



Rancho Vistoso

Architectural & Landscape Review Committee Guidelines

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Architectural & Landscape Review Committee

Section II –Common Project Design Guidelines

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SECTION II – COMMON PROJECT GUIDELINES

PHILOSOPHY OF RANCHO VISTOSO –Architectural Review Committee

Rancho Vistoso is a master planned community located north of Tucson in the Town of Oro Valley, Pima County. At the center of Rancho Vistoso is Big Wash, a major drainage way formed by steep escarpments and dominated by lush vegetation and abundant wildlife.

The overall intent for Rancho Vistoso is to create a self-sufficient master planned community set respectfully into the natural desert. It may include a full range of residential choices, a resort hotel, an office research park, commercial uses from neighborhood to regional shopping opportunities, schools, churches, several golf courses, an adult community, and both natural and developed open space. The community is planned to respect the natural desert. Development will preserve and enhance the natural setting of this unique location.

In accordance with the Declaration of Covenants, Conditions, Restrictions and Easements for Rancho Vistoso (the "Declaration"), the Board of the Vistoso Community Association has adopted the following Architectural and Landscaping Review Committee Guidelines (the "Guidelines") for the Architectural and Landscaping Review Committee (the "Committee"). These Guidelines shall apply to all Lots and Parcels located within Rancho Vistoso, except for Neighborhood One, Sun City Vistoso.

The purpose of these Design Guidelines is to provide an overall framework for development and to create a cohesive community at Rancho Vistoso which is reinforced from one project to another. The guidelines will provide standards for height, colors, exterior materials, and recommended plant materials, amongst other things. These guidelines have been reviewed by the Architectural & Landscape Review Committee (the "Committee") and approved by the Board of Directors pursuant to the Rancho Vistoso Declaration of Covenants, Conditions, Restrictions and Easements and may be more restrictive than existing municipal ordinances.

Any and all exterior modifications, alterations, additions or changes to the original scope, construction or Improvements of any residence within Rancho Vistoso MUST BE SUBMITTED and approved by the Architectural Review Committee prior to the construction or implementation of such contemplated work.

NOTE. All construction, repair, enhancements and other activities within Rancho Vistoso are subject to the disposal of refuse and debris restrictions per your CC&R's.

DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases when used herein shall have the meanings hereinafter assigned and appear capitalized throughout this document.

1.8 "Architectural and Landscaping Review Committee" shall mean the committee(s) formed pursuant to Article IV of this Declaration;

1.9 "Architectural and Landscaping Review Committee Guidelines" shall mean the rules and regulations adopted, amended and supplemented by the Architectural and Landscaping Review Committee;

1.10 "Articles" shall mean the Articles of Incorporation of the Master Association as amended or restated from time to time, on file with the Arizona Corporation Commission.

1.14 "Association" shall mean the Vistoso Community Association, an Arizona non-profit corporation, its successors and assigns.

1.16 "Board" shall mean the Board of Directors of the Master Association;

1.17 "By-Laws" shall mean the By-Laws of the Association, as amended or restated from time to time;

1.18 "Common Area" shall mean all real property and the improvements or amenities thereon, all easements and licenses, and all personal property and facilities, which shall from time to time be owned, controlled or operated by the Association (including, but not limited to, areas used for landscaping, flood control, drainage, bicycle or jogging paths, parks, recreational areas, open space, walkways, equestrian trails and pedestrian and vehicular ingress and egress), or with respect to which the Association has administrative, maintenance or other similar responsibilities.

1.23 "Declarant" shall mean Wolfswinkel Group, Inc., an Arizona Corporation, and the successors and assigns of Wolfswinkel Group, Inc.'s rights and powers hereunder;

1.24 "Declaration" shall mean this Restated Declaration of Covenants, Conditions, Restrictions and Easements as amended or supplemented from time to time.

1.27 " Dwelling Unit" shall mean any building, or part thereof situated upon a Lot or Parcel and intended for use and occupancy as a residence by a Single Family.

1.36 "Lot" 1.36 "Lot" shall mean:

1.36.1 an area of real property designated as a "Lot" on a Recorded Tract Declaration or Recorded subdivision plat approved by Declarant, covering any Parcel, or a portion thereof, which area of real property is limited by a Tract Declaration, Subsidiary Declaration or other Recorded instrument to either Single Family Residential Use or Cluster Residential use; or

1.36.2 a Condominium Unit.

The term "Lot" shall not include Exempt Property.

1.38 "Master Development Plan" shall mean the conceptual or site development plan at any time in effect for Rancho Vistoso and approved by the County or any other governmental jurisdiction having the authority to approve and regulate master plans for planned area developments located in Rancho Vistoso, as the same may

be amended from time to time. A current copy of the then applicable Master Development Plan shall be on file at all times in the Association office. If required by the County or any Agency, the Master Development Plan shall be recorded.

1.40 "Member" shall mean any Owner, including Declarant for so long as Declarant is a Class A or Class B Member.

1.46 "Owner" shall mean the Record holder of legal title to the fee simple interest in any Lot or Parcel or; in the case of a Recorded "contract" (as that term is defined in A.R.S. §33 741(2)), the holder, of Record, of the purchaser's or vendee's interest under said contract, but excluding others who hold such title merely as security. If fee simple title to a Lot or Parcel is vested of Record in a trustee pursuant to A.R.S. §§33 801 et seq., for purposes of this Declaration legal title shall be deemed to be held by the trustor (or the trustor's successor of Record), and not by the trustee. An owner shall include any Person who holds Record title to a Lot or Parcel in joint ownership or as an undivided fee interest;

1.47 "Parcel" shall mean each area of the Covered Property as shall be defined and limited to a specific Land Use Classification by a Recorded Tract Declaration, as well as any lot (as distinguished from Lots, as defined in Section 1.36), pad or sub parcel thereof, if such lot, pad or sub parcel shall have been created by a parcel split or subdivision approved or permitted in accordance with Section 5.3.9. Notwithstanding the preceding sentence, a Parcel other than a Non Residential Parcel shall cease being a Parcel upon Recording of a subdivision plat or a declaration of condominium creating Lots or Condominium Units in regard thereto. In the case of the staged development of a Parcel having a Land Use Classification of Cluster Residential Use, Single Family Residential Use or Residential Condominium Development Use, those areas of such Parcel not yet covered by a Recorded subdivision plat or declaration of condominium creating Lots or Condominium Units shall continue to be a Parcel for purposes of this Declaration;

1.48 "Person" shall mean a corporation, partnership, joint venture, individual, trust or any other legal entity.

1.52 "Resident" shall mean:

1.52.1 each Tenant who resides on the covered property and the members of the immediate family of each tenant who reside on the Covered Property;

1.52.2 each Owner who resides on the Covered Property and the members of the immediate family of each Owner who reside on the Covered Property; and,

1.52.3 such persons as the Board, in its absolute discretion, may authorize, including without limitation guests of an Owner or Tenant.

1.59 "Subsidiary Association" shall mean an Arizona nonprofit corporation, its successors and assigns, established for the purpose of administering and enforcing the provisions of any Recorded Subsidiary Declaration or Recorded Tract Declaration;

1.60 "Subsidiary Declaration" shall mean any Declaration of Covenants, Conditions and Restrictions or like instrument Recorded after the Recording of this Declaration in regard to any Parcel, or part thereof, or group of Lots, by the owner of such Parcel or part thereof, or group of Lots, which shall in all cases be consistent with and subordinate to this Declaration and any applicable Recorded Tract Declaration;

1.61 "Tenant" shall mean a Person occupying any part of the Covered Property under any type of rental agreement, whether such rental agreement is within the definition set forth in A.R.S. §33 1310(11) or otherwise;

1.62 "Tract Declaration" shall mean any Declaration of Covenants, Conditions and Restrictions or like instrument Recorded after the Recording of this Declaration in regard to one or more Parcels, or portions thereof, or group(s) of Lots, by the owner of such Parcels or portions thereof, or group(s) of Lots, which shall in all cases be consistent with and subordinate to this Declaration.

1.64 "Visible From Neighboring Property" shall mean, with respect to any given object, that such object is or would be visible to a Person 6 feet tall, standing at ground level on neighboring property.

4.3.1 "Committee Composition" The Architectural and Landscaping Review Committee shall consist of three regular members and one alternate member, provided, however, that the number of members may be increased at any time by a vote of the Board to five regular members and one alternate member. A member shall not be required to satisfy any particular qualification for membership and may be a member of the Board, an officer of the Association, or an officer, agent or employee of Declarant.

Back yard – defined as anything behind the block wall.

Community-Wide Standard – The standard of conduct, maintenance, or other activity generally prevailing throughout the properties. Such standard shall be established initially by the Declarant and may be more specifically defined in the Design Guidelines, the Use Restrictions, and in Board Resolutions.

Design Guidelines – The architectural, design and construction guidelines and review procedures adopted pursuant to the CC&R's, Article IV, as they may be amended.

Detached Structure – describes a structure that stands on its own and is not joined to a Dwelling.

Front yard – defined as any property from the front of the home forward.

Gazebo – a small, open-sided and slightly elevated building that typically has a solid roof.

Governing Documents - A collective term referring to the CC&R's, any Supplemental Declarations, the By-Laws, the Articles, the Design Guidelines, and the Use Restrictions, as they may be amended.

Improvements – Shall mean and refer to all structures of any kind, including, without limitation, any building, fence, wall, structure alteration, screen enclosure, drainage, landscaping, and exterior lighting.

Pergola – a frame structure consisting of colonnades or posts with lattice or slatted roof.

Porch – a raised platform with a roof attached to structure of the dwelling, and partly enclosed with low walls or fully enclosed with screens or windows.

Ramada – an open porch or structure that typically has a solid roof.

Shade Shelter or Sun Canopy – a lightweight freestanding open-sided canopy.

Shed – a small structure, either free-standing or attached to the Dwelling, used for storage or work area.

Vistoso Community Association – The real properties as shown on the Master Plan, as amended from time to time.

APPLICATION PROCEDURES

A. INTRODUCTION

Whenever any action by or approval of the Architectural Review Committee is required by the terms of the Declaration for these guidelines, requests for such action or approvals shall be submitted to the Architectural Review Committee (the "Committee"), in accordance with the procedures set forth herein. In general, no construction activity related to any proposed common project shall be allowed to commence until the project has been approved per these Common Project Guidelines and by the Committee. Capitalized terms used in these Guidelines shall have the meanings set forth in the Declaration.

The Committee shall be appointed by the Vistoso Community Board of Directors. It is the duty of the Committee to consider and act upon all proposals or plans submitted. In addition, the Committee is vested with the responsibility to enforce the provisions of the Design Guidelines.

B. FORMS

The Architectural Review Committee may adopt forms upon which all requests for actions or approvals from the Architectural Review Committee must be submitted. Such forms shall indicate the number of copies of each set of plans, specifications, site plans or other documents which must accompany the application and set forth instructions to be followed in submitting applications.

C. REVIEW FEES

The Committee may adopt a fee and compliance deposit schedule in connection with its review process. All checks shall be made payable to "Vistoso Community Homeowner Association." Fees and deposits must be included as part of the initial submittal to the Committee. Project submittals requiring a fee and/or deposit will not be reviewed by the Committee until the related amount has been remitted.

NOTE: Typically, no submittal fees will be required for swimming pools and any other miscellaneous Improvements with a valuation of less than \$2,500.

D. COMPLIANCE DEPOSIT

The Architectural Review Committee may require compliance deposits in connection with the construction, reconstruction, landscaping, etc. submitted to the Association.

E. IMPROVEMENTS THAT DO NOT REQUIRE APPROVAL BY THE COMMITTEE

It is the Committee's intention to defer to the sub-associations' approval process on Improvements that do not have a direct impact on the Vistoso Community Master Association. The following Improvements do not require the approval of the Committee.

1. Improvements that have been approved by a sub-association and which are not visible from any property that is not within the sub-association.
2. Improvements that: a) have been approved by a sub-association; b) are visible from property that is not within a sub-association; and c) do not involve a variance by the sub-association.
3. Improvements that: a) have been approved by a sub-association; b) are visible from any property that is not within a sub-association; and c) do not require the sub-association to exercise any discretion regarding aesthetics.

Improvements made by a sub-association itself (rather than by an individual Owner) and which Improvements are visible from property that is not within the sub-association DO require approval by the Committee. Examples would be changes to an entrance monument or to perimeter landscaping.

ARCHITECTURAL GUIDELINES

A. ARCHITECTURAL THEME

1. The Architectural Review Committee encourages product designs and use of materials and style appropriate to the Rancho Vistoso Planned Area development and in accordance with the Town of Oro Valley. Architectural design should be sensitive to and compatible to the natural desert environment.
2. The Architectural Review Committee encourages use of details which will soften and enhance the architectural design.
3. Upon written receipt of approval, the applicant shall commence construction, reconstruction, alterations or other work pursuant to the approved submittal within one year of proposed start date. The project is to be completed within one hundred eighty (180) days.

B. EXTERIOR PAINT COLORS (refer to Section F- Paint Colors)

1. The exterior colors of all buildings and structures must be approved by the Architectural Review Committee based on submitted manufacturer's color chips and/or surface samples. The intent is to reflect the rich and varied colors of the desert. Extremely dominant and/or primary colors will not be permitted. All colors must be submitted for approval, including, but not limited to house colors, trim colors, fascia colors, roof materials and all surfaces visible from neighboring properties. With rare exceptions, exterior material colors should not exceed 40% Light Reflective Value (LRV).
2. Plans and specifications submitted to the Architectural Review Committee must include details of the exterior color scheme, including all exterior surfaces. Exterior surfaces must be compatible with the other buildings in the neighborhood.
3. Any repainting or redecorating of exterior surfaces will also require submission of a color scheme to the Architectural Review Committee.

C. BUILDING MATERIALS

1. All exterior building materials and the commencement of any exterior alteration must be approved by the Architectural Review Committee.
2. Finished building materials must be applied to all exterior sides of buildings and structures. Each material will be used to express its characteristics in an appropriate manner with colors and textures compatible with the natural surroundings and other buildings and structures in the general vicinity.
3. Permitted exterior finished materials include plastered unit masonry, adobe, slump, split or textured decorative block or wood. Other materials may be approved by the Architectural Review Committee. Accent panels of wood or brick may be utilized if approved by the Architectural Review Committee.

D. ADDITIONS OR ALTERATIONS

Any addition or alteration to any building, structure, Lot or Parcel must be approved in writing by the Architectural Review Committee prior to commencement of construction or alteration unless the additions or alterations are not visible from neighboring property or public properties and do not violate or conflict with the Declaration or these Guidelines (additions or alterations requiring Architectural Review Committee approval include but not limited to landscape, solar energy devices, painting, grading changes, ornamentation, security doors, pools, signage, driveway coatings, and satellite dish installation).

E. CONSTRUCTION DEBRIS

No garbage or trash containers may be placed on any Lot or Parcel except in covered containers meeting the specifications of the local jurisdiction. Rubbish, debris and garbage shall not be allowed to accumulate. 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 siding 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 Vistoso Community Association. (Includes lots and homes under development).

Owners are responsible for the conduct and behavior of their agents, representatives, builders, contractors and subcontractors in Rancho Vistoso. Appropriateness of conduct and behavior, for the purposes of this section, will be determined by the Vistoso Community Association Architectural Review Committee.

REVIEW PROCEDURES

A. MEETINGS

The Architectural Review Committee shall meet to review the applications for approval. The Chairman of the Architectural Review Committee may call meetings upon two (2) days prior written or oral notice to other members of the Committee. A quorum for each meeting shall consist of three (3) members. An alternate member may participate at any meeting at which a regular member is not present. The alternate member shall have all of the authority of a regular member while so participating. The Architectural Review Committee may also process submittals with Action in Lieu of a Meeting as called by the Chair of the Committee.

B. SUBMITTAL REQUIREMENTS

1. Generally speaking, a drawing and/or written description of the project to be submitted, together with samples of material and colors will be all that is required. However, the Architectural Review Committee through the management company may request additional information prior to the Architectural Review Committee making a decision.
2. It is recommended that a member wishing to submit a plan to the Architectural Review Committee contact the management company prior to the submittal to discuss the level of detail and the sample list required for a particular type of submittal.
3. It is recommended that when submittals require Town of Oro Valley approval, that submittals should be made to the Committee prior to being submitted to the Town of Oro Valley. Approval by the Architectural Review Committee of the site plan, building plan, or variances does not guarantee approval by any governing agency. Nor does approval by any governing agency guarantee approval by the Architectural Review Committee.
4. Approval by the Architectural Review Committee at any phase of the design review process as outlined herein for any Improvement refers only to the Association and in no way implies conformance with any governmental regulations. It shall be the sole responsibility of the Owner to comply with all applicable governmental regulations, ordinances and procedures, and to adequately coordinate such required governmental reviews with the processes and procedures outlined in this document.

C. REVIEW OF SUBMITTALS

The Committee, or its duly appointed representative, shall conduct reviews of submittals during its regularly scheduled monthly meetings or at such other times as it deems appropriate. The Committee shall approve or disapprove all plans within thirty (30) days and shall furnish a written decision to the applicant setting forth the reasons for its decisions. The Architectural Review Committee may disapprove any application if there is not sufficient information submitted for the Architectural Review Committee to exercise the judgment required by these Guidelines. In the event the Committee fails to approve or disapprove such design and location within thirty (30) days of said plans and specifications having been submitted to it, approval shall be deemed denied, except that the party submitting the plans may resubmit the plans and if no response is given for a period of thirty (30) days after a written request by certified mail for a decision, approval shall be deemed given.

D. VARIANCES

The Board may, at its option in extenuating circumstances, grant variances from the Declaration restrictions. The Board may determine, in its discretion, that either a restriction would create an unreasonable hardship or burden on an Owner or lessee or that a change of circumstances since the recordation of this Declaration has rendered such restriction obsolete. If the activity permitted under the variance will not have any substantial adverse effect on the residents of Vistoso Community, and if it is consistent with the high quality of life intended for the residents of Vistoso Community, a variance may be granted.

E. APPEAL TO THE BOARD OF DIRECTORS

An Owner who has submitted plans to the Committee for approval and who is aggrieved by the decision of the Committee may appeal the decision to the Board in writing within thirty (30) calendar days after receipt of the letter informing the Owner of the decision. In the event that the decision of the Committee is overruled by the Board, the prior decision of the Committee will be deemed as modified to the extent specified by the Board.

F. WRITTEN RECORDS

The Architectural Review Committee shall keep and safeguard written records of all applications for approval submitted to it (including one (1) set of all preliminary sketches and all architectural plans), of all actions of approval or disapproval, and of all other actions taken by it under the provisions of these Guidelines. All such records shall be maintained in the offices of the management company for the Association after approval or disapproval.

G. PROCEDURES OF ENFORCEMENT

In an effort to maintain the beauty and integrity of Vistoso Community, an Association agent drives the property on a bi-monthly basis specifically to note any violations of the Rules and Regulations.

Any resident who does not comply with the deed restrictions (Declaration), architectural guidelines or Association Rules will receive written notices to request corrective action. The notices may consist of a written notice of non-compliance, a notice of violation, or a notice of pending legal action, giving the resident ample opportunity to communicate with the Association to resolve the matter. Open communication is always encouraged between Vistoso Community and its Members.

The Vistoso Community Board of Directors may approve a policy to impose administrative charges on a Member whose property has not been brought into compliance after repeated notifications. Prior to any charge being assessed, the Member will be notified by mail of the need to contact the Association of any extenuating circumstances that may be preventing compliance. The Member has the right to be heard by the Board on this issue, and must present his or her request in writing to the Association within fourteen (14) days of the notification of impending administrative charges. Once charges are being assessed to a Member's account, the Member is then responsible to inform the Association of compliance.

COMMUNITY WIDE STANDARDS

Community Wide Standards are those standards of conduct, maintenance, or other activity generally prevailing throughout the properties. Standards of maintenance set by the Association require that Owners' properties should be maintained in a quality manner to ensure pride of ownership and respect for the property and neighboring properties. Owners are responsible for any damage or destruction of structures on or comprising the Unit and Owner shall proceed promptly to repair or to reconstruct in a manner consistent with the original construction or such other plans and specifications as are approved in accordance with Article XI, Maintenance in the CC&R's.

Each Owner shall maintain his or her Lot and all landscaping and improvements comprising the Lot in a manner that is consistent with the Design Guidelines, Community Wide Standard, the Use Restrictions and any Board resolutions. This includes the repair and replacement, as necessary to maintain the property to a level consistent with the Community Wide Standard.

Paint: Exterior paint should be applied in a manner to maintain the wood and stucco structure from exposure to the elements and to provide an aesthetically pleasing curb appeal to the neighborhood and neighboring properties. Deterioration of wood, excessive chipping and peeling of paint or stucco shall cause the Owner to make prompt repairs, replacement or maintenance to the structure. Paint may not be allowed to become cracked, chipped, peeled, faded, weathered, deteriorated, splotchy or mottled. The ALRC has the sole authority in determining when a home requires painting.

Wood Doors/Fences: Wood doors and/or fences should be treated as any other wood structure exposed to the elements.

Regular painting, varnish or oiling will keep wood from drying out if exposed to direct sun, or at any time the wood appears to be dry.

Wrought Iron: Fencing, doors or other wrought iron may not become rusted or weathered.

Landscape: Each Owner is responsible to adhere to the Front yard minimum landscape requirements.

Where decorative rock has been provided, it is best to properly clean up after storms or winds. Improper maintenance could cause erosion and excess build up on concrete sidewalks.

Where trees are provided, the Owner is responsible to maintain the trees or to replace them as necessary. It is part of the Community Wide Standard to have at least one (1) tree, 4 foot Saguaro or 5 foot Ocotillo in every yard, which provides an aesthetically attractive neighborhood and must be maintained per specifications.

Owner is to ensure that any landscaping undertaken on the lot maintains adequate drainage and does not interfere with or alter the drainage patterns established by the builder.

Party Walls and Other Shared Structures: The exterior surface of a Wall shall be that portion which faces, or is visible from the Common Area, public or private rights-of-way, or pedestrian or bicycle pathway or trail within or abutting the Properties. The Association's maintenance obligation shall be limited to the cosmetic and aesthetic appearance of such exterior Wall surfaces. Owners may not alter the appearance of the exterior surface of any Wall without prior written approval of the Association.

The Owner of the Lot on which a Wall is located shall be responsible for the cosmetic and aesthetic appearance of the interior surface of the Wall, and the Owner shall be responsible for the structural maintenance and repair to that portion of the Wall lying within the Unit's boundaries.

Utility Equipment: All utility equipment per guidelines may be painted and maintained and should be painted the appropriate colors determined by the utility company or the Association. Equipment must not fall into disrepair.

Back yard Requirements

Back yard Landscape Minimum Standard:

Trees and vegetation must comply with the Recommended Plant List or must have approval of the ALRC. Trees must be maintained to provide minimal nuisance to neighboring properties. All landscaping should be maintained within the property lines and in accordance with Article XI "Maintenance" of the CC&R's. Back yard Improvements are subject to approval depending on the project.

Front yard Minimum Requirements

Front yard Landscape Minimum Standard: There is a general overall standard for maintenance of front yards to adhere to the minimum planting requirements. Owners must comply and meet the minimum standards within one (1) year from the date of the revised Design Guidelines. Plant replacement of like kind needs no submittal upon compliance with Community Wide Standards.

For lot sizes 55' or more

Minimum planting requirements from the Recommended Plant Palette are:

- a. One (1) tree – minimum 15 gallon
- b. Four (4) shrubs – minimum five (5) gallon
- c. All bare ground must be covered by an approved material to provide a neat, dust-free appearance (decomposed decorative rock is not approved).
- d. Decorative Rock Specifications:
 - (1) Desert Tones – no white, pink or other highly reflective colors shall be allowed
 - (2) ½" screened
 - (3) 4-6" rip rap will be allowed for aesthetic or drainage purposes.

For Lot sizes 40-55'

Minimum planting requirements from the Recommended Plant Palette are:

- a. One (1) tree – minimum 15 gallon
- b. Three (3) shrubs - minimum five (5) gallon
- c. All bare ground must be covered by an approved material to provide a neat, dust-free appearance (decomposed decorative rock is not approved).

d. Decorative Rock Specifications:

- (1) Desert Tones – no white, pink or other highly reflective colors shall be allowed
- (2) ½" screened
- (3) 4-6" rip rap will be allowed for aesthetic or drainage purposes.

For All Lot sizes – Xeriscape

In an effort to capture and preserve the Sonoran Desert palette and indigenous vegetation, Owners may choose to substitute Saguaros (4 foot minimum) and Ocotillos (5 foot minimum) for trees and five (5) gallon cacti for shrubs. Boulders may be added to further create desert themes and designs. Minimum planting does apply to lot sizes as above. Xeriscape landscaping is encouraged.

A. LIGHTING

Section 1: Common Lighting Projects:

- (1) Accent Lighting
- (2) Security/Motion Lighting
- (3) Flood Lighting
- (4) Pole-Mounted Lamp/Light
- (5) Wall/Safety-Mounted Lamp/Light
- (6) Decorative Lighting/Holiday Lighting
- (7) Permanent Pole/fence String Lighting is prohibited above the wall/fence visible from neighboring properties

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout showing placement/location of lights, direction and elevation of illumination, color of lights, wattage of each light, type of lighting, height of pole-mounted fixture, duration of usage for each light, whether lighting is continuous/automatic (on timers) or intermittent (triggered by switches or motion detectors).

Section 3: General Association Guidelines (expected approved uses):

The intent of Vistoso Community Association's lighting concept is to create a unified, natural effect, which will not interfere or compete with the dramatic nighttime panorama of views of the desert, surrounding mountains and the valley below. In order to preserve the dramatic night sky, which tends to be obscured by excessive local lighting, the Committee has established the following exterior lighting standards:

- (1) "Site lighting" means lighting mounted on the ground, on site walls, or by other means as decorative accent lighting or for the purpose of providing safe passage around the Improvements. Site lighting must be directed downward onto vegetation, the ground or boulders, and not upon the building.
- (2) All exterior lighting must provide for complete shielding of light sources. Care should be taken to shield the lamp from view. One should see the effect of the light, not the lamp itself.
- (3) "Building lighting" means lighting built into or mounted to buildings or walls, ceilings, eaves, or other locations for the purpose of providing decorative illumination, area illumination, general illumination, or security illumination for select and specific locations. Building lighting must be directed downward away from adjacent building envelopes and common areas. All wall-mounted decorative fixtures must be of a sconce-type configuration, with complete shielding of the bulb. All other decorative fixtures (ceilings, eaves or other locations) will be reviewed on a design specific basis (holiday lighting under section 4).
- (4) All lamps shall have a rated lumens initial value equal to, or less than, a standard incandescent general service 40 watt lamp = 450 lumens.
- (5) Lighting types shall consist of Low Pressure Sodium (LPS), High Pressure Sodium (HPS), Metal Halide (MH), Fluorescent, Incandescent, and Gas filled tubing. The preferred method of lighting is LPS.
- (6) Up lighting of landscaping elements, used judiciously and with restraint, is allowed. Other forms of up-lighting, such as incorporated building lighting, will generally be disallowed, as will an excessive number of fixtures, or excess light levels and glare in any up-lighting installation.
- (7) The following types of lighting are prohibited: (1) Mercury Vapor Lamp Fixtures, (2) Unshielded lighting that produces glare or where the unshielded portion of the lamp can be seen from the property line, (3) bare lamps.

(8) All lighting must meet the Town of Oro Valley and Pima Country Light Ordinance regulations as a minimum standard.

Each owner is responsible for complying with the above outlined standards. However, the Committee shall reserve the right to require an Owner to correct, repair, replace, or remove any exterior light or combination of lighting that is determined by the Committee, in the Committee's sole discretion, to not comply with these standards.

Section 4: Specific approval conditions, exclusions:

1. Accent Malibu type lighting: in only one color, not exceeding 18 watts, or LED equivalent. Accent/mini lighting strung in/on and around patios, eaves, porches, must be approved in advance unless for seasonal or singular events. Accent/mini lights in trees, plants, shrubs, and cactus can be hung during seasonal events only.
2. Security motion detectors are to be installed with illumination directed at owner's property and should shut off approximately 5 minutes after triggering.
3. Flood illumination is to be directed at owner's property, away from neighboring property. Actual wattage and quantity of flood lighting will be reviewed with submittal.
4. Holiday lighting can be installed 30 days prior to the recognized holiday and must be removed within 20 days after the holiday associated with the lighting (recognized holidays include New Year's Day, Easter, Memorial Day, 4th of July, Labor Day, Halloween, Thanksgiving Day, and the Christmas season).

B. STRUCTURAL ADDITIONS

Section 1: Common Structural Addition projects:

- (1) Ramadas
- (2) Gazebos
- (3) Pergolas
- (4) Sail Shades
- (5) Sheds
- (6) Detached Structures
- (7) Patio (porch) Additions/Enclosures
- (8) Patio (porch) Enclosures/House Expansion
- (9) Outdoor Fireplaces/Beehive/kiva/Built in BBQ Grills/Kitchens

Section 2: Submittal requirements (needed for Committee review):

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

Section 3: General Association Guidelines (expected approved uses):

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

NOTE: Any significant change to the original structure will be reviewed and determined on a case-by-case basis taking into consideration the reasonable physical conditions upon which Members relied when purchasing their homes. The Committee will take into consideration these issues when considering structural height changes and/or significant expansion of the original structure footprint.

Section 4: Specific approval conditions, exclusions:

- (1) Attached structural additions require the material and color selection to closely match the architectural construction of the existing house structure. This could include a matching of the existing house roof form and material.
- (2) All structural additions (including permanent storage sheds) that exceed 6' (six feet) in height (except for outdoor fireplaces) must maintain a 4' (four foot) setback to any adjacent side property line and a 10' (ten foot) setback to any adjacent rear property line. Any freestanding structural additions must maintain a 10' (ten foot) separation to the main house structure. Further, all structural additions must also comply with the Town of Oro Valley standards.
- (3) For appropriate color selection, refer to Section F Paint Colors.
- (4) For lighting specifications, see Section A., Lighting.

(5) Detached, portable storage sheds may be permitted in the rear yard ONLY if: (define as not requiring building permit or are made from non-traditional building materials, can be taken apart into the same components parts as sold and can be moved to other locations and re-assembled).

- a. They are not visible from neighboring properties, streets or common areas;
- b. They do not exceed the height of the surrounding wall.
- c. Match existing house color.

(6) Outdoor fireplaces/Beehive fireplaces must meet all of the following criteria:

- a. The visible portion above wall must not exceed 3' (three feet) in width or 30" (thirty inches) in height.
- b. If fuel source is anything other than gas, must be equipped with a spark arrestor and/or firebox.
- c. Installed no closer than 4' (four feet) to a party wall or a wall between the owner's property and a common area.
- d. Cannot be installed on a wall where the exterior side of the wall faces an adjacent parallel street.

(7) Carports are not permitted as a structural addition.

(8) Permanent tent structures are prohibited.

(9) Cloth topped gazebos, in desert hues, may be installed as long as it is placed away from the house, not attached to the house, and the cloth top must be maintained in good repair.

(10) Sail Shades are allowed in desert hues and cannot be attached to common areas.

(11) No bright colors, aluminum and/or reflective material will be permitted.

C. RECREATIONAL EQUIPMENT (TEMPORARY OR PERMANENT)

Section 1: Common Recreational Projects:

- (1) Playhouses
- (2) Play gyms
- (3) Swing sets
- (4) Basketball Backboard/Pole
- (5) Volleyball
- (6) Trampoline
- (7) Tetherball
- (8) Field Hockey/Loose Equipment
- (9) Dog Runs
- (10) Recreational Equipment is not allowed to be attached to front yard landscape elements

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout of area where recreational equipment is to be installed with a description of the equipment, proposed color, design and dimensions of equipment. Sample brochures, pictorial drawings or photographs of similar equipment are helpful. Permanent attachment of recreational equipment to house Structure requires prior Committee approval. Note: Oro Valley ordinances require that public, right-of-ways (streets, sidewalks, drainage areas) be maintained free and clear for access by motorists and pedestrians.

Section 3: General Association Guidelines (expected approved uses):

In general, the Association encourages the use of recreational equipment to promote leisure time activities for adults and children in the community. However the Association discourages and does not endorse the installation of recreational equipment which forces users of such equipment onto the streets to use this equipment.

Section 4: Specific approval conditions, exclusions:

- (1) When placing recreation equipment such as playhouses, play gyms, etc. in the rear yard ONLY, they must be situated at least 4' (four feet) from privacy walls or a minimum as established by the product manufacturer, whichever is a greater setback from the wall.
- (2) Play Structures shall not exceed 12' (twelve feet) in height at the highest point and 18' (eighteen feet) in length. Only one (1) platform, not to exceed the resident's lowest privacy wall height, will be approved.
- (3) All portions of play gyms or other play structures visible above privacy walls shall be natural wood or a muted desert tan/brown in color. Any awning must be one color. Bright neon or fluorescent not allowed – must be kept in good repair.
- (4) Basketball Equipment:
 - a. To receive an approval letter from the Committee for the installation of a permanent or portable basketball pole, the basketball poles must be placed in the enclosed rear yard areas, 10' (ten feet) from any privacy wall.

b. Permanent basketball poles and bracketry must be painted black or match the color of the house. Basketball backboard and/or pole cannot be attached to any Structure on the Lot.

(5) As required by Oro Valley ordinances, public rights-of-way (streets, sidewalks, and drainage areas) shall be maintained free and clear for access by motorists and pedestrians, therefore basketball poles should not be placed in these areas.

D. UTILITY EQUIPMENT

Section 1: Common Utility Equipment Projects:

- (1) Curbside Boxes (TEP, cable, phone)
- (2) On house boxes (cable, gas meter)

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout shall show area to be screened and/or painted, what colors will be applied to which surface or equipment and what type of landscaping plants are to be used for each area.

Section 3: General Association Guidelines (expected approved uses):

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

Section 4: Specific approval conditions, exclusions:

- (1) For painting curbside boxes or on-house boxes, refer to Exterior Colors.
- (2) The letters and numbers originally placed on the boxes must not be painted.
- (3) If screening curbside boxes with landscaping (plants, bushes, etc.) consider placement of plantings near sidewalk, so that future growth of the plants does not block/encroach on sidewalk. Since utility workers will need access to these boxes, consider landscaping screening that will be easy to work around and does not contain any plants with sharp, thorny branches or limbs.
- (4) NOTE: If the utility company needs to work in the boxes, it has the right-of-way to displace any landscaping or screening (at the Homeowner's expense) to work on its equipment.
- (5) When painting on-house boxes, meter glass must not be painted.
- (6) NOTE: Utility boxes have been painted by the builder and must not be repainted a different color without specific written approval by the Committee.
- (7) Solar inverter boxes are not required to be painted.

E. MECHANICAL EQUIPMENT

Section 1: Common Mechanical Equipment Projects:

- (1) Air Conditioning Units
- (2) Evaporative Coolers
- (3) Water Softeners/Conditioners

Section 2: Submittal requirements (needed for Committee review):

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

Section 3: General Association Guidelines (expected approved uses):

The Association requires placement of mechanical equipment in garages, or behind privacy walls, to shield it from neighboring views.

Section 4: Specific approval conditions, exclusions:

- (1) Mechanical equipment potentially visible at the front of the house from the street or sidewalk must be shielded from view (shielding to be approved by the Committee).
- (2) No mechanical equipment, other than approved solar installations, will be installed on any roof.

F. EXTERIOR PAINT & YARDSCAPE COLOR GUIDELINES

In general, all exterior painting using paint matching the approved color selections used on the exterior of all structures does need prior approval.

Section 1: Submittal requirements (needed for Committee review):

Provide specific color chip sample and product manufacturer's information including light reflectivity values (LRV) under 40%. In addition, the Committee reserves the right to require and review a large sample applied to the house or Improvement.

Section 2: Specific approval conditions, exclusions:

- (1) Front/rear door - Match existing color, match color of house or approved stain color.
- (2) Security door/Wrought Iron Enclosures – Black, copper, rustic overlay, antique bronze or match main color or trim color of house.
- (3) Garage door - Match existing color or rustic overlay. Garage door trim must match existing color.
- (4) Rear patio/balcony - If wood, approved wood stain color or match main color of house. If finish is stucco, it must be painted to match main color of house.
- (5) Gate - If wood, approved wood stain color, match main house color or match adjacent wall color. If wrought iron, black, rustic overlay, antique bronze or match color of house.
- (6) Window screening - Black, tan or match color of house.
- (7) Roof tiles - match existing type and color.
- (8) Flat roof coating - match existing color. White, off-white or reflective aluminum coating will not be permitted except for a Santa Fe house style roof.
- (9) Privacy walls - exterior/interior to match existing finish and color of walls or house.
- (10) Entryway walkway/driveway - protective finishes/coatings must be either color of the existing pavement or painted to match the base color of the home subject to approval by the Committee. Overcoats with subdued patterns shall be considered on a case-by-case basis.
- (11) Exterior rock mulch or gravel - exterior color choices (single or dual color), earth tone, maximum two colors of rock or gravel. Decomposed granite is not allowed other than in areas confined by privacy walls.
- (12) Wall/door ornamentation - minimal use of other colors to provide alternative complimentary accents.
- (13) House-mounted utility boxes - match main house color.
- (14) Wrought Iron/View Fencing – Black, rustic overlay, antique bronze or base color of the house, unless otherwise approved by the Committee.
- (15) View Deck Stairwell– second story deck accessed by stairwell, wrought iron to be the color of body of the home or black/rustic overlay.

G. Pool/SPA (RELATED EQUIPMENT)

Section 1: Common Pool/Spa Projects:

- (1) Pool/Spa
- (2) Heaters (Non-Solar)
- (3) Filters
- (4) Pool Lighting
- (5) Diving Boards
- (6) Pool Slides
- (7) Pool Decking

Section 2: Submittal requirements (needed for Committee review):

Dimensional design layout with pool specifications noting the following (at a minimum): type of pool filtering system, wall up/down access to pool area during construction, lighting enhancement around pool area, location and height of pool equipment (filters, heaters, diving boards, slides). A pool contractor will usually provide a layout with specifications to meet the above requirements.

If additional items are included as part of the pool installation, refer to the following sections where it applies: Section B., Structural Additions, for Ramadas or Gazebos, Section H., Yardscaping, for any landscape additions; Section A., Lighting, for any additional lighting; Section E., Mechanical Equipment for any solar heaters or panels.

Above-ground pools will be handled on a case-by-case basis and must be approved by the Committee prior to installation. In particular, elevated, above-grade decking is subject to review and approval, with a minimum setback of 5' (five feet) from privacy walls.

Section 3: General Association Guidelines (expected approved uses):

In general, the Committee reviews pool plans for specific safety considerations to be followed during pool construction. Consideration shall be given to minimizing impacts of the pool and recreational equipment installation on Neighboring Properties.

Section 4: Specific approval conditions, exclusions:

- (1) Diving boards are restricted to springboard types. No platform types are permitted.

Per Oro Valley Spa/Pool Code 2012, Chapter 5 section 504.5.

- (2) Slides shall not exceed 10' (ten feet) in height and are color restricted to desert hues. All pool slide locations require Committee approval with a minimum setback of 5' (five feet) from side property lines and 10' (ten feet) from rear property lines.

- (3) A pool design that results in back flushing into Common Areas or streets is prohibited by the Vistoso Community Association. The Town of Oro Valley requires all back flushing to be contained on Lot.

- (4) A conditional approval granted for pool installation will regulate safety measures to be followed by the Owner and pool contractor during construction. This letter must be signed by the owner and pool contractor and returned to the Association prior to any excavation.

- (5) Pool and spa mechanical equipment located outside the privacy wall must be completely shielded from view.

(6) Contractor access is a major concern of the Association. NO ACCESS WILL BE GRANTED THROUGH THE REAR YARD OF PROPERTIES BACKING UP TO ASSOCIATION COMMON AREAS, PUBLIC OR PRIVATE RIGHTS-OF-WAY, NATURAL AREAS, AND UTILITY OR OTHER EASEMENTS. CONTRACTOR ACCESS MUST BE APPROVED PRIOR TO PLACEMENT OF CONTRACTOR'S EQUIPMENT ON AN OWNER'S PROPERTY.

(7) TOWN OF ORO VALLEY Review and Permits required prior to installation of pool and structural additions.

H. YARDSCAPING

Section 1: Common Yardscaping Projects:

- (1) Vegetation (Ground Cover, Shrubs, Trees, Cactus, Vines, Grass, Flowers)
- (2) Gravel (Rocks, Boulders, Wood Chips)
- (3) Irrigation and Drainage
- (4) Accent Walls/Planter Boxes
- (5) Trellises, Fencing, Staking, Plant Protection, Cloth Screening
- (6) Fountains
- (7) Flagstone, Brick/Pavers, Concrete, Steps
- (8) Driveway Expansions
- (9) Railroad Ties
- (10) Artificial Grass

Section 2: Submittal requirements (needed for Committee review):

A conceptual landscape layout plan identifies location of vegetation, botanical and common name of vegetation, colors included in foundation/ground cover, irrigation installation, any gravel and/or pictorial samples. Submittals for trellises should include location, dimensions, color and types of plants to grow on trellises. No landscape or other Improvement (other than decorative rocks) will be permitted between sidewalks and street curbs without specific written Committee approval and approval from the Town of Oro Valley.

Section 3: General Association Guidelines (expected approved uses): The Rancho Vistoso landscape concept is based on a philosophy of compatibility with the existing Sonoran Desert, a sensitivity to its fragile ecosystems, and a commitment to low water usage vegetation. To this end, existing natural features such as stands of saguaros, unique vegetative groups, rock outcroppings, and washes are preserved whenever possible. The majority of introduced plant materials should be indigenous, arid, or semi-arid plants ensuring minimal water usage and compatibility with the natural environments. The Association promotes the seven principles of "Xeriscape" which include:

- (1) Water conserving design,
- (2) Low water use/drought tolerant plants,
- (3) Reduction in turf,
- (4) Water harvesting techniques,
- (5) Appropriate irrigation methods,
- (6) Soil improvements and use of mulches, and
- (7) Proper maintenance practices.

Landscaping materials and irrigation systems installed by the builder are not to be removed or replaced without specific written approval of the Committee. One tree, 4-foot Saguaro, or 5-foot Ocotillo is required for the front yard.

Section 4: Specific approval conditions, exclusions:

- (1) All plants incorporated into any yardscaping project must comply with the Recommended Plant List (see Appendix A), or as otherwise approved by the Committee. Plants on the Not Recommended/Prohibited Plant List shall not be permitted (see Appendix B).

- (2) All landscaping must be installed in a manner to prevent the appearance of a "hedge" or "wall height extension". Specifically, no hedges will be permitted along property lines, sidewalks, etc., as such non-random placement of landscaping would have the effect of raising sections of privacy walls, creating a secluded front yard area, etc. (Short sections of aligned bushes are encouraged to help shield utility boxes, etc.)
- (3) All landscaping must be maintained within property lines.
- (4) All Lots and Parcels, excluding any portion of the Lot that is enclosed by a perimeter wall around the rear yard, shall be landscaped in a manner consistent with the Vistoso Community landscaping theme.
- (5) Prior approval is required for accent features of non-indigenous plants, ground covers and yard ornaments.
- (6) All landscaping must be installed in accordance with a plan approved by the Design Review Committee. The objective of the landscaping is to generally create green zones and to screen, accent, soften and improve the visual character of Rancho Vistoso. All plant material should be water conserving and generally compatible with the plant materials listed in the Recommended Plant List.
- (7) All landscaping should reflect the Southwest character of the development:
- a. Rocks and boulders, patios, sidewalks, courtyards and walls may be used to supplement landscaping design.
 - b. The only inorganic ground cover that will be approved by the Committee in areas outside the rear privacy walls is crushed rock. Decomposed granite is not allowed outside the privacy walls.
 - c. Pavers, subject to Committee approval, can be used in proportion to the overall landscape of the front yard, provided they do not become the dominant feature of the front yard landscaping.
- (8) No tree, shrub or plant of any kind on any Lot or Parcel may overhang or otherwise encroach upon any public sidewalk or other public pedestrian way or bikeway from ground level to a height of 8' (eight feet) without prior approval of the Committee.
- (9) All Tree stumps must be ground up and removed upon tree removal and replacement.
- (10) Turf is an approved ground cover in areas completely confined by privacy walls. Turf must be installed and maintained in compliance with the following conditions:
- a. Common Bermuda grass, Fountain grass and all other grasses prohibited on the Prohibited Plant List of this document together with all Pima County and the Town of Oro Valley restricted grasses shall be prohibited on any area of any lot. Installation of grasses shall not interfere with lot drainage or cause seepage problems through property walls, etc.
- (10) When installing landscaping and/or irrigation, care should be given to maintaining proper grading on the Lot to eliminate any undue drainage onto neighboring Lots. Irrigation systems should not produce excessive watering on walls so as to cause structural damage to party walls.
- (11) Accent walls and/or courtyard walls placed entirely on an Owner's property shall not exceed 3' (three feet) in height. **ONLY ACCENT OR COURTYARD WALLS ARE ALLOWED IN FRONT YARD.**

Such walls shall not be installed any further forward than 1/3 of the distance from the front of the house structure to the sidewalk and must be in an appropriate proportional percentage to the front yard area. In

addition, such walls shall be stuccoed and painted to match the base color of the house or shall be another color or material as approved by the Committee.

(12) Temporary fencing, staking and plant protection shade cloths must be properly maintained when visible from neighboring properties.

(13) For color selections on Yardscaping materials, refer to Section F., Exterior Paint & Yardscape Color Standards.

(14) Theme Landscaping (i.e., sculptured trees/bushes that reflect animals and/or other architectural designs) will be reviewed on a case-by-case basis.

(15) Trellises will be approved, when used near the structure or near property walls, providing no effect of raising the height of the wall results from such placement and that the height does not exceed 8' (eight feet).

(16) Fountains are not permitted in the front yard per Town of Oro Valley Code. Back yard fountains cannot exceed 5 feet.

I. SIGNAGE

Section 1: Common Project Sign Projects:

See list of signs in Section 3 and Section 4 of this project topic.

Section 2: Submittal requirements (needed for Committee Review):

Signs requiring Committee review, recommendation and Board approval must designate the number of signs to be placed, size of all signs, colors associated with each sign, design and message content of each sign, community location of each sign, and construction material type of each sign. Signs requiring Management Company approval only (as designated in Section 3) will not require a Committee Review process.

Section 3: General Association Guidelines (expected approved uses):

Signs requiring Management Company approval only (verbal authorization) - temporary, one-time usage signs or permanent lot identification signs:

(1) Property For Sale/Lease Signs: One (1), post-mounted, not to exceed 5' high "For Sale/Lease by Realtor/Owner" sign (professionally designed and mounted) is permitted per property lot and placed only on the specific home for sale. The sign shall not exceed eighteen by twenty-four inches, and the sign rider shall not exceed six by twenty-four inches. The sign for the lot is to be removed when the home is either sold or removed from the resell market listing. This sign is prohibited from being placed on Association common areas, nature trails/paths, buffer zones, walls, and/or builder construction lots (unless specific to that lot). An additional one (1) small, ground level bandit and/or A-frame realtor sign (similar in design and less than 24" in height) is permitted only in Association buffer zones from Saturday, 8:00am through Sunday 6:00pm. No other "For Sale/Lease Realtor/Owner" signs are permitted for posting. No flyer-type (paper) "For Sale/Lease Realtor/Owner" signs are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal/mail units, Town of Oro Valley right-of-ways, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage or buffer walls/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content, location, and type as directed by the Board of Directors.

(2) Open House: In conjunction with the "For Sale/Lease Realtor/Owner" sign, a lot owner may also have one (1) sign (professionally designed and mounted) announcing an open house event on the lot and one (1) small, ground level bandit and/or A-Frame realtor sign (similar in design and less than 24" in height) only in Association buffer zones for the duration of open house. No flyer-type (paper) signs for open houses are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal mail units, regulatory poles/signs, utility boxes, fire hydrants, entryway monuments/signage, Town of Oro Valley rights-of-ways, or buffer walls/plantings. Signs submitted for approval to the Management Company must conform to color, design, size, message content, location, and type as directed by the Board of Directors.

(3) Lost/Found: Signs placed within the community by members notating lost pets, personal articles will be permitted for three (3) days. After three days, the Management Company will remove these signs

(4) Construction Signs: Temporary pool and construction signs as required by governmental agencies, and not self-illuminating, to be removed upon completion of the project.

(5) Vehicular for Sale Signs: Vehicular for sale signs are permitted on vehicles within the community, providing signs are placed in vehicle windows, made of quality construction material or store bought signs (no signage

painted on vehicle and/or hand written on windows). No Vehicular for Sale signs are allowed for postings on lots, parcels, common areas, buffer zones, model homes, postal/mail units, regulatory poles/signs, utility boxes, Town of Oro Valley right-of-ways, fire hydrants, or buffer walls/plantings.

(6) Vehicle Advertising: No advertising on vehicles is permitted if said vehicle is visible from neighboring property without specific approval of the Committee. If Committee approval is granted, it may be with limited, minimal space and lettering.

(7) Political Signs: During political seasons, one sign for elections not to exceed 71 days in advance of election day event, and must be removed within 3 days of the election event. The signs may not exceed 24" x 24".

(8) Home Security Signs: Alarm/security identification signs are permitted without Board approval, providing signs are placed on lots within three (3) feet of structure, no more than 18" to top of sign, and not self-illuminating. Signs posted in a window, will be permitted, 1 per house not to exceed 18" by 18".

Section 4: Specific approval conditions, exclusions:

Other signs (as noted below) are not permitted in the community without proper authorization from the Board of Directors as submitted through the Committee. The management company for the Association is authorized to permit only those signs designated in Section 3 above without following the Committee submittal process (unless the management company deems it necessary for a particular sign to be reviewed by the Committee and approved by the Board).

1. Neighborhood watch signs
2. Identification signs for residential usage that number more than one (1) per lot or are larger than 72 square inches.

The following signs are prohibited:

1. Home business identification signs
2. Commercial Advertising

J. ORNAMENTATION

Section 1: Common Ornamentation Projects:

- (1) Yard Furniture
- (2) Exterior Wall Ornamentation
- (3) Yard Ornaments
- (4) Holiday Decorations
- (5) Roof Ornamentation
- (6) Statues/Sculptures
- (7) Hanging Ornamentation (Flags, Wind Socks, Banners)

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout should include location where ornamentation is to be installed, description of ornamentation, proposed color, design and dimensions of ornamentation. Sample brochures, pictorial drawings or photographs are helpful. No submittal is required for holiday decorations that are consistent with the theme and timing of the applicable holiday. No submittal is required for lawn furniture or lawn ornaments placed in the rear yard area. Displaying the American flag, utilizing a staff pole and bracket mounted to the main building or suspending the flag downward from the roof overhang, will be allowed without a submittal. Any flag so displayed shall not exceed 30 square feet in area. In no case, shall the flagpole exceed the lowest roof height of the home, excluding patio covers.

Section 3: General Association Guidelines (expected approved uses):

In general, the Association promotes ornamentation in harmony with the surrounding Southwestern desert theme and colors. Furniture, wall ornamentation and yard ornamentation should be used in unobtrusive proportion to the size of the house and yard. Observance of holiday and patriotic events is permitted by the Committee with appropriate colors and decorations.

Section 4: Specific approval conditions, exclusions:

- (1) Permanent placement of lawn/garden patio furniture or decorative wrought iron furniture/benches in front yard does require approval.
- (2) For specific color choices on ornamentation projects, refer to Section F., Exterior Paint and Yardscape Color Standards.
- (3) Holiday decorations - can be installed 30 days prior to the holiday and must be removed 20 days after the holiday associated with the decorations.
- (4) Permanent roof-mounted ornamentation is not permitted.
- (5) Freestanding or ground-mounted flagpoles are permitted.
- (6) Flags displaying advertising are not permitted.
- (7) Permanent placement of lawn/garden ornamentation in driveways is not permitted.

Displaying of the American Flag:

1. The American flag or an official or replica of a flag of the United States, Army, Navy, Air Force, Marine Corps or Coast Guard by a unit owner on that unit owner's property must be displayed in a manner consistent with the federal flag code. The POW/MIA flag, Arizona State flag, Arizona Indian Nations flag and the Gadsden flag may also be flown.
2. Bracket mounted flagpoles
 - a. Must be mounted on the body of the house. Brackets cannot be mounted on the roof or roof eaves.
 - b. Flags may not exceed 3 x 5 feet.
 - c. Flagpoles for bracket-mounted flags must be burnished aluminum (non-shiny), wood, or painted to match the main color of the house.
3. Ground mounted flagpoles
 - a. Cannot exceed 20 feet in height. The minimum distance of the flagpole from any wall, lot line, sidewalk or other public traffic area shall be at least the height of the flagpole.
 - b. Ground mounted flagpoles 10 feet or under in height may be burnished aluminum (non-shiny), wood color, or painted to match the main house color, or bronze (non-shiny). Ground mounted flagpoles 10-20 feet in height must be painted to match the main house color.
 - c. Flags displayed on ground mounted flagpoles must be in proportion to the height of the flagpole and in no case may exceed 4 x 6 feet in size.
4. Any American Flag displayed may only be displayed from sunrise to sunset, unless appropriate lighting is installed that properly illuminates the flag without disturbing the quiet use and enjoyment of any neighboring property. Any proposed lighting must be approved in advance by the Committee.
5. In all instances where the US Flag is flown, proper etiquette shall be followed, as outlined in the US Flag Code.

K. WALLS, GATES, WROUGHT IRON AND RAILINGS

Section 1: Common Enclosure Projects:

- (1) Walls (Privacy, Party, Buffer)
- (2) Gates/Gate Screening
- (3) Wrought Iron
- (4) Railings
- (5) Wrought Iron Screening

Section 2: Submittal requirements (needed for Committee review):

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

Section 3: General Association Guidelines (expected approved uses):

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

Section 4: Specific approval conditions, exclusions:

- (1) Residential walls and fences in "normal" conditions shall be a maximum of six 6' (six feet) and a minimum of five 5' in height (five feet) as measured from the lowest adjacent average finished grade measured on the outside of the wall. Closely spaced parallel walls shall be disapproved.
- (2) Prior to the construction of any fence or wall, plans indicating materials to be used and location shall be submitted to the Committee for approval. The Owner prior to construction shall verify property lines.
- (3) In the event of a dispute regarding rebuilding of a party wall or party fence with respect to the sharing of the cost thereof, this matter will remain between the adjoining owners to resolve. Resolution will not become the responsibility of the Association.
- (4) Fences or walls installed as part of a home's original construction will not be removed, altered or painted without the Committee's prior written approval.
- (5) All CMU block walls visible from any street, parking area or open space within the community will be constructed and finished to match the community's original construction standards.
- (6) Permitted exterior finished materials for walls include plastered unit masonry, adobe, slump, split or textured decorative block. Other materials must be approved by the Architectural Review Committee.
- (7) Wrought iron screening - refer to Section F., Exterior Paint & Yardscape Color Standards for appropriate color selection.

L. ANTENNAE AND SATELLITE DISHES

Section 1: Common Antenna Projects:

- (1) Conventional
- (2) Dish/Microwave
- (3) Cabling/Mounting Hardware

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout should include proposed location, type of antenna or satellite dish, dimensions and screening/camouflaging if applicable.

Section 3: General Association Guidelines (expected approved uses):

Antenna definitions:

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

Section 4: Specific approval conditions, exclusions:

- (1) Dishes and antennas shall be allowed to the extent permitted by the Telecommunications Act of 1996 as amended. The Association reserves the right to require reasonable screening and camouflaging in the Association's sole discretion. Further, the Association reserves the right to deny or restrict any antenna or dish or related equipment that exceeds the scope of the "Act".
- (2) Prior to installation of an antenna or satellite dish, it is advisable to submit plans depicting the location and type of the device to the Committee for review in order to assure that an Owner will not have to modify location and, thereby, incur unnecessary costs at a later date. In general, antennas and satellite dishes should be placed so as not to be visible from neighboring Properties, i.e. ground-mounted; or, as an alternative, they should be screened with landscaping or camouflaged to mitigate visual impacts. In no event, however, per FCC regulations, shall any satellite dish/antenna installation be restricted so as to:
 - a. Impair an Owner's ability to receive signals,
 - b. Unreasonably delay or prevent installation, maintenance or use of such a device,
 - c. Unreasonably increase cost of installation, maintenance or use of such device, or
 - d. Preclude reception of an acceptable quality signal.
- (3) Any visible cables and mounting hardware must be painted to match the surface to which they are adjacent.
- (4) Cables should be secured to the home in order to prevent shifting.

M. DOORS/WINDOWS/AWNINGS

Section 1: Common Door/Window/Awning Projects:

- (1) Internal Window Treatments
- (2) Screen Doors
- (3) Security Doors
- (4) Gated Entries
- (5) Window Framing
- (6) Sunscreens (solar and film)
- (7) Gutters
- (8) Rolling Shutters
- (9) Exterior Awnings
- (10) Garage Doors
- (11) Sail Shades reference Fabric Gazebos

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout should include location of installation, with description, proposed color, design and dimensions. Sample brochures, pictorial drawings or photographs are required.

Section 3: General Association Guidelines (expected approved uses):

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

Section 4: Specific approval conditions, exclusions:

- (1) Gutters and downspouts shall closely match the color of the surface to which the gutter/downspouts are to be attached (highly reflective aluminum is prohibited).
- (2) Sunscreen material shall be black, bronze, or match existing screen color (no white or bright color screening material).
- (3) Plastic sheeting material, when Visible from Neighboring Property is not permitted as an awning for patios and balconies.
- (4) Security doors shall be fabricated of welded steel tube or wrought iron (for approved colors, refer to Section F).
- (5) No highly reflective material may be installed in windows or doors.
- (6) Exterior metal window treatment (bars) will be considered on a case-by-case basis and window-by-window basis, and will be required to meet the highest aesthetic standards. All wrought iron window treatment submittals will require prior written approval from the Committee to include the specific windows approved and wrought iron design for each window. Generally speaking, any approved window wrought iron must be installed flush with the surrounding wall section and painted the color of the home with custom design characteristics. Installation of well designed, custom wrought iron window treatments may be considered for approval, whereas, less aesthetically pleasing "bars over windows" would be less likely to be approved.

(7) Exterior awnings (cloth)

- a. Metal framing shall be beige or other color as approved by Committee.
- b. Awnings are permitted in the rear yard area only (no front or side elevation awnings).
- c. One awning is permitted in lieu of or in addition to a rear covered patio structure, the dimensions of the patio area/awning shall not extend out from the house more than 12' (twelve feet) from the access door and, at full extension, shall not be any closer than 5' (five feet) from any privacy wall. The width of the awning across the structure shall not exceed 20' (twenty feet).
- d. Awnings must be maintained in good condition at all times.
- e. Plastic, metal or aluminum awning material are not allowed (except frame).
- f. Awnings are restricted to lower story only.
- g. Only solid color to match main exterior house color (not trim color).
- h. No ground mounted vertical supports.

(8) Rolling shutter assemblies shall match the color of home and/or window trim area. All rolling shutter installations require specific written approval of the Committee.

N. ROOF MOUNTED DEVICES

Section 1: Common Roof Mounted Projects:

- (1) Solar Heaters/Panels
- (2) Solatube
- (3) Skylights
- (4) Roof Ventilators
- (5) External Gable Ventilator
- (6) Solar Panels (see appendix c)

Section 2: Submittal requirements (needed for Committee review):

Dimensional layout of the area where the roof-mounted device is to be installed on property/structure, type of device, dimensions of device, proposed color of device and, if available, a pictorial/brochure of the device to be installed. Mechanical equipment including evaporative coolers will not be allowed on any roof. As such, all mechanical equipment is to be ground-mounted and located within privacy walls.

Section 3: General Association Guidelines (expected approved uses):

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

Section 4: Specific approval conditions, exclusions:

(1) Roof-mounted devices such as solatubes and skylights shall have flashing colored or painted to closely match the adjacent roof color. All glazing shall be solar bronze or clear; white glazing is not allowed.

(2) Solar applications such as panels or heaters will be considered on a case-by-case basis. Ideally, solar applications should be an integral part of and should be concealed by the Structure itself or be ground-mounted within a private yard area further concealed by landscaping. The exposure of the installation should be minimized to the greatest extent possible to adjacent Lots, Common Areas or to the Vistoso Community. In the event that installation must be on a pitched roof area of the Structure, the following conditions apply:

- a. Solar collectors are to comply with ARS Section 33-1816 as amended.
- b. The lines extending from the panels to ground level are to be painted to match the color of the house.
- c. Lines on the roof are to be painted to match the color of the roof tile or roofing material.
- d. Panels that are or become faded, cracked or discolored by the sun shall be replaced or repaired at the owner's expense.

O. ROOFING

Section 1: Common Roofing Projects:

- (1) Structural Additions (refer to Section B., Structural Additions)
- (2) Maintenance or Repair

Section 2: Submittal requirements (needed for Committee review):

In general, roofing material is installed as part of the home's original construction. The approval of this roofing material was included in the architectural approval of the models that were submitted specifically for the Vistoso Community by each Builder-Developer prior to the commencement of any construction.

Section 3: General Association Guidelines (expected approved uses):

The material and color of the roofing are to be maintained and shall remain or be replaced as originally specified and installed. As such, no submittal with respect to maintenance or repair work is required.

Section 4: Specific approval conditions, exclusions:

- (1) White, off-white, aluminum or other highly reflective coatings or colors will not be permitted on rear porch roof.
- (2) Structural addition roofing shall match the roof of the existing house in the color/style of material and installation. Aluminum flashing material must be painted to match the existing house color. Roof vents and other miscellaneous roof penetrations must be colored or painted to match the adjacent roof color.

P. MISCELLANEOUS

Section 1: Miscellaneous Items:

1. Trash Containers
2. Maintenance Equipment (tools, ladders hoses)
3. Mailboxes
4. Animals
5. Duty of Maintenance

Section 2: Submittal requirements (needed for Committee Review):

Submittal is required for any changes to mailbox and/or post.

Section 3: General Association Guidelines (expected approved uses):

- (1) Trash Containers – Trash cans are allowed out from dusk the night prior to pick up on trash day and need to be removed the following day
- (2) Trash Container Storage:
 - a. Must make every reasonable effort for containers not to be visible from the street and to place them so they are not visible from neighboring properties.
 - b. Contact management when and if cans will be out other than on the designated pick up day or for an extended period of time.
- (3) Animals
 - a. No animal, livestock, poultry or fowl of any kind other than a reasonable number of generally recognized house pets.
- (4) Duty of Maintenance:
 - (a). Yards should be kept free from trash, tree debris (mesquite bean pods), weeds, and be maintained to promote enhanced curb appeal
 - (b). All equipment such as ladders, tools, garden hoses should be stored away not visible from neighboring properties.
 - (c). Toys, bikes, and other miscellaneous items should also be stored from view when not in use.
 - (d). Any other materials or trash should be removed from view for example, pallets, cardboard boxes, oil pans but not limited to those items.

APPENDIX A Recommended Plant List

The following plants are recommended for use in common project landscape Improvements in Vistoso Community.

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

TREES

Acacia abyssinica	Abyssinian Acacia
Acacia aneura	Mulga Acacia
Acacia berlandieri	Guajillo
Acacia constricta	Whitethorn Acacia
Acacia farnesiana 'Sweet Sierra'	Podless Sweet Acacia
Acacia greggii	Catclaw Acacia
Acacia pendula	Weeping Acacia
Acacia schaffneri	Twisted Acacia
Acacia willardiana	Palo Blanco
Caesalpinia mexicana	Yellow Mexican Bird of Paradise
Callistemon citrinus	Lemon Bottlebrush
Celtis pallida	Desert Hackberry
Celtis reticulata	Netleaf or Western Hackberry
Cercis canadensis var. mexicana	Mexican Redbud
Chilopsis linearis	Desert Willow
Cordia boissieri	Texas Olive
Ebenopsis ebano	Texas Ebony
Eysenhardtia orthocarpa	Kidneywood
Fraxinus greggii 'Libby Davison'	Littleleaf Ash
Fraxinus velutina 'Bonita', cvs. to 20'	Velvet Ash
Leucaena retusa	Golden Leadball
Lysiloma watsonii var. thornberi	Feather Bush
Olneya tesota	Desert Ironwood
Parkinsonia 'Desert Museum'	Desert Museum Palo Verde
Parkinsonia floridum	Blue Palo Verde
Parkinsonia microphyllum	Littleleaf or Foothill Palo Verde
Parkinsonia praecox	Palo Brea
Pistacia lentiscus	Mastic
Prosopis ssp.	Mesquite
Sambucus mexicana	Mexican Elderberry
Sophora secundiflora	Texas Mountain Laurel
Ungnadia speciosa	Mexican Buckeye
Vitex agnus-castus	Chaste Tree, Monk's Pepper

APPENDIX A (cont'd)

SHRUBS

<i>Acacia angustissima</i>	White Ball Acacia
<i>Acacia cultriformis</i>	Knife-leaf Acacia
<i>Acacia greggii</i>	Cat-claw Acacia
<i>Aloysia wrightii</i>	Wright's Oregano, Lemon Verbena
<i>Ambrosia dumosa</i>	White Bursage
<i>Anisacanthus thurberi</i>	Desert Honeysuckle
<i>Asclepias linaria</i>	PineLeaf Milkweed
<i>Asclepias tuberosa</i>	Butterfly Milkweed
<i>Atriplex canescens</i>	Four-Wing Saltbush
<i>Atriplex lentiformis breweri</i>	Brewer Saltbush
<i>Atriplex polycarpa</i>	Desert Saltbush
<i>Buddleia marrubifolia</i>	Wooly Butterfly Bush
<i>Caesalpinia gilliesii</i>	Yellow Bird of Paradise
<i>Caesalpinia mexicana</i>	Mexican Bird of Paradise (yellow)
<i>Caesalpinia pulcherrima</i>	Mexican Red Bird of Paradise
<i>Calliandra californica</i>	Baja Fairy Duster
<i>Calliandra eriophylla</i>	Fairy Duster
<i>Celtis pallida (ehrenbergia)</i>	Desert Hackberry
<i>Cordia parvifolia</i>	Littleleaf Cordia
<i>Cotoneaster spp.</i>	Cotoneaster
<i>Dalea spp.</i>	Dalea
<i>Dodonaea viscosa</i>	Hopseed Bush
<i>Encelia farinosa</i>	Brittlebush
<i>Eremophila maculata</i>	Emu Bush
<i>Ericameria laricifolia</i>	Turpentine Bush
<i>Eriogonum fasciculatum var. poliofolium</i>	Flattop Buckwheat
<i>Fallugia paradoxa</i>	Apache Plume
<i>Fraxinus greggii</i>	Gregg's Evergreen Ash
<i>Hyptis emoryi</i>	Desert Lavender
<i>Jatropha cardiophylla</i>	Limberbush
<i>Justicia californica</i>	Chuparosa
<i>Justicia spicigera</i>	Mexican Honeysuckle
<i>Lantana spp.</i>	Lantana
<i>Larrea tridentata (divaricata)</i>	Creosote Bush, Greasewood
<i>Leucophyllum spp.</i>	Texas Ranger, Rain Sage
<i>Lycium exsertum</i>	Lycium
<i>Lycium fremontii</i>	Wolfberry
<i>Mimosa biuncifera</i>	Wait-a-Minute Bush
<i>Photinia fraseri</i>	Fraser's Photinia
<i>Poliomintha maderensis</i>	Mexican Oregano

APPENDIX A (cont'd)

SHRUBS (cont'd)

<i>Rhus microphylla</i>	Littleleaf Sumac
<i>Rhus ovata</i>	Sugar Bush, Sugar Sumac
<i>Rosa Banksiae</i>	Lady Bank's Rose
<i>Rosmarinus</i> spp.	Rosemary
<i>Ruellia brittoniana</i>	Mexican Petunia
<i>Ruellia californica</i>	Sonoran Desert Ruellia
<i>Ruellia peninsularis</i>	Baja Ruellia
<i>Salvia clevelandii</i>	Cleveland Sage
<i>Salvia greggii</i> cvs.	Salvia
<i>Salvia leucantha</i>	Purple Mexican Bush Sage
<i>Santolina</i> spp.	Santolina
<i>Senna artemisioides</i>	Feathery Senna
<i>Senna wislizenii</i>	Cassia, Shrubby Senna
<i>Simmondsia chinensis</i>	Jojoba, Goat Nut
<i>Tecoma hybrids</i>	Orange Bells
<i>Tecoma stans angustata</i>	Yellow Bells
<i>Teucrium chamaedrys</i>	Germander
<i>Vauquelinia californica</i>	Arizona Rosewood

ACCENTS

<i>Agave americana</i>	Century Plant
<i>Agave americana</i> var. <i>marginata</i>	Variegated Century Plant
<i>Agave americana</i> var. <i>medio-picta</i>	White Striped Century Plant
Agave 'Blue Glow'	Blue Glow Agave
<i>Agave bovicornuta</i>	Cow's Horn Agave
<i>Agave colorata</i>	Mescal Ceniza
<i>Agave filifera</i>	Agave
<i>Agave havardiana</i>	Havard's Century Plant
<i>Agave lophantha</i> (<i>univittata</i>)	Agave
<i>Agave macrocartha</i>	Black-Spine Agave
<i>Agave murpheyi</i>	Murphey's Agave
<i>Agave ocahui</i>	Acahui Agave
<i>Agave ovatifolia</i>	Whale's Tongue Agave
<i>Agave palmeri</i>	Palmer Agave
<i>Agave parryi huachucensis</i>	Huachuca Agave
<i>Agave parryi truncata</i>	Artichoke Agave
<i>Agave victoriae-reginae</i>	Victoria Regina Agave
<i>Agave vilmoriniana</i>	Octopus Agave

APPENDIX A (cont'd)

ACCENTS (cont'd)

Agave weberi	Weber's Agave
Aloe barbadensis	Aloe Vera
Aloe 'Blue Elf'	Blue Elf Aloe
Aloe ferox	Cape Aloe
Asclepias subulata	Desert Milkweed
Bulbine frutescens	Bulbine
Carnegiea gigantea	Saguaro
Cephalocereus senilis	Old Man Cactus
Cereus peruvianus	Peruvian Apple Cactus
Cereus peruvianus 'Monstrosus'	Peruvian Apple Cactus
Cleistocactus strausii	Silver Torch Cactus
Dasyliirion acrotriche	Green Desert Spoon
Dasyliirion quadrangulatum	Toothless Desert Spoon
Dasyliirion wheeleri	Desert Spoon
Echinocactus grusonii	Golden Barrel
Echinocereus spp.	Hedgehog, Rainbow Cactus
Echinopsis candicans	Argentine Giant
Echinopsis hybrids	Easter Lily Cactus
Echinopsis terscheckii	Argentine Saguaro
Euphorbia antisiphilitica	Candelilla
Euphorbia resinifera	Moroccan Mound
Ferocactus spp.	Barrel Cactus
Fouquieria splendens	Ocotillo
Hesperaloe funifera	Giant Hesperaloe
Hesperaloe parviflora	Red Yucca
Mammillaria spp.	Mammillaria Cactus
Muhlenbergia spp.	Muhly
Nolina microcarpa	Bear Grass
Opuntia spp.	Prickly Pear, Cholla
Pachycereus marginatus	Mexican Fence Post
Pachycereus schottii 'Monstrosus'	Totem Pole Cactus
Pedilanthus marocarpus	Lady's Slipper
Stenocereus (Lemaireocereus) thurberi	Organ Pipe Cactus
Trichocereus spp.	Trichocereus Cactus
Yucca glauca	Small Soapweed Yucca
Yucca schottii	Mountain Yucca
Yucca spp.	Yucca

APPENDIX A (cont'd)

ANNUALS AND PERENNIALS

Aster bigelovii	Aster
Aster tanacetifolius	Aster
Bahia absinthifolia	Desert Daisy
Bailey multiradiata	Desert Marigold
Convolvulus spp.	Bush Morning Glory
Gaura lindheimeri	Gaura
Lupinus arizonicus	Lupine
Lupinus sparsiflorus	Desert Lupine
Lupinus succulentus	Arroyo Lupine
Penstemon baccharifolius	Cutleaf Penstemon
Penstemon barbatus	Beardtongue Penstemon
Penstemon eatoni	Eaton's Penstemon
Penstemon spp.	Penstemon
Penstemon superbus	Superb Penstemon
Psilostrophe cooperi	Paper Flower
Salvia chamaedryoides	Blue Chihuahuan Sage
Salvia farinacea	Mealy-cup Sage
Senna covesii	Desert Senna
Sphaeralcea ambigua	Globe Mallow
Viguiera deltoidea var. parishii	Golden Eye
Zinna acerosa	Desert Zinna
Zinna grandiflora	Rocky Mountain Zinnia
GROUNDCOVERS	
Acacia redolens 'Desert Carpet'	Prostrate Acacia
Chrysactinea mexicana	Damianita
Dalea capitata	Dalea
Dalea greggii	Trailing Indigo Bush
Euphorbia rigida	Gopher Plant
Lantana hybrid 'New Gold'	New Gold Lantana
Melampodium leucanthum	Blackfoot Daisy
Oenothera stubbei	Chihuahuan Evening Primrose
Rosemarinus officinalis 'Huntington Carpet'	Prostrate Rosemary
Rosemarinus officinalis 'Prostratus'	Trailing Rosemary
Santolina chamaecyparissus	Lavender Cotton
Santolina virens	Green Santolina
Teucrium chamaedrys	Trailing Germander
Teucrium majoricum 'Mediterranean Carpet'	Mediterranean Carpet
Verbena spp.	Verbena

APPENDIX A (cont'd)

VINES

Antigonon leptopus	Queen's Wreath
Bignonia capreolata	Cross Vine
Bougainvillea spp.	Bougainvillea
Campsis radicans	Trumpet Creeper
Cissus spp.	Grape Ivy
Ficus pumila	Creeping Fig
Gelsemium sempervirens	Carolina Jasmine
Hardenbergia violacea	Lilac Vine
Hedera spp.	Ivy
Lonicera japonica 'Halliana'	Hall's Honeysuckle
Lonicera sempervirens	Coral Honeysuckle
Lonicera x americana 'Pam's Pink'	Pam's Pink Honeysuckle
Lonicera x heckrottii	Gold Flame Honeysuckle
Macfadyena unguis-cati	Cat's Claw Vine
Passiflora foetida	Passion Vine
Pyracantha spp.	Pyracantha
Rosa banksiae	Lady Bank's Rose
Rosa spp.	Climbing Rose
Trachelospermum jasminoides	Star Jasmine
Wisteria sinensis	Chinese Wisteria

OASIS ZONES

(landscaping zone close to the home in which high water use is available)

OASIS ZONE TREES

Albizia julibrissin	Mimosa
Eriobotrya japonica	Loquat
Lagerstroemia indica	Crape Myrtle
Magnolia grandiflora 'Little Gem'	Little Gem Magnolia
Photinia fraseri	Fraser's Photinia
Podocarpus macrophyllus	Yew Pine
Prunus cerasifera 'Krauter Vesuvius'	Purple Leaf Plum
Punica granatum	Pomegranate

APPENDIX A (cont'd)

OASIS ZONE SHRUBS

<i>Abelia grandiflora</i>	Glossy Abelia
<i>Acanthus mollis</i>	Bear's Breech
<i>Aucuba japonica</i>	Japanese Aucuba
<i>Bougainvillea</i>	Bougainvillea
<i>Buxus microphylla japonica</i>	Boxwood
<i>Calistemon viminalis</i> 'Little John'	Little John Dwarf Bottlebrush
<i>Euonymus</i> spp.	Boxleaf
<i>Euryops pectinatus</i>	Euryops Daisy
<i>Fatshedera lizei</i>	Fatshedera
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Gardenia jasminoides</i>	Gardenia
<i>Hamelia patens</i>	Firecracker Bush
<i>Hibiscus rosa-sinensis</i>	Hibiscus
<i>Ilex cornuta</i>	Chinese Holly
<i>Jasminum mesnyi</i>	Primrose Jasmine
<i>Jasminum</i> spp.	Jasmine
<i>Myrtus communis</i> 'Boetica'	Myrtle
<i>Myrtus communis</i> 'Compacta'	Myrtle
<i>Nandina domestica</i>	Heavenly Bamboo
<i>Philodendron selloum</i>	Split Leaf Philodendron
<i>Pittosporum tobira</i>	Mock Orange
<i>Pittosporum tobira</i> 'Variegata'	Variegated Mock Orange
<i>Pittosporum tobira</i> 'Wheeleri'	Wheeler's Dwarf Mock Orange
<i>Plumbago auriculata</i>	Cape Plumbago
<i>Podocarpus gracillior</i>	Fern Pine
<i>Podocarpus macrophyllus</i>	Yew Pine
<i>Podocarpus macrophyllus</i> 'Maki'	Compact Yew Pine
<i>Punica granatum</i>	Pomegranate
<i>Raphiolepis indica</i> cvs. to 4'	Indian Hawthorne
<i>Rosa</i> hybrids	Rose
<i>Russelia equisetiformis</i>	Coral Fountain
<i>Strelitzia regina</i>	African Bird of Paradise
<i>Tagetes palmeri</i>	Mount Lemmon Marigold
<i>Tecomaria capensis</i>	Cape Honeysuckle
<i>Xylosma congestum</i>	Shiny Xylosma

APPENDIX A (cont'd)

OASIS ZONE ACCENTS

Agapanthus spp.	Blue Lily of the Nile
Asclepias curassavica	Blood Flower
Asparagus densiflorus 'Myers'	Foxtail Fern
Beaucarnea recurvata	Ponytail Palm
Brahea armata	Mexican Blue Palm
Butia capitata	Pindo Palm
Chamaerops humilis	Mediterranean Fan Palm
Cycas revoluta	Sago Palm
Cyperus alternifolius	Umbrella Plant
Equisetum hyemale	Horsetail
Moraea bicolor	Fortnight Lily
Morea iridioides	Butterfly Iris
Phoenix roebelenii	Pygmy Date Palm
Sabal minor	Palmetto Palm
Trachycarpus fortunei	Windmill Palm

OASIS ZONE GROUNDCOVERS

Aptenia cordifolia	Hearts and Flowers
Asparagus densiflorus sprengeri	Asparagus Fern
Juniperus spp.	Juniper
Liriope muscari	Liriope
Myoporum parvifolium	Trailing Myoporum
Ophiopogon japonicus	Mondo Grass
Ruellia brittoniana 'Baby Katie'	Dwarf Ruellia
Tradescantia pallida 'Purpurea'	Purple Heart

Appendix B

RANCHO VISTOSO NOT RECOMMENDED/PROHIBITED PLANT LIST

1. Any species of tree or shrub whose mature height may reasonably be expected to exceed 25 feet, with the exception of those indigenous plants which may naturally exceed 25 feet.
2. All palms taller than, or expected to get larger than 20 feet in height. Palms are restricted to areas within the rear privacy walls and may not be located within 5 feet of property lines, nor permitted to overhang privacy walls. Use of palms is not recommended due to aesthetic in-consistency and high water use characteristics.
3. Large Oleanders/Thevetia or excessive use of Oleanders/Thevetia (*Nerium oleander*/*Thevetia* species). For the purpose of this section, large shall be defined as taller than 8 feet, wider than 5 feet per plant/tree. For the purpose of this section, excessive shall be defined as any "hedge" of plants longer than 6 feet, and "bulk" of plants larger than 10 square feet, or any use of this species as to dominate the landscaping of a particular lot or parcel. All Oleander/Thevetia plants must be located no closer than 4 feet from any sidewalk, 2 feet from any property line and must be trimmed to avoid any overhang of the plant onto neighboring property. Use of Oleander/Thevetia is not recommended for aesthetic reasons, as well as for their profuse production of pollen and high water use.
4. All large Citrus trees. For the purpose of this section, large is defined as taller than 8 feet as or wider than 8 feet. All citrus tree are restricted to rear yard areas and must be maintained so as to grow no closer than 3 feet from the privacy walls. Use of Citrus trees is not recommended due to their pollen producing and high water use characteristic.
5. All Pines (*Pinus*), Cypress (*Cupressus*), False Cypress (*Chamaecyparis*), Juniper or Cedar (*Juniperus*) taller than, or expected to get taller than 15 feet in height will be prohibited for aesthetic and high water use reasons.
6. Olive trees (*Olea europaea*) will be prohibited for reasons of their profuse production of allergy-producing pollen, as well as for aesthetic reasons.
7. Fountain Grass (*Pennisetum setaceum*) will be prohibited as a defined weed with the potential to spread throughout the development and also as a fire hazard.
8. Common Bermuda Grass (*Cynodon dactylon*) will be prohibited as a defined weed and for its profuse production of allergy-producing pollen.
9. Mineral landscape features such as ground covers and boulders will be limited to materials indigenous to the Rancho Vistoso area or materials similar in color and appearance to these materials.
10. Mexican Palo Verde (*Parkinsonia aculeata*) will be prohibited as harbinger of pests and its ability to spread throughout the development, thereby altering the present natural desert.
11. Mulberrys (*Morus*) will be prohibited as a noxious pollen producer.
12. Eucalyptus will be prohibited for aesthetic reasons and general inappropriateness within the desert environment.

Appendix B (cont'd)

THE FOLLOWING PLANTS ARE PROHIBITED DUE TO THEIR INVASIVE CHARACTERISTICS:

13. African Sumac - (*Rhus lancea*)
14. Giant Reed - (*Arundo donax*)
15. Bamboo Species - (*Bambusa* ssp.)
16. Tree of Heaven - (*Ailanthus altissima*)
17. Buffelgrass - (*Pennisetum ciliare*)
18. Chinaberry - (*Melia azedarach*)
19. Russian Olive - (*Eleagnus angustifolia*)

Plastic or artificial flowers and/or plants are not allowed.

*NOTE: All height measurements are measured from average natural grade level of the lot.

APPENDIX C

VISTOSO COMMUNITY ASSOCIATION Solar Energy Device Design Guidelines Supplement

The Vistoso Community Association Design Guidelines establish design review requirements for all types of projects. This supplement to the Design Guidelines provides a process for the Architectural Landscape & Review Committee (ALRC) to consider any proposed solar energy device installation project. This supplement applies to all Vistoso communities.

Every Owner has the right to install and maintain solar energy devices, subject to compliance with these design guidelines and upon the approval of the ALRC, after first providing a submittal to the ALRC and subsequently completing the procedures outlined herein. The Arizona Revised Statutes address the use of solar energy devices but allow the Association to create “reasonable rules regarding the placement of a solar energy device.” This supplement outlines the ALRC expectations and requirements for any solar energy device installation project.

This supplement consists of two sections: 1) Design Criteria; and, 2) Design Review Process and Submittal Requirements.

Section 1: Design Criteria

A: Placement

1. In reviewing any proposed location, the ALRC prefers locations that eliminate or minimize the potential visual exposure of the installation. In addition, their expectation is that the size or scope of any installation is consistent with the normal energy demands of a typical Residence within the Association.
2. In reviewing any proposed location, the ALRC considers: a) the potential visual exposure from adjacent streets or other Common Areas; b) the design integration with the Residence, Structure or other Improvements; and, c) the relationship to adjacent Lots.
3. A ground mounted installation is preferred if: a) the resulting potential visual exposure is reduced when compared to a similar roof mounted installation; b) the applicable setbacks to lot property lines are maintained; and, c) related visual mitigation screening (such as walls, landscape, etc.) is provided.
4. A roof mounted installation is preferred if the resulting potential visual exposure is reduced when compared to a similar ground mounted installation. In most instances, a roof mounted

installation on flat roof areas of the Residence or Structure is preferred to any installation on pitched roof areas of the Residence or Structure.

5. Any flat roof mounted installation is preferred to incorporate collectors or panels that: a) are mounted directly to and parallel with the roof plane; and, b) maintain a height profile that is below the height of the lowest surrounding parapet wall top condition.
6. Any pitched roof mounted installation is preferred to incorporate collectors or panels that: a) are mounted directly to and parallel with the roof plane; and, b) maintain a height profile that is below the height of the lowest adjacent roof ridge top or peak condition.

B: Appearance

As a part of the above placement criteria, the ALRC considers the appearance of the related equipment components of any installation. As applicable, these include but are not limited to mounting frames, hardware, piping, conduit, storage tanks, inverters, etc.

1. All related equipment components are preferred to be: a) concealed by the Residence, Structure or other Improvements; and/or, b) positioned below the footprint of the collectors or panels so as not to be visible.
2. Excluding the surface face of the collectors or panels, all related equipment components not complying with item number one above are considered to be visible. As applicable, visible components of the entire installation are preferred to: a) match the adjacent ground or roof material color; b) be a uniform dark color; or, c) match the adjacent surface finish color of the Residence, Structure or other Improvements whenever possible.
3. The finish color of the surface face of the collectors or panels should be considered when manufacturing options are available. Finish color options that are more compatible with the adjacent surface finish color of the Residence, Structure or other Improvements are preferred.

C: Modifications Prior to Approval

In considering any proposed solar energy device installation, the ALRC reserves the right to request reasonable modifications to any proposed installation prior to granting approval. However, such modifications will not unreasonably increase the cost and/or decrease the efficiency of the installation. No additional design review fee will be applicable to this type of request.

D: Submittal Requirements

In order for the ALRC to consider any proposed solar energy device installation project, the Owner or applicant must provide a submittal that contains the following minimum requirements outlined below.

1. A narrative describing the proposed project. Include sufficient detail to clearly outline the type, size and scope of the project.
2. Plan view drawing(s) to scale (i.e. site plan, floor plan, roof plan) showing the proposed project in relationship to the surrounding Residence, Structure or other Improvements.
3. Elevation view drawing(s) to scale showing the proposed project in relation to the surrounding Residence, Structure or other Improvements.
4. Cross section view drawing(s) to scale showing the proposed project in relation to the surrounding Residence, Structure or other Improvements.
5. Additional specific drawings, details, and information on related equipment components (i.e. mounting frames, hardware, piping or conduit, storage tanks, inverters, etc.) for the proposed project.
6. Manufacturer's product information (i.e. brochures, cut sheets, color finish selection, etc.) for all components of the proposed project.
7. Any other drawings, materials, samples, literature or other information that the Owner or applicant wants the ALRC to consider during their review.

In addition to the above minimum requirements, the ALRC reserves the right to request the Owner or applicant to provide additional drawings, materials, samples, literature, or other information to aid in the review process.

E: Review of Submittal

The ALRC shall conduct a review of the submittal during its regular scheduled monthly meeting. The ALRC reserves the right to allow a 30-calendar day period before completing their review of any submittal, provided that the submittal is in accordance with all of the requirements outlined above.