

STAMPED FOR SCANNING  
PURPOSES ONLY

**EXHIBIT C**

**DESIGN GUIDELINES**

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## **EXHIBIT C**

### **DESIGN GUIDELINES**

#### **SONOMA VERDE**

#### **SECTION I: INTRODUCTION**

##### **A. Vision**

Sonoma Verde provides a unique "Tuscan" character known for its beauty and appreciated by all. Standards and criteria aimed at ensuring a high quality appearance within Sonoma Verde are also intended to create a strong sense of community among Sonoma Verde residents. It is expected that these standards and criteria will result in the development of a community that Sonoma Verde residents are proud to call home.

##### **B. The Project**

Sonoma Verde is a residential community and a series of residential villages arranged in identifiable neighborhoods, each with its own distinct character. A continuous system of landscaped walks and greenbelts along the flood plain and spine road will link each residential village and civic center, providing a pedestrian network connecting the various villages, schools, parks, activity centers, and amenities.

Residential development is the primary land use in Sonoma Verde and includes many residential housing types and densities. The green belts are the focus of the development, providing recreational and scenic amenities.

Design guidelines for Sonoma Verde are intended to establish a framework that ensures high-quality development. Rigorous attention to the site's physical and visual attributes and aesthetics of all designed components ensures a community with enduring quality and timeless appeal.

##### **C. Community Image & Design Philosophy**

Sonoma Verde's design philosophy is intended to create a sense of community through the incorporation of common themes in the site planning and the design of streets, neighborhood patterns, open space, landscape architecture, architecture and building materials. Theme elements reference the natural materials and textures of the "Tuscan" style. The communities and streets take their names from the character and essence of the country. The whole becomes the sum of its parts, thus, creating a unified and cohesive community.

This design philosophy is realized through the site planning, the streetscape design, the treatment of open spaces and the expression of architecture.

Along with the design of the streetscape and community amenities, compatible and complementary architecture and appropriate materials further reinforce the sense of a unified and cohesive community.

## SONOMA VERDE

## SECTION II: REVIEW PROCEDURES

### A. PURPOSE AND SCOPE

These Design Guidelines have been prepared by the ARC. They have been developed to perpetuate the community visual integrity and design philosophy and are intended to ensure the creation of a pleasant physical environment both during and after construction. They have been established to explain design requirements and the design review process for development in Sonoma Verde. The Design Guidelines provide a framework that ensures a well-designed community while allowing for creative site design and diverse architectural solutions. They represent a commitment to Sonoma Verde future by encouraging sensitivity to the site and land use compatibility.

These Design Guidelines establish standards that are consistent with the special character and quality intended for Sonoma Verde. These standards are intended to assist design professionals, developers, builders and homeowners in the planning, design and implementation of site elements and improvements and to establish and maintain a community image that supports the natural and man-made environment of Sonoma Verde.

These Design Guidelines govern all property subject to the Declaration. Unless otherwise specifically stated in these Design Guidelines, all plans and materials for construction projects or design issues on a Residential Lot must be approved before construction activity begins. Unless otherwise specifically stated in these Design Guidelines, no structure may be erected upon any Residential Lot and no improvements (including staking, clearing, excavation, grading and other site work, exterior alteration of existing improvements, and planting or removal of landscaping materials) shall take place without receiving the prior written approval of the ARC.

While any Owner may remodel, paint, or redecorate the interior of his or her dwelling without approval, any exterior alteration, decoration, or construction visible from adjoining properties, the public right of way, or community open space requires approval. Where these Design Guidelines specifically allow an Owner to proceed without advance approval, such allowance shall only be effective so long as the Owner complies with the requirements of the stated guideline.

Owners are responsible for ensuring compliance with all requirements stated herein and also with those set forth in the Declaration and any subsequently adopted Declarations.

The ARC will determine if a violation to these Design Guidelines has occurred. In the event of any violation of these Design Guidelines, the Declarant or the ARC may take any action set forth in the Declaration. The Declarant or the ARC may remove or

remedy the violation and or seek injunctive relief requiring the removal or the remedying of the violation.

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In addition, the Declarant or the ARC shall be entitled to recover the costs incurred in enforcing compliance and/or impose a fine against the offending party, which fine will be as provided in the Fining Policy attached as Exhibit D to the Declaration. Because of the wide variety of construction techniques, materials and colors available, it is not possible to address every potential issue that may arise. Therefore, any details provided in an Application for Review or which arise on the Unit during construction or modification may be approved or disapproved by the ARC, as defined herein, at its sole discretion.

### **B. ADMINISTRATION, ENFORCEMENT AND INTERPERTATION**

#### **1. Declarant**

The Declarant has exclusive Jurisdiction over all matters relating to Design Review, until 100% of the Lots have been developed and conveyed to Owners who are not Builders and so long as Declarant has not terminated such rights in a written instrument in recordable form executed by Declarant (the period during which the Declarant exercises design control will hereinafter be referred to as the "Declarant Review Period").

During the Declarant Review Period, the Declarant shall review plans and specifications for and have jurisdiction over all alterations, construction, and landscaping issues on any Unit; shall be the conclusive interpreter of these Design Guidelines; shall monitor the effectiveness of these Design Guidelines; and may, but shall not be obligated to, promulgate additional design standards and review procedures as it deems appropriate.

Prior to the surrender or termination of this right, the Declarant may from time to time, but shall not be obligated to, delegate in writing all or a portion of its rights under this Section to the ARC appointed by the Declarant. In the event of such delegation, the ARC's jurisdiction shall be limited to such matters as are specifically delegated by the Declarant. In addition, any such delegation shall be subject to (i) the right of Declarant to revoke such delegation at any time and reassume jurisdiction over the matters previously delegated; and (ii) the right of Declarant to veto any decision which Declarant determines, in its sole discretion, to be inappropriate or inadvisable for any reason.

#### **2. Architectural Review Committee (ARC)**

Architectural control and design review for Sonoma Verde is handled by the Architectural Review Committee. The ARC has limited jurisdiction over those specific responsibilities delegated to it by the Declarant during the Declarant Review Period. Upon the expiration or termination of the Declarant Review Period, the ARC has jurisdiction over all matters relating to architecture and landscaping, as set forth in the Declaration. Following the Declarant Review Period, the ARC shall review plans and specifications for all improvements on any Unit, have jurisdiction over all improvements on any Unit, be the conclusive interpreter of these Design Guidelines, monitor the effectiveness of these Design Guidelines, and may promulgate

**3. Interpretation**

The provisions of these Design Guidelines shall be held to be the minimum requirements for the promotion of the health, safety, welfare, order and prosperity of the present and future inhabitants of Sonoma Verde. Where the conditions imposed by any provision of these Design Guidelines are less restrictive than comparable conditions imposed by a City or County permit requirement or building code or regulation, the more restrictive provision shall govern.

**4. Construction Permits**

These Design Guidelines have not been developed to approve of construction permits.

**C. AMENDMENTS  
TO  
DESIGN  
GUIDELINES**

The Declarant shall have sole and full authority to amend the Design Guidelines, until its jurisdiction is surrendered or terminated pursuant to the Declaration. If the Declarant's jurisdiction is so terminated or surrendered, the Board shall have authority to amend the Design Guidelines; provided, however, the Declarant's consent shall be required so long as the Declarant owns any property described on Exhibits "A" to the Declaration. There shall be no limitation on the scope of amendments to the Design Guidelines; the Design Guidelines may be amended to remove requirements previously imposed or otherwise to make the Design Guidelines less restrictive. Any amendments to the Design Guidelines shall apply to construction and modifications commenced after the date of such amendment only and shall not apply to require modifications to or removal of structures previously approved once the approved new construction or modification has commenced.

**D. DESIGN REVIEW  
PROCEDURES****1. Review of Improvements**

All exterior alterations, decorations, or construction on any Residential Lot that is visible from adjacent property, public right of way, or public open space or common area, must be reviewed and approved by the ARC prior to the commencement of work. As specified below, each Owner shall submit for review an application, plans, and exhibits no later than sixty (60) days prior to the commencement of construction. Owners may request an initial meeting with a representative of the ARC to discuss questions relating to these Design Guidelines.

**2. Limitation of Liability for Approval of Plans**

The review and assessment of an application is based solely on aesthetic considerations as informed by these Design Guidelines; and neither the Declarant, the Association, the ARC or any Member of the foregoing, shall bear any responsibility for ensuring the structural integrity or soundness of approved new construction or modifications nor for ensuring compliance with building codes and other governmental requirements. Neither the Declarant nor the Association, the ARC or Member of any of the foregoing shall be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any Residential Lot.

**3. Pre-Design Site Meeting**

A pre-design site meeting with a representative of the ARC is available to Builders for the purpose of reviewing the criteria of these Design Guidelines, the requirements for submittals and to conduct a site analysis of the home site. The site analysis will assist the Builder in understanding the intrinsic qualities of the home site including the potential and limitations for his or her proposed ideas. An appointment for a pre-design meeting may be made by calling the ARC office.

**4. Review Period**

The ARC may meet regularly to review all plans submitted for approval. The ARC may require submission of additional material and may postpone action until all required materials have been submitted. The ARC will reply to the submittals in writing, if the ARC feels additional materials are necessary or if it needs additional information or has any suggestions for change. The ARC will act on the plans within twenty (20) days after receipt of all materials required and requested by the ARC (unless the time is extended by mutual agreement). A written response of the decision of the ARC will be sent by mail.

**5. Appeal**

Any Owner shall have the right to appeal a decision of the ARC by resubmitting the information and documents specified above to the Board; however, such appeal shall be considered only if the appellant has modified the proposed construction or modification or has new information which would warrant reconsideration. In the case of a disapproval and re-submittal, the ARC shall have ten (10) days from the date of each re-submittal to approve or disapprove any re-submittal. The filing of an appeal does not extend any maximum time period for the completion of any construction.

**6. Implementation of Approved Plans and Penalty for Noncompliance**

All projects and construction shall be implemented per approved plans or requests. If construction is found to not be in accordance with the approved Plans, the ARC will require the Builder or Homeowner to remedy the discrepancies. If the Owner fails to remedy such non-compliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such non-compliance shall be deemed to be in violation of the Declaration and these Design Guidelines. In such case, the ARC or the Declarant, whichever is appropriate, shall notify the owner that it may take action to remove the noncompliance and/or seek injunctive relief, recovery of costs incurred, and imposition of a fine, which which fine will be as provided in the Fining Policy attached as Exhibit D to the Declaration.

The ARC, at its sole discretion, may require the Builder to provide a Certificate of Accuracy from a registered licensed surveyor (hired by the Builder) attesting to the accuracy ( $\pm 6"$  tolerance) of the building foundation as approved by the ARC. The certificate shall be in the form of an improvement survey showing dimensions of foundation to property lines and elevations (related to USGS datum or equivalent benchmark) of top of foundation walls. Points at which elevations are taken shall be

**7. Period of Plan Validation**

For initial construction of a dwelling on a Residential Lot, final approval of plans is valid for twelve (12) months unless otherwise agreed to by the ARC and the Builder or Homeowner in writing. Construction shall begin within this period and be completed within twelve months from commencement of construction. Construction is deemed commenced when the foundation for the home to be constructed on the Residential Lot is underway.

For home modifications or other projects, the ARC may include in the approval a maximum time period for the completion. If no maximum time period is specified in the approval, such modifications shall be completed within ninety (90) days of the commencement of work.

The Owner may request an extension of the maximum time period allowed for new construction or for modifications not less than seven (7) days prior to the expiration of such time period.

If approved, improvements are not completed within the default periods set forth above or, if applicable, within any extension approved by the ARC, the approval shall be deemed withdrawn, and the incomplete construction or project shall be deemed to be in violation of the Declaration and these Design Guidelines.

**8. Changes after Approval**

Proposed changes to plans, including but not limited to changes in materials, building components, grading, paving, utilities, landscaping, or signage, made alter the approval of plans must be submitted to and approved in writing by the ARC prior to commencement of construction, as defined above. Close cooperation and coordination between the Owner and the ARC will help ensure that changes are reviewed in a timely manner.

If a government authority having jurisdiction over Sonoma Verde requires that changes be made to plans previously approved by the ARC, the Owner shall notify the ARC of such requirements and receive approval from the ARC prior to implementing such changes.

The following documents are required for a design review submittal:

**E. DESIGN REVIEW  
APPLICATION**

**I. Application for Review**

The Owner shall submit the Application for Review to the ARC. Such Application for Review shall meet the following requirements:

(A) Information Regarding Owner, including:



- (1) Owner's name, address, and telephone number;
- (2) Type of project; and
- (3) Materials to be used.
- (4) Plat location.

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### (B) Nature of Request

The Owner shall attach a written description of the proposed project to the Application for Review. If the Application for Review is being re-submitted pursuant to an appeal of the ARC's decision, the application shall state clearly such fact.

(C) All Applications for Review shall be addressed to the appropriate committee at the address set forth on the cover of these Design Guidelines.

### 2. Review Fees

There will be no fee required by the ARC for the initial review and first appeal, if applicable. A review fee of \$250.00 is required for a second appeal after plans have twice been denied. This fee will be paid at the time the appeal is submitted.

### 3. Plans

All applications for construction shall include plans for review. These plans shall illustrate the design and visual quality of the project as well as how the project complies with these Design Guidelines.

(A) Architectural Plan Review. For new building construction or major improvements, such as room additions, remodels, structural changes or accessory building construction, the Builder or Homeowner shall submit to the ARC one set of professionally prepared 24"x36" or 11"x17" construction documents at a scale of no less than 1/8"=1'0" that includes the following:

- (1) Architectural elevations (front, side and rear), indicating typical proposed grade lines, finish floor elevations, top of slab elevations and building height calculations.
- (2) Floor plans, including square footage for each floor.
- (3) Roof plans indicating pitches, ridges, valleys and location of mounted equipment
- (4) Indication of all proposed exterior materials
- (5) Exterior details, including items such as chimneys, exterior stairs and decks, railings, and deck supports
- (6) Typed schedule of all finished exterior materials and colors, including siding and downspouts, trim, gutters, roofing, garage doors, front door, and window trim
- (7) Cut sheets for exterior lighting
- (8) Any other proposed improvements (e.g. decks, awnings, hot tubs, etc.)



- (9) Lot, block, subdivision name, street address with Owner's and Builder's names listed,

Samples of materials and or a 4'x4' lay-up of masonry or stone material at the home site may be required at the discretion of the ARC

(B) Site Plan Review. For new building construction or major improvements, such as room additions, remodels, structural changes or accessory building construction, the Builder or Homeowner shall also submit to the ARC one set of 24"x36" or 11"x 17" construction documents to include the following:

- (1) Site Plan for each lot, at a scale of 1"=10'-0" or 1"=20'-0"
- (2) Lot lines and dimensions, building setbacks, street right-of way, curb lines and easements,
- (3) Existing and proposed contour lines at 1" intervals extending 10' past all property lines, existing or proposed steel elevations, finish grade at building comers, drainage swales,
- (4) Building footprint, main finished floor elevations and garage slab elevations,
- (5) Walks, driveways, decks, accessory structures, fencing, retaining walls with top and bottom of wall elevations

(C) Landscape Plan and Other Site Improvements Review. ARC approval is required prior to installation of any landscaping or any other site improvements as described herein. In most cases, the materials required for a submittal of this type will not have to be professionally prepared, but at a minimum should be drawn to scale and shall have sufficient detail to permit a comprehensive review by the ARC. The following guidelines should be utilized in preparing drawings or plans:

(1) The drawing or plan should be prepared at no smaller a scale of 1"=10' or 1"=20', the preference is for the scale to match the original submission and should depict the property lines of the lot and the "footprint" of the home as located on the Lot. Existing improvements, in addition to the home, should be shown on the drawing and identified. Such existing improvements include driveways, walkways, decks, trees, shrubs, etc.

(2) All proposed plant locations, types, quantities and sizes, location of turf and other ground cover materials shall be shown on the plan and labeled. The plan shall also indicate grading and layout of all additional landscape improvements such as berms, walks, and structures,

(3) Plans for any other site improvements, including but not limited to play sports equipment, dog runs, hot tubs, trellises, retaining walls, fencing, lighting, gazebos, etc, shall be shown on the plan with a description of the proposed improvements, including the materials and colors to be used. In the case of structural improvements (trellises, gazebos, fencing, etc.), an elevation drawn to scale of the proposed improvement is required.

- (9) Lot, block, subdivision name, street address with Owner's and Builder's names listed,

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(D) Environmental Protection Plan. An Environmental Protection Plan is required for all development parcels and shall address the following three topics:

(I) Soil erosion control, i.e., measures designed to minimize erosion both during and after construction;

(2) Protection of existing vegetation. Identification of vegetated areas to be preserved and methods of protecting existing vegetation during the construction phase shall be described;

(3) Revegetation of disturbed areas. The revegetation plan shall include plans for the revegetation of land disturbed by development and construction activity.

#### **4. Additional Information**

The ARC may require the submittal of additional plans, drawings, specifications, samples or other material if deemed necessary to determine whether a project will comply with these Design Guidelines.

#### **Revisions and Additions to Approved Plans:**

Revisions and/or additions to the approved Plans made by the Builder and/or Homeowner, shall be resubmitted to the ARC for approval. The revised plans shall follow the requirements outlined above. The ARC will then review the plans and provide a written response within thirty (30) days after the submittal.

### **F. DESIGN REVIEW CRITERIA**

While the Design Guidelines are intended to provide parameters for design and visual quality, they are not all-inclusive. In its review process, the ARC will consider, among other things, the quality of workmanship, harmony of design with existing structures, topography, and finish grade elevations. ARC assessment will be based solely on aesthetic considerations, as informed by these Design Guidelines.

### **G: VARIANCE**

The ARC may grant variances when circumstances require deviation from these Design Guidelines. Such circumstances may include limitations caused by topography, natural obstructions, or other environmental considerations.

**A: SITE PLANNING**

The location and orientation of buildings on Residential Lots directly impact the visual quality on the streetscape. This section provides guidelines for the arrangement and presentation of buildings on Residential Lots.

**1. Building Layout**

Buildings should be designed to fit the constraints of the topography. Using structures to accommodate slopes is encouraged in lieu of extreme cut/fill slopes and construction of retaining walls. When space allows, side-loaded garages or front-loaded recessed garages are preferred over front-loaded garages. Building setbacks may be decreased with ARC approval to allow for side-loaded garages. Houses on corner Lots shall be oriented so as to face the street intersection or shall have two sides articulated at the intersection.

**2. Building Envelope**

Each Lot has a building envelope defined by the building setbacks and the maximum building height. Although the envelope forms a box, the goal should never be to fill the box with a building. Rather, the use of varied setbacks and articulated building facades should be used to minimize monotonous repetition.

Houses should be centrally located on the lot with building height and profile in scale with the surrounding structures and topography. The maximum height of residential structures is thirty-six (36) feet plate height. The building setbacks indicated in the Declaration are minimums. In the interest of providing visual relief along the street, varied front setbacks are encouraged.

**3. Architectural Variety**

In order to maintain architectural variety along the residential street, homes of the same model, front elevation, color and materials shall maintain a minimum of four (4) units between one another, whether on the same side of the street or on the opposite side of the street. In addition, homes with the same floor plan but with a different elevation shall maintain a minimum of two (2) units between one another, whether on the same side of the street or on the opposite side of the street unless approved by ARC.

**4. Utilities and Utility Easements:**

Pipes, wires, poles, utility meters and other utility facilities shall be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure. Locations of utilities and utility equipment require ARC approval, including water, sewer, power, telephone, cable television, and miscellaneous conduits.

Existing utilities and utility easements are located throughout Sonoma Verde. Prior to commencing construction, owners are responsible for locating and avoiding existing water, sewer, gas, electrical, cable television and other utility lines or building over utility easements. It is the responsibility of the Owner to repair or replace existing utilities damaged during work on his or her Lot.

#### **5. Greenbelt Edges (Open Space):**

The visual impact of buildings, landscaping, accessory structures and other built elements along greenbelt edges shall be carefully considered during the design process. Attractive, well-articulated facades are encouraged. Units adjacent to greenbelts will be reviewed with special attention to the rear building facade.

Unbroken blank facades, unfinished foundations and similar conditions are prohibited. Screen walls are prohibited in rear yards adjacent to greenbelts.

## **B: ARCHITECTURE**

### **1. Neighborhood Architecture and Styles:**

Architecture and the built environment make many important contributions to Sonoma Verde's visual context. Due to the importance of these elements, all architectural styles should produce a cohesive visual framework while maintaining architectural variety. All architecture should reflect high quality and craftsmanship, both in design and construction. The use of unusual shapes, colors, and other characteristics that cause disharmony should be avoided.

While mandatory architectural style is required for Sonoma Verde, it is strongly encouraged that the architectural style of the homes incorporates "timeless" detailing with thoughtful attention to craftsmanship and materials. All plans for construction of buildings and other architectural features shall be prepared by a "qualified" designer and or engineer and submitted to the ARC prior to construction. Each submittal will be reviewed with respect to its harmonious relationship with neighboring homes and its ability to evoke a sense of elegance and quality.

Unacceptable architectural styles for Sonoma Verde include but are not limited to ultra-contemporary, Southwestern, geodesic dome, log construction, and A frame construction.

### **2. [Intentionally omitted]**

### **3. Exterior Surface Materials and Colors**

Homes within Sonoma Verde should be designed with a high level of detail, with careful attention to the combination and interface between materials. Materials chosen shall be appropriate for the theme and scale of the building, compatible with its location within Sonoma Verde, and expressive of the community's desired character and image. The ARC will review all exterior materials as to type, color, texture and durability, as well as the extent of use of any single material or combination of materials.

Quality materials such as natural stone and brick masonry and select use of natural wood will be encouraged within the development in keeping with the timeless image of the community and the desire for visual harmony. Incorporating more than one material on exterior walls is allowed provided their use does not detract from the buildings overall design and form. All materials should appear as structural elements and not as superficial coverings. Stone and brick patterning is recommended, a blending of stone and brick veneer is preferred by ARC.

Brick masonry should include liberal use of special details such as patterns, coining, soldier and other decorative coursing, patterned lay-ups, articulated window frames or headers and sills, and special chimney statements. All exterior surfaces of each residence, whether first or second floor, that can reasonably be brick, shall be brick. Masonry veneers shall be consistent on all elevations. Additionally, on the facades of each home:

- Each home in the 60' Lots shall be at least 90% masonry, as defined above. No joints greater than ½" and no span wider than 10 feet without a masonry veneer separation of 3 to 4 feet. Homes shall be constructed with Acme brick (Level) TBD
- Each home in the 80' Lots shall be at least 90% masonry, as defined above. No joints greater than ¾". Homes shall be constructed with Acme brick (Level) TBD
- Each home in the 95' Lots shall be at least 90% masonry, as defined above. No joints greater than ¾". Homes shall be constructed with Acme brick (Level) TBD
- All other Lots within Sonoma Verde shall be 90% masonry. The masonry requirements herein are exclusive of openings, trim, eaves, cantilevered areas or wood-supported sections.
- All homes adjacent to amenities, open space, require exterior rear facades to be 90% masonry exclusive of openings, trim, eaves, cantilevered areas or wood-supported sections.
- All homes on amenity Lots or open shall be 90% brick rear facades, with articulations including, but not limited to, second floor balconies, covered patios and architectural detailing as designed and approved by ARC.

Use of white, red or gray brick is not allowed unless specifically approved by the ARC. Mortars are to be cream or natural unless specifically approved by the ARC. Brick size shall be limited to "King-Size or smaller".

Concrete foundation walls shall not be exposed in excess of 6" and shall be faced or finished to blend with the general architectural design or the building.

Stone masonry joints shall be raked clean where appropriate, and held to a maximum of 1 ½" in width. For exterior elevations, the use of synthetic stone veneers, masonite, birch, plywood, aluminum or metal siding is not permitted.

Siding is discouraged in all neighborhoods but will be considered by the ARC if not within a primary view of adjoining property or public right of way. Siding material shall continue to within 6" of finished grade on any elevation. Knotty species of wood and other "rustic" textures will be discouraged within the project unless good reason can be shown that it will significantly enhance the design of the house. No lap siding will be allowed. Owners shall obtain ARC approval before installing or replacing siding that differs from original material. The following are prohibited except with the express written consent of the ARC:

- Metal structures such as sheds
- Metal as a building skin
- Multi-colored masonry
- Mirrored glass
- Exposed cinder block
- Clay tile roofs

The use of color shall generally be restricted to earth tones or natural colors found in the immediate surroundings, and shall apply equally to additions and/or alterations to existing structures as well as to new detached structures. Garish or unusual colors and color combinations, and/or unusual designs are discouraged. No bright, unfinished or mirrored surfaces will be allowed.

#### **4. Sidewalks, Walkways and Driveways**

A four-foot wide (TBD) concrete sidewalk, located at least five and one-half feet from the back of the street curb shall be provided on each side of all residential streets; such sidewalks shall be five feet if part of the trail system in Sonoma Verde. Sidewalks shall be installed as required by the Declaration and shall have a medium broom finish, unless approved otherwise by the ARC.

Driveways shall be either concrete paved with a medium broom finish, or stamped and colored concrete, or exposed aggregate concrete. Driveway Expansion Joints, 12" minimum, are to be finished with same materials as the house. It is encouraged that driveways are trimmed at a minimum of 12" on two sides with the same material as the house. The depth of the trim material shall be the same as the house. Other materials require ARC



approval. In all neighborhoods, driveways shall intersect the street at no less than a 60-degree angle and shall not exceed 12% slope.

Extension or expansion of driveways requires ARC approval prior to installation. No more than 35% of provided front yard shall be paved. The ARC shall not approve such extensions or expansions intended for side yard parking or vehicle storage.

#### **5. Roofs**

The ARC will carefully evaluate roof massing and encourage the creative and harmonious use of hips, clipped hips, gables, multiple ridges and roof axes, dormers and lower eave heights. Well-defined eave detailing with strong shadow lines and articulation is encouraged, as is careful consideration of gutter and downspout location and detailing. The use of roof overhangs of less than 12 inches are not allowed.

Roof slopes within 80' and 95' lots and above shall not be less than an 8/12 pitch. 60' lots shall not be less than 6/12 pitch. Porch roof slopes shall have a roof pitch of not less than 3/12 pitch. The sum of all roof pitches less than an 8/12 pitch shall not exceed 750 S.F. per residence excluding overhangs. In order to establish harmony within the community, flat, mansard, gambrel and A-frame roof styles will not be allowed. The ARC shall consider exceptions to the Roof rules.

All roof materials to be 300 +lbs. weight composition and color selection (TBD) on 60' lots, 350 +lbs and color selection (TBD) on 80' lots. Concrete slate or concrete tile is recommended to be used on 95' lots and color selection (TBD). No light colored roofs allowed. Asphalt shingles shall be at a minimum a three-ply, 30 year architectural grade shingle subject to ARC approval. Metal roofs or reflective roofing materials are prohibited.

ARC approval is required for rooftop equipment and accessories, unless specifically excepted in this Section. All rooftop mechanical equipment shall match roofing colors and be screened from neighboring dwellings and yards, sidewalks, streets. Exposed flashing, gutters and downspouts shall be painted to match the fascia and siding material of the structure. Any solar equipment and skylights shall be incorporated into the structure and building mass and be architecturally compatible with the residence.

#### **6. Garages**

Garages should be side-loading whenever possible and should not dominate the street view of the home. Any garage doors facing a street shall be recessed at least two feet from the foremost front facade and divided so as to have two separate entries. All homes in neighborhoods with typical lot widths less than 80' shall offer garages with double doors. Staggered or offset garage doors are encouraged and will be required in specific areas. All garage doors are to be wood decorative design.

Garage Door facades shall be designed and stained or painted in a manner consistent with the design and colors of the residence. In all neighborhoods,

garage doors should be selected to evoke a sense of quality with attention paid to jamb details and shadow lines. Automatic door openers are required for all garage doors.

Detached garages require ARC approval. Such garages shall be compatible with and complementary to the main residence in architectural style, material, color and location.

#### **7. Architectural Detailing**

In order to add definition and break of flat wall planes, the use of certain architectural elements to create shadow lines is encouraged. Examples include deep eaves and offset wall planes, window shutters, well-proportioned porches with brackets, trellises and arbors, decks, detailed fascias and belly bands.

Covered entries and recessed openings at doors and windows lend shadow and detail and thus are strongly encouraged.

#### **8. Security Doors and Windows**

Requests for security treatments for doors and windows must be approved by the ARC prior to installation; however, the use of "burglar bars", steel or wrought iron bars, or similar fixtures on the exterior of any windows or doors is strictly prohibited.

#### **9. Windows**

Windows shall be of clear glass. Divided lights are required on front elevations and any side of the home that is adjacent to a street. The use of aftermarket reflective glass or reflective tinting is prohibited unless by original window manufacturer, i.e., E rated windows. To ensure the continuity of the view corridors, all window coverings facing public open-space, streets, amenities shall be white, light beige or natural wood tones. While curtain lining is acceptable, the use of solar screens are not allowed. No arch windows are allowed. In the 60's and 80's lot areas, window trims shall be a contrasting material. In the 95's, window trim shall be cast stone on the front elevation and no less than the front elevation must be wood windows.

ARC encourages the use of exterior shutters. Shutters shall be of a material similar to and of a color and design generally accepted as complementary to the exterior of the house.

#### **10. Entries**

Entry designs that display elegance and grace combined with a human scale are encouraged. The front door and entryway on the residence should complement the overall scale and detail of the residence and should provide its focal point. ARC recommends front doors shall be constructed of wood with a minimum of 6 panels and shall be visually defined and located to facilitate visitor circulation. Front doors shall be a minimum of 8 feet in height in 60's and 80's lot areas. In the 95' and larger lot areas, a minimum of ten foot (10') height is required. ARC will consider modifications to the front door style.

### **11. Awnings and Overhangs**

The use of awnings and overhangs requires ARC approval prior to installation. The materials and colors shall be the same or generally recognized as being complementary to the exterior of the building and will be attached directly to the structure without requiring supporting

### **12. Chimneys**

Chimneys shall be 100% masonry.

### **13. Decks & Balconies**

ARC approval is required prior to the installation of a deck or balcony. Decks and balconies shall be constructed of wood or of a material similar to that of the residence and, if painted, shall be painted a color similar to or generally accepted as complementary to the residence. Decks and balconies shall be installed as an integral part of the residence. Any such decks or balconies shall be located so as not to obstruct or diminish the view from or create a nuisance for adjacent property owners. Construction shall not occur over easements.

Decks shall be no greater than four (4) feet off the ground and a reduction of Front setback depth, to a maximum of 5' shall be allowed for front porch/deck areas larger than 75 square feet. Views under decks shall be screened.

### **14. Patios**

ARC approval is required for the construction of patio covers, open patios, and enclosed patios. Freestanding patio covers are acceptable, as approved as are roof extensions (loggias). Patio covers and posts shall be constructed of wood or of a material generally recognized as complementary to the residence and shall be similar to or generally recognized as complementary in color to the exterior color of the residence.

Open patios should be an integral part of the landscape plan and should be located so activities do not create a nuisance for adjacent property owners. The patio color shall be similar to or generally accepted as a color complementary to the color of the residence. Enclosed patios shall be constructed of materials that are similar to or generally accepted as complementary to those of the residence. Patio support posts shall be a minimum of 6"x6" in size.

### **15. Painting/Repainting**

ARC approval is required for any exterior painting or repainting of the home or its accessory improvements. A neutral color palate will be provided for all exterior finishes. Downspouts shall be painted to match the body color of the home. Garage doors should be painted a color from the color palate provided and blend with other colors of the home

### **16. Alterations, Additions, and Expansions**

ARC approval is required for any exterior alteration to, addition to, or expansion of a home. The architectural design and materials used in any and all exterior additions, alterations, or renovations shall conform to the

original home's design intent with respect to style, detailing, and materials used in the initial construction, as prescribed herein.

#### **17. Accessory Structures**

ARC approval is required prior to construction of any accessory structure, including but not limited to sheds and permanently installed play houses. Applications for accessory structures will be reviewed with regard to Lot size, setbacks, and primary building size. Accessory structures should serve as functional elements and enhance the aesthetic qualities and visual theme of Sonoma Verde. Accessory structures, such as permanent storage sheds and gazebos shall be located in the rear yard or in a location not prominently visible from the street, and shall adhere to the standards herein. Storage sheds will not be permitted on open space lots. Storage sheds and gazebos shall be architecturally compatible with the home. If approved, accessory structures shall meet the following criteria:

- Accessory structures shall be of the same color, material, and architectural style as the main residence or of color, material, and style that is generally recognized as complementary to that of the main residence.
- An accessory structure's roofing materials shall match those of the main residence.
- Accessory structures shall be no larger than 8'x8' and no taller than 8 feet.
- Utilities servicing accessory structures shall be installed underground.
- Accessory structures shall conform to the side and rear yard setbacks.
- Accessory structures shall not unreasonably obstruct any adjacent neighbor's views of the public open space.

Carports (non-fully enclosed automobile shelters) and temporary sheds are prohibited.

#### **18. Mailboxes**

Mailboxes within Sonoma Verde shall be cast iron and of a design provided by ARC. The ARC will provide a specific design and specifications for mailboxes and may, in its sole discretion, designate different styles of mailboxes for different neighborhoods.

#### **19. Trash Enclosures/Storage Areas**

Trash enclosures and storage areas shall be designed as an integral part of the building architecture. Neither shall be visible from a public right of way or adjacent properties. As is provided by ARC, all rubbish, trash and garbage shall be kept within approved containers. Building materials, yard equipment, and stored items shall not be visible from the street to the public or neighborhood.

#### **20. Exterior Lighting**

ARC approval is required prior to changing or adding exterior lighting. In reviewing lighting requests, the ARC will consider the visibility, style, location and quantity of the light fixtures. Landscape lighting fixtures shall

be dark-colored so as to be less obtrusive and shall be as small in size as is reasonably practical. Low-voltage (12 volts) lighting is preferable to conventional house-voltage systems because of its safety advantages. All lighting shall be compatible with the architecture of the residence.

Tree lighting shall be operated with a photo-electric on-off cell and an emergency switch. Exterior lighting shall not produce glare or direct illumination across a property line of an intensity that creates a nuisance or detracts from the use or enjoyment of adjacent property. Lighting for walkways generally should be directed toward the ground.

#### **21. Air-Conditioning and Other Mechanical Equipment**

ARC approval is required prior to the installation of air-conditioning equipment. Ground level air conditioning units shall be installed at street level only. All mechanical equipment, including air-conditioning equipment, shall be located in a side or rear yard only and shall be screened from view on all sides.

#### **22. Energy Conservation**

The use of energy conservation techniques is encouraged when appropriate. Solar technology shall be screened from view from adjacent properties and the public right-of-way and must be approved by the ARC prior to installation. Site planning and landscape design for energy conservation is encouraged. The use of colored solar panels on facades adjacent to the open space or public amenity space is not allowed.

### **C: LIFESTYLE ACCESSORIES**

#### **1. Clotheslines**

Clotheslines of any type are prohibited.

#### **2. Compost**

Subject to ARC review, one compost pile measuring no more than three (3) feet in diameter and three (3) feet in height may be allowed within the rear yard if such is adequately screened by planting and or fencing so as to conceal it from view of neighboring residents and the street. Owners shall be responsible for ensuring that compost piles are well-maintained so as not to emit odors or attract rodents or insects.

#### **3. Dog Runs**

Dog runs require ARC approval on a case-by-case basis. Dog runs shall be located within side or rear yards in such a way that they are not visible to neighbors or, in the case of yards adjacent to the community open space, to the general public. The ARC will evaluate the proposed location and size of the dog run with consideration given its impact on adjacent properties and streets. Generally, dog run areas should not exceed three hundred (300) square feet in size and fence height should not exceed five (5) feet. The use of underground invisible dog run fencing is encouraged on a case-by-case basis.

The dog run fencing should be immediately adjacent to the home and compatible with the home in material and color. Galvanized chain-link fencing is prohibited. Dog runs shall be well-screened from neighboring properties and streets with landscaping.

"Dog kennels" are not permitted.

#### **4. Gazebos and Greenhouses**

ARC approval is required prior to the construction of any gazebo or greenhouse. Any gazebo or greenhouse should be an integral part of the landscape plan and shall not obstruct any adjacent property, public open spaces or green belts.

#### **5. Latticework**

Attached latticework or garden trellis may be installed without approval, provided it is an integral part of the landscaping and complementary to the exterior materials of existing structures. Freestanding latticework will be considered as a Gazebo (see above).

#### **6. Play Structures**

Play structures shall be located in the rear yard and set back a minimum of five (5) feet from property lines. Play structures shall be predominately muted, neutral tone colors and shall not exceed twelve (12) feet in height. Play Structures must be made of wood. No metal play structures are allowed. Canopy must be forest green canvas or wood to match the play structure. Playhouses larger than 30 sq. ft. of enclosed space shall be considered an accessory structure (see above). Play structures or any nonpermanent structure are not allowed on amenity or open space Lots. This includes, but is not limited to play structures, trampolines, jungle gyms, etc. must be maintained in a neat appearance when viewed from the street, to the public, or to the neighborhood.

#### **7. Putting Greens**

Owners may, with prior written approval of plans from the ARC, install non-synthetic putting greens in the rear yard. Synthetic putting greens are not permitted.

#### **8. Recreational Equipment**

Permanent free-standing, pole-mounted basketball goals are not allowed in the front yard and may be allowed in a side or rear yard with ARC approval. The ARC will consider the proximity of the goal to property lines, neighboring homes, landscaping and vehicles. If allowed they must be affixed to a free standing pole for installation. No backboards are allowed above garage doors.

Portable free-standing basketball goals are conditionally allowed if placed for play within the side or rear yard and properly stored out of public view when not in use. Placement and use of free-standing goals within the street right of way is prohibited. Approval is not required for the installation of recreational equipment in side and rear yards, so long as the equipment is no taller than six (6) feet.

Owners should exercise consideration toward neighbors. Any recreational equipment shall be set back a reasonable distance from adjacent property lines so as to avoid disturbing neighbors and shall not obstruct any neighbor's view of the open spaces.



#### **9. Satellite Dishes and Antennas**

Satellite dishes larger than one (1) meter in diameter are prohibited. The satellite dish or antenna shall be placed on the rear or side of home in such a manner that it is best screened from view from adjacent streets and neighboring properties.

#### **10. Spas**

ARC approval is required prior to the construction of any spa, "hot tub", Jacuzzi etc. Any Spa shall be located in the side or rear yard in such a manner that it is not immediately visible to adjacent property homeowners or public view. Spas should be designed as an integral part of the deck or patio area where they are located.

#### **11. Swimming Pools**

The ARC will review requests for swimming pools and pool equipment on a case-by case basis. Consideration will be given to, but not necessarily limited to, setback from and impact on neighboring properties and the size of the pool enclosure. Pool equipment is to be screened from street, public and neighborhood.

#### **12. Temporary Structures**

Temporary structures, other than playhouses and those used during the initial construction of a residence, are not permitted. ARC approval is required for tents other than camping tents used for parties or for occasional overnight sleeping by children that are left standing for no longer than 72 hours.

#### **13. Tennis Courts**

Private tennis courts are prohibited.

#### **14. Yard Ornaments**

Yard ornaments, including but not limited to, birdhouses, fountains, sculpture, statues, and banners require ARC approval. Holiday yard ornaments and lights will be allowed up to 30 days prior to the Holiday and must be removed within 30 days after the Holiday.

#### **Flags and Flagpoles:**

Flags must be installed on wall mounted poles. Each Lot is limited to two flags and the approved supports for each. The bracket shall be no more than twelve inches long. The pole shall be no longer than six feet and the flags shall be no larger than 3' x 5'. The flags shall be limited to the United States flag and the State of Texas flag and may be flown on the separate flagpoles. Any others require ARC approval. The bracket shall be securely mounted to a building and shall be no more than six feet above the ground. The bracket shall firmly hold the pole no less than 45 degrees from horizontal. Policy can be refined to match current state legislation.

The flagpole shall be located near the front entry of the home.



As with any other improvement, the assembly and flag must be kept in good repair.

#### **15. Signs**

ARC shall have the right and privilege to develop and implement uniform signage specifications and requirements applicable throughout Sonoma Verde, including Builder "For Sale" signage and model home signage.

Existing homes for sale or for lease shall have no more than one temporary sign per Lot that advertises property, which stands no more than four (4) feet high, which has dimensions of no more than 2'x3', and which is conservative in color and style. Temporary signs may be displayed only while the Lot/Home is for sale or lease and shall be removed when the property is no longer for sale or lease.

The installation or relocation of all other signs requires ARC approval. The ARC may dictate a specific uniform size, style and color for such signs.

Every Owner shall provide an address sign incorporated into the design of the residence and clearly visible from the street. Painting of address numbers on the street curb is prohibited. One security sign may be permitted in the front yard located either adjacent to the driveway or in close proximity to the front entrance of the main dwelling. The ARC may impose size, shape and color restrictions on security signs.

No signs shall be erected on the roof of any structure.

The content, placement and appearance of all temporary signs are subject to ARC approval.

#### **16. Firewood Storage**

ARC approval is not required for storage of firewood provided it is located in rear yard only, is not visible from any street, and is neatly stacked.

### **D: LANDSCAPING**

In keeping with the landscape theme of Sonoma Verde, it is important that all residential landscapes blend with the surrounding environment. Careful integration of site grading, architecture, and landscaping will accomplish this, while also maximizing each site's potential. Thoughtful attention to landscape design will ensure that as each home site is completed, it will become an integrated element in the overall character of Sonoma Verde. To further this goal, it is important to preserve and incorporate native plants and existing trees into each proposed landscape design.

View corridors in the Public Open Spaces (which term refers to open spaces which are part of the Common Areas) should be maintained when siting residences and designing residential landscapes. Requests for landscape modifications of property within Public Open Space, or requests for residential landscaping that adversely impacts the landscape

of same will not be considered unless otherwise determined by the ARC. Unauthorized landscaping, mowing or pruning of Public Open Space vegetation is strictly prohibited and shall result in the levying of sanctions against the offending party by the ARC, the Board or the Declarant.

All landscaping shall be maintained in accordance with the requirements of ARC.

### **1. Initial Landscaping**

A landscaping plan shall be submitted by the Builder. Bermuda grass is required as well as 100% irrigation. Landscaping illumination is encouraged. Laguna lights, surface wiring and spike lighting is prohibited.

### **2. Plant Material**

Plant materials and tree types approved for use within Sonoma Verde will be provided.

Landscaping should consist of a combination of sodded turf areas and shrub and ground cover bed areas. Front yard and rear yard landscaped areas shall be 100% sod where there are no beds. Shrub and ground cover bed area shall contribute no less than 15% no more than 50% of the total front yard area. Tree requirements will be different for each neighborhood.

Large expanses of mulch or bed areas without substantial shrub or ground cover plantings are unacceptable. Stone, gravel or mulch with harsh, unnatural or high contrast colors are prohibited.

### **3. Soil Enhancement**

Topsoil shall be natural, fertile, friable, soil possessing characteristics of representative productive soil of this vicinity. It shall not be excessively acid or alkaline or contain toxic substances, which may be harmful to plant growth. Topsoil shall be free from weeds and other noxious materials. Topsoil shall not be stripped, collected or deposited while wet.

### **4. Landscape Maintenance**

Sonoma Verde is a quality residential community committed to its visual integrity. To ensure healthy well-maintained plant materials, landscaped common areas shall receive routine maintenance from a dedicated HOA landscaping professional.

The following practices are suggested to help minimize maintenance problems:

Plants should be chosen with regard to the region's climate and their ultimate size, shape and growth rates.

Plants and irrigation heads shall be located out of the path of pedestrian and bicycle traffic.

Irrigation systems should be maintained. Such maintenance should include draining and servicing sprinkler systems.

Good soil mixes should be provided. They should include organic material (30% per tilled depth).

At least 2" of shredded hardwood mulch, or comparable, should be used in planting beds to hold soil moisture and to help prevent weeds and soil compaction.

Fertilization, weed and pest controls, etc. should be provided only as required for optimum plant growth.

Woody plants should be pruned only when needed. Never prune more than 1/3 of the foliage.

Trees should be spaced to allow for efficient mowing and maturing.

Plants with similar sun, water, and space requirements should be located together.

## **5. Irrigation**

Automatic irrigation systems are required in Sonoma Verde. The following items apply when designing an irrigation system:

The irrigation system shall provide 100% of coverage of the landscaped areas in all yards. The system shall be automatic with rain and freeze sensors.

The environment of the area -wind, rain, temperature, sun exposure and topography should be considered when designing a system.

Drip or bubbler irrigation systems are recommended for trees.

## **6. Weed Block**

ARC approval is required for the installation of weed blocks. The use of solid plastic sheeting or polyethylene over ground plane areas is strictly prohibited. If landscape fabric is used, such fabric shall be of an A.B.S. or Nylon A.B.S. composite type to allow the free flow of water, air, and gasses to and from the soil. Weed control for the entire lawn is required.

## **7. Lot Grading**

Owners shall not grade their property in a manner that interferes with the established drainage pattern over any property, except as approved in writing by the ARC. Owners should work with the natural contours and seek solutions that minimize the impact of grading with respect to major alterations of existing grades. Grading shall not extend onto adjacent properties without approval of the Owners of those adjacent properties.

Berms, slopes and swales may be used to define spaces, screen undesirable views, and reduce noise and high winds but should not exceed three (3) feet of horizontal distance to one foot of vertical height (3:1 slope). This will permit greater ease of mowing and general maintenance. Extensive cut/fill slopes are discouraged. Fill slopes shall not exceed 3:1. Cut slopes may be 3:1 if the soil's natural angle of repose allows.

Terracing which utilizes retaining walls may be used where the space cannot accommodate the maximum slope, provided that retaining walls shall not exceed four (4) feet in height, with a minimum of five (5) feet between adjacent walls.

Retaining wall locations are subject to ARC approval. This stone shall be dry-stacked or mortar jointed Milsap stone or a material approved by the ARC.

## **8. Erosion Control**

In some cases, there may be relatively steep slopes on a Lot. It is important if slopes are not landscaped, severe erosion and silting may occur. All erodible areas of disturbed soil shall be protected through the use of best management practices until the soil is stabilized. Failure to exercise proper soil and sediment control techniques, particularly in areas which drain directly into ponds, detention facilities, streets or storm sewer inlets may result in the ARC installing erosion control devices and assessing the costs thereof against the Owner. The Owner shall landscape slopes within seven (7) days after grading is completed.

Accepted erosion control techniques include the use of sedimentation basins, filtration materials such as permeable geotextiles, and slope stabilization fabrics or tackifiers. Loose aggregate or wood chips are not recommended on steep slopes. The Owner shall install ground cover and shrubs as necessary to prevent slope erosion.

## **9. Drainage**

Existing and proposed drainage and grading shall be indicated on the Site Plan. Owners shall not interfere with the Established Drainage Pattern over any property except as approved in writing by the ARC, who shall consider the interests of the Owner as stated in the Declaration. Homeowners may make drainage modifications to their Lots provided that they do not alter the Established Drainage Pattern,

Landscape plans shall conform to the Established Drainage Pattern (which term refers to the drainage pattern established by the Declarant in developing the Lots), shall cause water to drain away from the foundation of the house, and shall prevent water from flowing under or ponding near or against the house foundation. Water shall flow fully over walkways, sidewalks or driveways into established drainage patterns. Obstruction of surface flows resulting in a backup of water onto any Lot or Tract is strictly prohibited. If deemed necessary, the ARC may require a report from a drainage engineer as part of landscaping or improvement plan approval.

As defined above, accepted erosion control measures shall be used during construction to reduce adverse silting impacts downstream.

## **10. Walls**

The installation of walls requires ARC approval. Walls should appear as extensions of the home's architecture and be complementary to the main structure in color, material and style. Walls may be used to enclose and define courtyards, extend and relate the building forms to the landscape, and provide security and privacy. In no case should they block community views to the Public Open Space. Freestanding walls shall not exceed six (6) feet in height.

Low decorative walls that are part of the landscape design will be considered. Front yard landscape walls shall not exceed three (3) feet in height.

Retaining walls shall not exceed four (4) feet in height, there shall be a minimum of five (5) feet between adjacent walls, and walls shall be located so as not to alter Established Drainage Patterns. Retaining walls visible from a public street shall be of mortar-jointed Milsap stone. The Owner or Builder of the "high side" property shall be responsible for installation of side property line retaining walls.

The foregoing standards are intended as an aesthetic guide only. Neither the Declarant nor the ARC ensures the soundness, structural integrity, or effectiveness of retaining walls constructed in conformity with this section. Neither the Declarant nor the ARC shall be responsible for ensuring the structural integrity or soundness of any approved retaining wall.

#### **11. Fences**

Whereas fences may be necessary to enclose areas for safety, security or privacy reasons, installation of fences in Sonoma Verde is required. All fences require ARC approval.

The ARC will dictate the design and location of fencing and provide this information to each prospective builder prior to contracting. The Builder of such Lots shall install this fence prior to owner moving into the house. The ARC will review such Lot and recommend adjustments to this fencing plan as deemed necessary. Fencing on lots shall meet the requirements in Section 4.9 of the Declaration. Double walls or double fences along common property lines are prohibited.

Wood fences shall be constructed of number one or number two grade spruce or cedar and shall be board on board with 1"x 6" pickets and capped with a 2" x 8" cap with 1"x4" trim under the cap. Fence posts shall be 4" steel, set in concrete and spaced no more than eight (8) feet apart. All wood fences shall be stained with ARC color palate.

Fences shall not extend beyond the front face on the exterior wall that contains the residence's primary front entrance. Neither plastic nor chain link fencing is allowed.

All fences, whether constructed by the Owner or the Builder, shall be maintained with the Community-Wide Standard (which term refers to the standard set by the Declarant or the ARC). In the event a fence or wall is damaged or destroyed, the Owner shall repair or recondition the same at Owner's expense within three (3) weeks of the damage.

**A. CONSTRUCTION  
PLANS**

Reviewer approval is required prior to the commencement of any construction as described in these Design Guidelines. Procurement of applicable permits from other governmental agencies is the responsibility of the Builder and shall be obtained prior to commencement of construction. Once begun, construction shall be completed expeditiously and in strict accordance with approved plans. No structure may be occupied until a Certificate of Occupancy has been issued by controlling entity.

Prior to the commencement of construction activity, the Builder shall provide a detailed plan for construction activity including: size and location of the construction material storage area, limits of excavation, erosion control measures, drive areas, parking areas, chemical toilet location, temporary structures, dumpster location, storage of debris, fire extinguisher, utility trenching, and construction signs. This plan shall identify the proposed methods of tree protection, as specified in any Tree Preservation Requirements and Streetscape Design Guidelines for Sonoma Verde which is adopted by the Declarant or the ARC or otherwise such guidelines as they specify.

**B. COMPLIANCE  
With PLANS**

Contractors are responsible for complying with the approved construction plans, these Design Guidelines and the Tree Preservation Requirements and Streetscape Design Guidelines. If trash, debris, or spillage is not cleaned up, or damage to protected or improved areas is not repaired, the ARC reserves the right to complete the cleanup or repairs needed and specifically assess all related costs to the contractor and Owner. Contractors and Owners are encouraged to notify the ARC of any potential issues related to compliance with approved plans.

**C. FACILITIES****1. Hours of Operation**

Hours of operation shall be from 7:00 a.m. to 7:00 p.m. on weekdays and 7:30 a.m. to 6:00 p.m. on Saturdays. No exterior construction is allowed on Sundays and holidays.

**2. Construction Trailers, Sheds, or Temporary Structures**

All construction trailers, sheds, or temporary structures require ARC approval prior to installation. All such shelters shall be removed upon completion of construction. Maximum duration per approval shall be twelve (12) months. Temporary living quarters for workmen are strictly prohibited. Notwithstanding the foregoing, for Builders, a sales trailer shall be removed upon completion of the first model home and a construction trailer shall be removed upon completion of the last home on a Lot owned by the Builder.

**3. Sanitary Facilities**

The contractor shall be responsible for providing adequate sanitary facilities for construction workers. Portable toilets or similar temporary



toilet facilities shall be located on the site only in areas approved by the ARC.

It is the obligation of all contractors and subcontractors to leave the project site free from trash, debris, unused materials and equipment. The ARC and Declarant reserves the right to specifically assess any and all contractors, subcontractors, and the related Owners for clean-up costs.

## **D. MAINTENANCE**

### **1. Protection of Natural Materials**

Builders are advised of the fact that parcels, lots and open spaces may contain valuable native plants and other natural landscaping materials that shall be absolutely protected during construction. These materials include topsoil, rock outcroppings and plant materials. Damage to natural materials or scarring of property, including but not limited to damage to offsite areas such as Public Open Space, other Lots, roads, driveways and or other improvements is prohibited. If any such damage occurs, it shall be repaired and or restored promptly at the expense of the offending party. See any applicable "Tree Preservation Requirements and Streetscape Design Guidelines for Sonoma Verde" or other similar guidelines.

Materials to be protected shall be marked by flagging and protected by fencing or other approved barriers. The ARC shall have the right to flag major terrain features or plants, which are to be fenced off for protection. Any trees or branches removed during construction as allowed under the "Tree Preservation Requirements and Streetscape Design Guidelines" shall be promptly removed from the construction site.

Prior to commencing work on the Lot, the Owner shall install a siltation fence along all Lot boundaries through which water can flow. The fence shall be a minimum of 20" tall, anchored with wooden or metal stakes no farther than 8' apart, and shall be made of a tight woven nylon or synthetic mesh material. This fence shall be maintained at all times until the Lot is fully sodded.

Upon completion of construction, each contractor shall clean the construction site and repair or replace all damaged property, including but not limited to restoring grades, planting shrubs and trees as approved or required by the ARC and repairing streets, driveways, pathways, culverts, ditches, signs, lighting, and fencing, etc.

### **2. Excavation Materials**

Excess excavation materials shall be hauled away from Sonoma Verde except where written arrangements have been made with the Declarant to haul clean excavated fill dirt to another site within Sonoma Verde.

### **3. Dust**



The contractor shall be responsible for controlling dust from the construction site. Earthwork shall be sprayed with water to keep dust at a minimum.

#### **4. Trash**

Regular cleanup of the construction home site is mandatory. All trash and debris shall be stored in a fenced trash disposal area and shall be removed from the trash disposal area on a weekly basis or when full, whichever occurs first. All soil and debris flowing into the street(s) or open spaces from the construction home site shall be cleaned as needed. A fine of \$250.00 per occurrence may be imposed by the ARC for non-compliance with these requirements.

#### **5. Construction Drainage**

The Owner shall provide temporary erosion control measures during the construction period as described above. Temporary barriers such as hay bales and drainage structures such as sediment ponds shall be utilized as needed. It is recommended that the Owner landscape slopes as soon as possible after grading has been completed to control erosion.

#### **6. Nuisance**

Every effort shall be made to control any dust, noise (including the personal use of radios, CD and tape players), and odor emitted from a construction area. The contractor shall be responsible for watering, screening or oiling dust problem areas as well as limiting noise and offensive odors.

#### **7. Street Cleaning**

Contractors shall be responsible for keeping all interior streets clean of materials, refuse, sediment, mud, etc. from the Lot(s) upon which they are working.

#### **8. Vehicles & Access**

All construction-related vehicles shall enter Sonoma Verde via the designated construction entrance, as designated by the Declarant.

All construction traffic is limited to 25 miles/hour within Sonoma Verde. Violations of traffic rules shall subject the violator to fines levied by the ARC that may be deducted from any construction deposit or levied as a fine or special assessment against the offending parties. Construction vehicles shall not be allowed onsite if they are unreasonably loud.

All vehicles shall be parked so as not to impede traffic or damage surrounding natural landscape. Vehicles shall not be left on community roads overnight. The ARC may designate, at time of plan review or during construction, specific areas for the parking of construction workers' vehicles and/or equipment. Washing of vehicles and/or construction equipment on streets within Sonoma Verde is prohibited.

#### **9. Pets**

Construction crews shall not bring pets to the job site.