas or similar material, of solid color on both sides, which match the color of the body of the exterior of the home or roof color and shall be installed only on the side and/or rear of the home. All awning submittals must include a drawing with the location of the proposed awning installation. A sample of the material to be used, along with the color and design of the proposed awning, is required. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when an awning must be repaired and or replaced due to weathering, fading, tearing, ripping, etc.

BASKETBALL GOALS: Permanent basketball goals are not permitted. Portable basketball goals will be allowed if they meet the following requirements:

Portable Basketball Standards may be left in the front yards only if the following conditions are met:

1. The standard must be in good condition with no broken parts. All equipment must be constantly maintained & kept in good condition. Broken backboards, and/or disfigured, bent rims, ripped/torn nets, chipped/peeling paint et., should be promptly repaired or replaced.
2. Only nylon or similar cord nets are acceptable. Metal or chain nets are expressly prohibited
3. The standard must be positioned so the hoop is facing the driveway and not blocking the sidewalk;
4. Usage of the standard must be in the driveway only, no basketball or other games utilizing the basketball standard are to be played in the street.
5. Painting of 'keys' on driveways is prohibited.
6. Noise must be kept to a reasonable level, and no standards should be used after 10pm.

If these conditions are not met, the basketball standard will not be allowed in the front yard.

CHIMNEYS: Chimneys attached to the home shall be constructed of the same material, texture, and color of the home. Exposed flues are prohibited.

DECORATIVE ITEMS: Front yard item(s) must be submitted for approval by the Committee. The Board of Directors reserves the right to require removal of decorative items in the front yards based on size, quantity, color and location and any other criteria that the Board may determine.

Seasonal and Decorative Flags: Seasonal and decorative flags which are house mounted below the roofline do not require approval. Seasonal flags must be removed within fourteen (14) days after the date of the holiday to which the flag pertains. Flags must be maintained in good condition at all times. Flags that are torn, ripped, faded, etc., constitute grounds for fines or removal. Flags shall not be offensive to the Association. The Board of Directors shall make this determination at its sole discretion.

Holiday Decorations: Holiday decorations may be installed thirty (30) days prior to the holiday and must be removed thirty (30) days after the holiday.

Decorative and Seasonal Items: The Board of Directors reserves the right to require the removal of decorative items in front yards based on size, quantity, color, location, and other criteria. The Board of Directors at its sole discretion shall make its determination on a case-by-case basis.

Decorative Art on Houses: Decorative Art on houses shall be neutral in color and may be limited in number, so as to not dominate the appearance of the home. Dimensions of decorative art shall be no greater than three feet (3') in length, width, and height.

Water Features, Statuary, Etc.: Items such as fountains, statuary, etc., are permissible within the rear yard and do not require submittal to the Committee, except on Lots with view fencing or if these items will be visible above the fence. These items must be approved by the Committee prior to installation in the front yard. Water features may not exceed four and one half feet (4-1/2') in height. It is recommended that water features be chlorinated. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as in the rear yard with view fencing.

DRIVEWAY EXTENSIONS AND SIDEWALKS: Driveway extensions will be reviewed for approval providing the following conditions are met:

1. Submittals must include a plot plan with the following noted thereon: (A) the location and dimensions of the proposed extension, (B) the existing driveway dimensions, (C) the total linear feet of lot frontage, and (D) the signature of adjacent neighbors stating they do not object to the extension.
2. The total parking area may not exceed thirty feet (30') of contiguous frontage or fifty percent (50%) of the lot width (existing driveway plus extensions) as measured at its widest point, whichever is greater.
3. The extension must be one foot or more away from the property line.
4. No separate driveways will be approved.
5. Painting of paved surfaces is prohibited.

The Committee reserves the right to review and request changes to the extension per these requirements. If architectural approval is not received prior to installation, the committee may require the extension to be removed.

Additional Sidewalks: Sidewalks installed to utilize the side gates do not need to be submitted if all the following conditions are met:

1. The additional sidewalk is three feet (3') or less in width, is one foot (1') or more from the property line, and is one foot (1') or more from the home.
2. The area between the home and the sidewalk addition must have groundcover installed per the landscaping guidelines or to match the existing front yard ground cover (i.e., decomposed granite).

The Committee reserves the right to review and request changes to the addition per these requirements.

*Additional sidewalks in any other locations must be submitted for approval prior to installation.

FENCES AND WALLS INCLUDING DECORATIVE WALLS: Plans to raise the height of a party wall must be submitted for approval. The application must include written permission from the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being raised, material

to be used to raise wall, and texture and color of finished wall. Side and rear walls may not exceed six feet (6') in height from ground level, as measured from the lowest side of the wall.

Plans for new fences or walls must be submitted to the Committee prior to construction. Walls must match the existing wall in texture and color.

Access for pool installation must be through the front gate access or by removing a portion of the front wall. Corner lots must receive prior approval to remove a portion of the sidewall.

Decorative or garden walls may not exceed thirty-six inches (36") in height. Decorative or garden walls must be submitted for approval prior to installation, and be finished to match the base color of the home.

FLAGS & FLAGPOLES: Flag display requirements:

1. The association allows display of flags identified in ARS 22-1261, which include: the American Flag, United States Army, Navy, Air Force, Marine Corps or Coast Guard, the POW/MIA flag, the Arizona State flag, an Arizona Indian nation's flag and the Gadsen flag.
2. The maximum size of any flag shall be three feet by five feet (3'x5').
3. The maximum height of a permanent, removable or freestanding pole shall not exceed the height of the roof peak and must be submitted for approval by the Committee.
4. Wall mounted flag poles shall be a maximum of five feet (5') long with attaching brackets painted to match the attachment area and will not require prior approval.
5. All poles and flags must be maintained in excellent condition according to the United States Flag Code, Title 36, U.S.C., and Chapter 10.
6. It will be the responsibility of the homeowner or resident of the lot on which a flag is displayed to do so with proper respect and flag etiquette.

**These requirements are within the context of ARS 22-1261*

GATES: All requests for additional gates or gates other than those which were offered by the original developer/builder of the lot/home must be submitted for Committee approval. Placement of gate(s) must be approved by the Committee. Double gates may be installed to allow wider access to rear yards. All gates (double or single) should be of the same material, design, and color as the originally installed single gates, unless approved by the Committee.

The wrought iron on the gates must be painted black, and the slats must be stained a natural wood color. Homeowners may submit for prior approval to paint the gate slats the same color as the house. The committee will review such requests on a case by case basis.

GUTTERS AND DOWNSPOUTS: Gutters and downspouts will be considered for approval if the finish matches the color of the home. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition at all times.

HVAC INCLUDING EVAPORATIVE COOLERS: Except as initially installed by the Declarant (Developer/Builder), no heating, air conditioning or evaporative cooling unit shall be placed, installed, constructed or maintained upon any lot without the prior written approval of the Committee. All units shall be ground mounted, located within the perimeter of the rear yard and screened or concealed from view of all neighboring property.

LANDSCAPING GUIDELINES

Front Yard Landscaping: Landscaping and irrigation improvements shall be installed in accordance with plans approved in writing by the Committee. There is a minimum standard of landscaping in the front yards of each LOT, depending on which style the owner chooses to install.

Xeriscape Front Yard: Minimum Requirement of 4 vegetation items and enough 1/2 " decomposed granite ensuring all bare dirt areas in the yard are appropriately covered. The 4 vegetation items may be a mixture of drought tolerant ground cover; bushes, cactus, and/or 1 tree. Prior to planting, make sure the vegetation selected is not on the prohibited plant list located in this document.

- Owners may submit a request to install river rock / rip rap landscape design or large boulders in place of vegetation in the Xeriscape front yards. The committee will review on a case by case basis. Note: every front yard must have some live vegetation.

GreenScape Front Yard: Minimum Requirement of 28 linear feet of end to end brick border, 200 square feet of sod lawn, enough 1/2 " decomposed granite ensuring all bare dirt areas in the yard are appropriately covered, and a mixture of 3 ground cover, bushes, plants, cactus and/or 1 tree. Prior to planting, make sure the vegetation selected is not on the prohibited plant list located in this document.

Note: prior approval is required for more than 1 tree in any front yard.

Hardscape: Any hardscape items proposed for front yard installation must be approved by the Committee prior to installation. Materials included in hardscape are concrete, brick, tile, wood, pavers, etc. Examples of hardscape items are planters, walkways, retaining walls, decorative walls, and fountains.

Rock Ground Cover: If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors. No more than two (2) different colors of rock are allowed in the front yard. River rock shall be one (1) to six (6) inches in diameter and cover not more than fifteen percent (15%) of the front yard landscaping.

Artificial Grass/Synthetic Grass: Synthetic grass may be installed only after submitting an Architectural Request Form and it is approved by the Architectural Committee. Any installation without prior approval or installation of unapproved Synthetic Grass not in compliance with the following Guidelines is prohibited and may result in monetary penalties. Removal and or replacement of Synthetic Grass that does not meet the standards set forth by these guidelines will be at the homeowner's expense.

- Synthetic Grass must be installed by a Licensed Contractor as set forth by the manufacture's guidelines.
 - After installation, regular raking will be required to maintain natural grass appearance. It must be maintained in good condition with no tears, visible seams or color variation or fading.
- Allowable face weight (pile weight) must be a minimum of 38 ounces per square yard. The maximum width of the stitch gage is 3/4 ". Pile height of Synthetic Grass must be a minimum of 1 1/2" and not to exceed 1 3/4". 100% poly material without nylon are the recommended choices.

- Only natural grass colors are acceptable and must remain unchanged from natural green lawn appearance.
- Primary backing must be a Duraflo and/or Urethane, and permeable or punched hole backing to provide a good water flow and drainage. Sub-base and infill must be in accordance with manufactures requirements.
- When the Synthetic Grass reaches end of lifespan or has suffered irreparable damage or wear or no longer appears natural in color or appearance, the grass must be replaced, as a condition to this approval.

Prohibited Plant Material: The following list consists of trees and ground covers that are prohibited for both front and rear yards. As opposed to attempting to compose a comprehensive list of all of the types of trees & shrubs that are acceptable, we are providing a list of those that are prohibited.

Prohibited Trees	
Common Name	Botanical Name
Australian Bottle Tree	Brachychiton populeneus
Australian Willow	Geijera parviflora
Cypress	Cupressus
Eucalyptus	All varieties
False Cypress	Chamaecyparissus
Olive (all varieties)	Olea eyuropaea
Mexican Palo Verde	Parkinsonia aculeate
<i>Mimosa</i>	<i>Albizia julibrissin</i>
Mulberry (all varieties)	
Sisso Tree (all varieties)	Dalbergia Sisso
Thevetia	Thevetia species
Prohibited Ground Cover	
Common Name	Botanical Name
Fountain Grass	Pennesetum sectaceum
Pampas Grass	Cortanderia Selloana
Trees approved for Rear Yards ONLY	
Common Name	Botanical Name
California Pepper Tree	Schinus mollus
Chaste Tree	Vitex agnus-sactus
Citrus	Citrus
Pine Trees	Pinus species (Drought tolerant such as Goldwater and Aleppo)
Bushes approved for Rear Yards ONLY	
Common Name	Botanical Name
Mock orange	Pittosporum Tobira
Oleanders (other than dwarfs)	Nerium Oleander

LANDSCAPE MAINTENANCE: Each owner shall maintain their landscaping in a neat and attractive manner. Each owner shall irrigate, mow, remove weeds and trim and/or cut all landscaping as appropriate. Any vegetation that dies shall be promptly removed and replaced with living foliage of like kind unless otherwise approved by the architectural committee. There shall be no bare dirt areas in the yard. Decomposed granite must be maintained in the landscaped area of the yard, and must be raked so as not to see tire marks

LIGHTING: Please refer to Security Lighting

MACHINERY AND EQUIPMENT: No machinery, fixtures, or equipment of any type, including, but not limited to, heating, cooling, air conditioning, refrigeration equipment, and clotheslines, may be placed on any lot or parcel without screening or concealment from view from non-residential neighboring property or public property.

MOTOR VEHICLES (also refer to PARKING)

- 1. Prohibited vehicles:** No truck (1 ton or larger), mobile home, bus, travel trailer, tent trailer, trailer, camper shell, detached camper, recreational vehicle, boat, boat trailer or other similar equipment or vehicle, may be parked, maintained, constructed, reconstructed or repaired on any Lot or Common Area (including driveways or front/back yards) so as to be visible to neighboring property or Common area street, without the prior approval of the Architectural Committee.
- 2. Inoperable Vehicles/Storage of Vehicles:** no vehicle or other equipment shall be stored, constructed, reconstructed, or repaired on a Lot so as to be visible to neighboring property or common area. A vehicle or other equipment is considered to be stored, inoperable and /or under repair if it is covered by a car cover, tarp or other material, has a flat tire that is not immediately replaced, does not have current license tags, and/or is not driven or moved under its own power on a weekly basis by a resident of the Lot.
- 3. Excessive oil spills or stains on driveways or streets must be removed within fourteen (14) days of staining.** Oil pans, carpet, boards, or any other object used to collect oil spills from driveways and/or streets must be removed when not in use to prevent them from being visible.

PAINT – EXTERIOR COLORS

- 1. The exterior of all structures on a Lot must be periodically painted to be kept in good condition and repair.** Notice to paint will be sent if it is determined that the paint (stucco, trim, etc.) is splotchy, peeling, cracking or fading.
- 2. All homes must be painted with one of the pre-approved color schemes for the community.** No exceptions will be made.
- 3. Approval must be obtained prior to painting.** Please contact the Association's Management Company for instructions.

PARKING

1. **No Parking Zones** - Any motor vehicle parked in a No Parking Zone, identified by a red painted curb, may be towed without any advanced warning.
2. **Street Parking:** Vehicles of guests or invitees may temporarily park on the streets (not identified as a No Parking Zone) in the community, for a period not to exceed 48 hours.

To determine if vehicles are owned by residents or guests, the following perimeters will be followed:

- Any motor vehicle parked on any street right-of-way for more than twenty-four (24) consecutive hours or that are parked on a **regular basis** (more than 2 times in a rolling 60 day period) on any street right-of-way, common area and/or other streets within the Association will be subject to the Street parking violation enforcement and towing schedule.
 - **Guest and invitees** are defined in CC&R Article 1, Section 1.24 as: *“any Person whose temporary or periodic presence within the Project, including within any Residential Dwelling, has been solicited, approved by or arranged for by a particular Owner, Lessee, or Resident, including without limitation, his guests, employees, licensees, business invitees, contractors and agents.”*
 - A **Resident** is defined in CC&R Article 1, Section 1.35 as: *“each individual occupying or residing in any Residential Dwelling, including, without limitation, an Owner’s or lessee’s family members and other members of their household residing with them on a **regular basis**.”*
 - **Employees that work for group homes or other such businesses located in the community are considered residents.** They are not allowed to park on the street on a regular basis.

Rule of Thumb: If you have a guest that visits more than 2 times during a rolling 60 day period, and you do not have room for them in your driveway, you will need to contact Preferred Communities to obtain a temporary guest parking pass.

3. Vehicles of owners & residents shall be parked in their garage or on their driveway.

Section 3.24 of the CC&R’s specifically states that: “Garages shall be used only for the parking of Vehicles. All family vehicles shall be parked in the garage unless the garage is already occupied by the maximum capacity of Vehicles the garage was built for” (2 car garage should hold 2 cars) and “in no event may an owner or resident use the garage for storage in such a manner that would block or impede the parking of any vehicle”.

- a. Parking on Landscaping (decomposed granite) is not allowed.

4. Street Parking Variances. The Board of Directors & Architectural Committee understand the limitations of small garages & driveways in the community and that some homeowners may have a need to park intermittently on the streets. However, prior written approval from the Board of Directors / Architectural Committee is required for Residents/Employees in the community to park on the street on a “regular” or “habitual” basis.

In order for an owner to receive prior written approval to regularly park a vehicle on the street, the following criteria must be met:

1. The owner will complete a Street Parking Variance Request form and submit to Preferred Communities.

2. All information must be provided on the variance request form: the number of vehicles and the number of drivers in the household. A description (make, year, model & color) of each vehicle including the license plate.
 3. At least one vehicle must be parked in the garage on a regular basis. The owner must provide a picture showing a vehicle parked in the garage. An HOA representative will have the right to verify the garage parking is occurring on a regular basis.
 4. The number of vehicles designed to fit on the driveway must be parked in the driveway
 5. The owner must state why the street parking variance is being requested.
- The owner will be notified of the Board's decision regarding the variance.

Note: All Street Parking Variances/permits are reviewed by the Board of Directors on a case by case basis. Not all variances will be granted. Variances may be provided if health & safety issues are a factor.

Note: HOA Street Parking Permits are not issued on a permanent basis. The permit must be reviewed & reissued on an annual basis. Permits do not transfer with homeownership.

5. **PARKING INSPECTIONS**

A third party vendor will conduct random parking inspections throughout the community. They will be tracking all vehicles parked on the street.

In addition to the random parking inspection, residents are able to file written complaints regarding vehicles habitually parked on the street in violation of the Parking Rules.

The following Enforcement & Towing Schedule identifies the steps taken when vehicles are parked on the street in violation of the before mentioned rules.

6. **Parking Violation and Towing Enforcement Schedule**

This enforcement schedule does NOT apply to Fire Lane Violations. Vehicles parked in a Fire Lane or No Parking Zone will be towed immediately, without warning.

If a vehicle associated with your Lot is identified as being **regularly or habitually** parked on the street and in violation of the Parking rules, the following schedule will apply.

- a. **Initial/Courtesy notice:** After a vehicle has been tracked as parked on the street at least two (2) times in a rolling sixty (60) day period, a notice will be placed on that vehicle. The notice will state that any further street parking in violation of this policy will result in the vehicle being towed. The notice will contain the date & time of the violation, the first and last name of the person who observed the violation, the section of the CC&R's that have been violated, and the management company contact information in case there are questions.
- b. **Final Warning/ 24 Hour notice:** If the same vehicle (from a above) is identified as parked in violation of the street parking policy within a sixty (60) day rolling period, after the initial warning has been provided, a final notice will be placed on the vehicle identifying that the vehicle will be towed within 24 hours.

- c. **Immediate Towing:** after a final warning has been placed on the vehicle, anytime the vehicle is parked in violation of this policy, the vehicle will be automatically towed without any further warnings.

If your vehicle is towed, please contact the Towing Company.

PATIO COVERS: Roofing materials should match those which were installed by the builder on the original roof of the home or those which were offered as an option by the builder for the patio cover.

Color and material of support should match the home. The roof shall be flat or match the pitch of the roof of the home. All patio covers not installed by the builder will need to be reviewed by the Committee on an individual basis prior to installation, with strong consideration being given to any impact of architectural features in the neighborhood.

PLAYGROUND EQUIPMENT: Plans for play structures and similar recreational equipment must be submitted for approval since in most instances they protrude over the fence line. This is not to eliminate play structures, but to consider privacy issues for adjacent neighbors, and to assure the esthetic appeal.

The play structure may be placed no closer than ten feet (10') to any lot line. When considering plan approval, the Committee will consider the appearance, height and proximity to neighboring property. Submittals must include a picture or brochure of the structure, total dimensions, materials, canopy color and plot map or drawing indicating the proposed location and its proximity to adjacent lines.

Trampoline Safety Nets do not require prior approval.

POOLS AND SPAS: Pools and spas do not require the prior approval of the Committee. Perimeter walls on lots bordering common areas and shared Homeowners Association walls may not be torn down to allow access to rear yards.

Access must be gained by removing a portion of the front wall on the side of the home. Repairs to the wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. All pool and spa equipment must be screened from view of neighboring property. (Lots with view fencing must submit plans for screening for approval by the Committee).

Pools may not be backwashed into any common area or off of the lot on which the pool has been installed. Check with your pool contractor concerning City ordinance requirements for backwashing. Damage to common areas due to the backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the homeowner.

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

Pool equipment on lots with view fencing must be screened from view from common areas. Screening may be through plant material or hardscape enclosure. Hardscape enclosures do not require approval if the enclosure does not exceed four feet (4) in height and is painted to match the base color of the home. All other screening material requires approval from the Committee.

ROOF AND ROOF STRUCTURES: If the dwelling unit has a pitched roof, the roofing material for that portion visible from neighboring property must be clay or concrete tile. Unless specifically authorized in this document, no heating, air-conditioning, ventilation equipment, or any other equipment or structures shall be located or installed on any roof (please see SOLAR PANELS). In addition, any such equipment or structures shall not be located or installed or maintained anywhere on a Lot, if it is visible from neighboring property.

SANITATION: No garbage or trash may be placed on any lot or parcel except in covered containers meeting the City specifications, and must be stored out of sight. Trash cans may be placed out for pick-up no more than twelve (12) hours prior to pick-up and must be removed from view no more than twelve (12) hours after pick-up. Rubbish, debris and garbage shall not be allowed to accumulate. The suggested time for a trash can to be placed at the curb is from the evening of the day before pick-up to the evening the day of pick-up.

Each owner shall be responsible for removal of rubbish, debris, and garbage not only from his lot or parcel, but also from all public rights-of-way either fronting or alongside his lot or parcel, excluding (A) public roadway improvements, and (B) those areas specified on a Tract Declaration or subdivision plat to be maintained by the City or the Association.

SECURITY LIGHTING/DEVICES:

1. Security lighting and/or cameras must be directed so as not to shine on neighboring property.
2. Security features including but not limited to doors and windows must be submitted for approval.

SECURITY/SCREEN DOORS

1. Wrought iron security/screen doors need to be submitted for prior approval. The Committee prefers doors to be painted to match the color scheme of the house.
2. Silver colored aluminum screen/security doors and/or wire screen mesh door are strictly prohibited on front doors.

SHADE COVERS (TEMPORARY GAZEBOS, UMBRELLAS, ETC):

1. temporary shade covers are allowed in the back yard only, as long as they are maintained in good condition. If the tarp or canopy section is torn, the temporary structure must be removed or replaced.
 - a. Temporary Shade covers may never be attached to the house.
2. Permanent Shade Covers must have prior approval prior to installation.

SIGNS: No signs shall be displayed on any lot except the following:

1. Signs required by legal proceedings or by applicable law.
2. Residential Unit Identification Signs provided the size, color, content and location of such signs have been approved in writing by the Architectural Committee.
3. "For Sale", "For Rent" or "For Lease" signs which are commercially produced, and that are not larger than industry standard size of eighteen by twenty four inches.

4. One political sign for an upcoming election so long as the issue and/or candidates are being decided upon by said election. The maximum size of the sign shall be 24"x24" and must be located 15 feet from the face of the curb. The sign can be displayed a maximum of fifty-five (55) calendar days before the election and ten (10) calendar days after the election.
5. Signs approved by the Committee.
6. Security signs are allowed, but they must be located a maximum distance of two feet (2') from the front of the home. Security signs must not exceed twelve inches by twelve inches (12"x12") and must be maintained in good condition at all times.

All signs shall conform and comply with City Ordinances and State Laws. Signs advertising landscaping or pool contactors, etc, must be removed within forty-eight (48) hours of completion of work.

SOLOR PANELS AND EQUIPMENT: Roof mounted solar equipment (excluding the solar panels) must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline; visibility must be minimized from public view, and may be required to be screened from neighboring property in a manner approved by the Committee.

STORAGE SHEDS: Storage sheds will be permitted and need not be submitted for approval, provided the maximum height of the shed, including roof, do not exceed the height of the immediately surrounding wall(s) or fences(s). Sheds shall have a minimum setback of five (5) feet from any rear yard walls.

Sheds whose maximum height exceeds the height of the immediately surrounding wall(s) or fence(s) must have approval prior to installation. The requirements for sheds visible above the fence line include construction of block, stuccoed and painted to match the home, and have a tile roof to match the existing tile on the home.

Storage sheds on lots with a view fence are subject to the following provisions: (1) The shed may not be placed adjacent to the view fence, (2) The shed must be screened from view with approved plant materials, and (3) Placement of the shed must be approved prior to installation.

WINDOWS / WINDOW COVERINGS:

1. Permanent draperies or suitable window treatments shall be installed on all front-facing windows within thirty (30) days of occupancy.
2. Reflective window films are expressly prohibited. No reflective materials, including but not limited to, aluminum foil, reflective screens or glass, mirrors or similar type material, shall be installed or placed upon the outside or inside of any windows.
3. Bronze or charcoal non-reflective window tinting may be installed without Committee review.
4. **SUNSCREENS:** Bronze, gray, charcoal, brown, or beige sunscreen material may be installed without approval provided that the screen frame matches the sunscreen material or the existing window frames.
 - a. Approval must be received before installation if the prior conditions are not met.
5. Exterior window coverings or treatments used to shelf or decorate openings (such as shutters) must be compatible, with respect to materials and color, with the style and color of the home. Committee approval is required prior to installation.