

# **WILD HORSE RANCH ESTATES**

## **IMPROVEMENT APPROVAL GUIDELINES**



September 7, 2005

# WILD HORSE RANCH ESTATES (WHRE) IMPROVEMENT APPROVAL GUIDELINES

## I. INTRODUCTION

SECTION 1. **PURPOSE** – This Guideline is to provide a Roadmap for the Lot Owner and Architects, Builders, Contractors and Subcontractors for the successful approval and completion of Improvement Projects in a manner that is protective of the quality and character of the WHRE Community;

- Its visual continuity throughout by compatibility with the existing architecture,
- Its conformity with natural desert topography and vegetation,
- Its preservation of open space and Owner privacy while maintaining adequate access,
- Its Owner views and property values.

This procedure is subject to applicable laws and obsoletes and replaces all previous WHRE Architectural Guidelines, Design Guidelines and Standards and Architectural and Landscape Design Guidelines and Standards

SECTION 2. **REQUIRED REFERENCES** - These procedures are subordinate to the WHRE CC&Rs and cannot be utilized independently of those CC&Rs. Before attempting to obtain approval for any Improvement, the Owner must familiarize himself with all applicable requirements of the CC&Rs, particularly, but not limited to, Article I, which includes Definitions that apply to these Guidelines and Article III, which covers Use Restrictions. Article II, which includes the Architectural Standards that must be met is also important. In the interest of clarity and the incorporation of any Board approved reasonable interpretations and clarifications of the CC&R language, a summary of these standards is included in this document as Appendix A. In the event of any conflict between this Document and the WHRE CC&Rs, the CC&Rs take precedence.

SECTION 3. **COMPLIANCE RESPONSIBILITY** - It is the Owner's responsibility to study thoroughly all parts of this document, as well as the CC&Rs, and to ensure compliance with all applicable requirements. Architects, builders, landscapers, and any other contractors or persons working on behalf of the Owner should also become familiar with the requirements, but it is the Owner who has the ultimate responsibility and will be held responsible for meeting all requirements.

SECTION 4. **IMPROVEMENT CATEGORIES** - Improvements are defined in the CC&Rs as "... any and all alterations of the land, (other than interior modifications of existing structures), including but not limited to the Single-family dwelling, structures, buildings, outbuildings, sewage disposal systems, ramadas, garages, guest houses, storage sheds, playhouses, servants' quarters, swimming pools, satellite dish antennae, walls, fencing, landscaping, driveways, and private roads, whether intended to be temporary or permanent. It shall also include all acts done to exteriors that are visible from Property streets or other Property Lots, including changes in color, whether for maintenance, repair, or alterations."

To simplify the review and approval of less complex Improvements, they have been divided into the following categories:

1. "Major Improvements" are new single-family dwellings, guesthouses, outbuildings of any type and alterations or additions to any existing building that substantially change its footprint on the site.
2. "Moderate Improvements" are new or revised pools, walls, fences, decks, patios, ramadas, driveways, parking areas, landscaping and other Improvements that may involve multiple trades or contractors and may utilize heavy equipment on the site.
3. "Minor Improvements" are other Improvements that do not have significant impact on building or hardscape square footage or result in significant appearance change, except that a change in the dominant color of existing structures shall be classified as a Minor Improvement even though it does represent an appearance change. Other examples of Minor Improvements are driveway entrance gates and satellite dish installations.

## II. PLAN APPROVAL IS REQUIRED

To obtain plan approval the Owner shall be required to follow steps as outlined in Article III. Approval of plans shall be evidenced by the written endorsement of the WHRE Architectural Review Committee (ARC) made on the plans. It is the Owner's responsibility to see that all drawings, information, materials, etc. that constitute a specific submittal are received by the Managing Agent, (a person or entity employed to perform tasks in fulfillment of Association responsibilities as directed by the Board), in adequate time to allow for proper consideration and review. An Owner shall not proceed with any type of work on the site, other than surveying and staking, in advance of obtaining the required approvals as covered in Article III. An Owner shall not begin construction of any Improvements without a copy of the approved Final Plans in their possession. No changes or deviations in or from the Final Plans, insofar as the exterior of the proposed Improvements is concerned, and no "field adjustment" of layout or locations shall be permitted without submission and approval of a revised plan by the ARC. After construction is completed no changes to the exterior shall be made including, without limitation, changes in exterior color, without written ARC approval.

## III. PLAN REVIEW PROCESS AND SUBMITTAL REQUIREMENTS

All of the following steps and documentation will generally be required for submittal and approval for a new single-family residence. For other Improvements, at the discretion of the ARC, the steps and documentation required will be reduced, consistent with the complexity of the Improvement. For example, the only submittal required for a color change on a house would normally be a paint color chip with the L.R.V. rating

### SECTION 1. PLAN REVIEW STEPS

**A. PRE-DESIGN ORIENTATION MEETING WITH THE ARC** – This meeting is a requirement for all Improvements and should be scheduled by the Owner during preliminary planning and well before any work is expected to begin. The purposes of this meeting are to define or confirm the Category into which the desired Improvement falls, to explain or clarify the requirements of the WHRE approval process, to alert the Owner to any issues or pitfalls they may not be aware of and to offer any suggestions or assistance possible to simplify and expedite the approval process. In addition the ARC will determine which of the steps and submittals, listed below will be required. The goal of the ARC is to minimize the process and documentation, consistent with the level of complexity of the Improvement. The conclusions will be provided to the Owner in writing on the form provided in Appendix B.

**B. PRELIMINARY PLAN REVIEW** - Two (2) sets of plans shall be submitted to the Managing Agent for Preliminary Review and Approval. Preliminary Plans shall include Site, Floor and Elevation drawings that meet the requirements of Section 2. Concurrent with Preliminary Plan submittal, the site shall be staked to locate the major building corners of all buildings, and the edges of patios, driveways, the Improvement Envelope and other features. In addition a surveyor's benchmark shall be provided on the site to allow verification of Final Floor Elevation. The staking must reflect the locations and layout as submitted on the Preliminary Plans. No percolation tests, bearing tests, site clearing or any other work may be done prior to approval of Preliminary Plans. (Note: Plan Fees, if assessed, are due when Preliminary Plans are submitted. See Appendix C.)

**C. FINAL PLAN REVIEW** – Two (2) sets of plans and a written certification by an Arizona Registered Land Surveyor of the house and driveway location and the house floor elevation shall be submitted to the Managing Agent for Final Review and Approval. Plans shall include Site, Floor, Elevation and Landscape drawings that meet the requirements of Section 2. Landscape plans may be submitted at a later date, however an additional review fee will be applied if not submitted at the same time as other final plans. Concurrent with Final Plan Submittal the site staking shall be adjusted as necessary to reflect any changes from the Preliminary Plan. During this review the ARC, will determine whether additional staking or the erection of height poles will be required. Approval of Final Plans shall be obtained prior to beginning any site work or construction.

(Note: The Construction Deposit, if assessed, is due before the approved Final Plans are returned to the Owner. See Appendix C.)

**D. ROOF FRAMING REVIEW** – Upon completion of roof framing the General Contractor shall notify the Managing Agent. The ARC will verify height and compliance with approved plans.

**E. FINAL INSPECTION AND REVIEW** - After completion of an Improvement, including associated landscaping and cleanup, the ARC and, if required, the Architectural Consultant will conduct a Final Inspection to verify compliance with the Approved Plans. For new dwellings and garages only, at this inspection and prior to occupancy the Owner shall submit a copy of the final Inspection Report issued by Pima County Development Services.

(Subject to any deductions per Article II, Section 2.17 of the CC&Rs, any deposit held during construction will be released for return to the Owner after final inspection and review is successfully completed.)

**SECTION 2. STANDARDS FOR DRAWINGS** - Submittal drawings provided shall meet or exceed the following minimum standards and in addition shall be prepared in sufficient detail to permit the ARC and the Architectural Consultant to judge compliance with these Guidelines and the WHRE CC&Rs:

**A. SITE PLANS** - Site Plans shall:

- be drawn to scale at minimum of one-inch equals twenty feet;
- indicate Property lines and provide dimensioned setback lines;
- indicate the Improvement Envelope and provide its total square footage;
- indicate locations Finished Floor Elevation of all structures;
- indicate total square footage under roof of all structures;
- indicate locations, elevations and material specifications of related Improvements such as patios, driveways, pools etc.;
- indicate locations, material specifications and top-of-wall elevations of all proposed patio walls, retaining walls, etc.;
- provide a master grading plan indicating existing and proposed topography (2' intervals maximum) and cut and fill and slope treatment;
- indicate location and proposed alignment of underground utility service lines;
- indicate location of all utility yard enclosures and mechanical equipment enclosures (including pool equipment, if any).

**B. FLOOR PLANS** - Floor Plans shall:

- be drawn to scale at one-quarter inch equals one foot, (Preliminary plans may be one eighth inch per foot);
- indicate Finished Floor Elevations and total living space square footage;
- provide locations of all utility yard and mechanical equipment enclosures connected to the building with all utility meters and other equipment labeled;
- provide labels for major rooms.

**C. ELEVATION PLANS** - Elevation Plans shall:

- be drawn to scale of one-quarter inch equals one foot, (Preliminary plans may be one eighth inch per foot);
- indicate all Finished Floor and exterior building elevations;
- indicate Top-of-Wall and Top-of-Roof elevations or dimensions for all building components.
- indicate existing and proposed finish contour grades;
- specify all exterior materials and main colors with color name and Light Reflective Value (LRV) indicated.

**D. LANDSCAPE PLANS** - Landscape plans shall:

- be drawn to scale of a minimum of one-inch equals twenty feet, except for areas of cut and fill slopes exceeding six (6) feet in vertical height, which shall be drawn to a scale of a minimum of one-eighth inch equals one foot;
- indicate all existing major desert growth removed by construction or that is within twenty (20) feet of proposed Improvements;
- specifically indicate any new plant over fifteen (15) feet in mature height;
- conform to the WHRE Approved Plant List provided in Appendix D.

While the ARC may determine that all of these plans and standards may not apply or be required on all Improvements, the standard of sufficient detail to permit the ARC and/or the Architectural Consultant to judge compliance with these Guidelines and the WHRE CC&Rs must always be met.

#### **IV. CONSTRUCTION RULES AND REGULATIONS**

It is the Owner's responsibility to insure adherence to the WHRE Construction Rules and Regulations provided in Appendix E and therefore to provide notice to all Builders, Contractors, Subcontractors. It is recommended that these rules and regulations be incorporated into all contracts with all Builders, Contractors, Subcontractors and Landscapers. Copies of these regulations are available from the Managing Agent, the ARC, the Board or the WHRE website for use in such notification. Owners will be held accountable for expenses incurred for re-issue of entry codes in the event of a compromise. In the event of criminal activity within the subdivision, a printout of codes used over a given period will be provided to law enforcement agencies. The entry gate system shall not be bypassed or disabled at any time for any reason by construction personnel.

## APPENDIX A

### BOARD APPROVED REASONABLE INTERPRETATIONS AND CLARIFICATIONS OF THE WHRE ARCHITECTURAL STANDARDS

For reference the WHRE Architectural Standards from Article II, Section 2.3 of the WHRE CC&Rs are provided below. Indicated in bold type are any reasonable interpretations and clarifications determined by the Board to be necessary. Such interpretations and clarifications shall apply with the same force as the original standards presented.

Architectural standards. All Improvements submitted for ARC approval must meet the criteria set forth below:

1. Overall design. The home shall be a Single-family Dwelling that is of a style consistent with the traditional or contemporary southwest desert residential construction as exemplified by existing homes within the Property. The exterior body color shall be a neutral desert earth tone that has a Light Reflectance Value (L.R.V.) less than seventy-two (72). The home shall contain not less than 2500 square feet of living area and shall include not less than a two-car garage, either as part of the home or as a separate structure.
2. Separate structures. No more than two outbuildings shall be permitted on a Lot. All outbuildings shall be consistent in style, materials and color with those of the home.
3. Square footage limits. The total area under roof for all buildings and structures, including but not limited to, the primary residence, guesthouses, garages, porches and patios shall not exceed 13,000 square feet. If an Owner desires to have a freestanding garage for storage of antique or collector cars in addition to the garage that serves the primary residence, that antique or collector car garage shall not exceed 3,100 square feet and, in this case only, the total area under roof for all buildings and structures on that Lot shall not exceed 14,500 square feet.
4. Improvement Envelope. All Improvements, such as but not limited to, landscaping, yards, motor courts, driveways, pools, fountains, and all buildings and structures, shall not exceed a maximum Improvement Envelope, defined as the area within which all Improvements on a Lot are located, of 30,000 square feet. Outside the Improvement no grading and no changes in the landscape, other than maintenance for the purpose of insuring healthy vegetation, shall be permitted.
5. Setback distance. No Building or other Improvement, (excluding drainage ways, driveways and private roads, entrance posts and gates, mailboxes, address signs and associated light fixtures), shall be erected or placed less than fifty (50) feet from any property line of a lot. Minimizing the obstruction of views from neighboring homes shall also be an important consideration in the location of the home and any other building Improvements on a Lot.
6. Floor elevation and building height. The Finished Floor Elevation of any building shall be the average elevation of the natural grade of the area on which it is located. No building shall exceed one story in height and the ARC shall have the authority to verify whether the Finished Floor Elevation or the average natural grade determination by an Owner or his or her design professional is correct. No part of a roof ridgeline shall exceed twenty (20) feet, and no part of a parapet wall shall exceed eighteen (18) feet above the Finished Floor Elevation of such building.
7. Roofs. Flat roofs shall be fully enclosed by parapet walls at heights that hide the roof surface from view of other Lots and shall be painted with a color that meets the same requirement as covered in paragraph 1 above. White roof coatings are permitted on flat roofs if the roof surface is not visible to a viewer standing at ground or ground floor level on any other Lot in the Property. Tan or terra cotta tile roofs are permitted. Other roof types shall be surfaced with roofing materials with a neutral desert earth tone color. Aluminum roof coatings are prohibited on any type of roof.
8. Items to be concealed. All cooling and heating or other mechanical equipment shall be concealed from view from Property streets or other Property Lots. No cooler, air conditioning or heating, equipment, ducts, conduit, piping or other equipment shall be placed, or installed on the roof or wall of any building or structure, except that solar devices, including associated piping, may be placed on roofs which completely conceal them from the view of other Lots. Satellite dishes will be mounted so as to minimize their view from other Lots. All buildings shall include adequate utility yards or enclosures in which all exterior heating and cooling apparatus, clotheslines, mechanical equipment, tanks and space for trash

or rubbish containers and wood storage shall be located. Enclosures shall be provided with a solid gate unless the design is such that the interior is hidden from view of Property streets or other Property Lots.

9. Utility lines. All lines or pipes from electric, telephone, cable, security, fire protection, gas, water or other public utility or private services shall be placed underground and service connections to any Improvement shall be made only to the previously installed connection points on each Lot or other location assigned by the ARC.
10. Walls and fences. Any wall or coping shall not exceed six (6) feet in height, except for portions adjacent to or over an entry area. All walls shall be of a style and color consistent with the home or other building they serve. Wood, wire, chain link or woven metal fences are prohibited, except that a four-strand wire fence may be erected and/or maintained along any boundary of a Lot which boundary is also a boundary of the Wild Horse Ranch Estates.
11. Slope retention. Site cuts and/or fills that cover vertical distances of more than six (6) feet are prohibited. All areas of cut and/or fill having a slope not steeper than two (horizontal distance) to one (vertical distance) shall be replanted with vegetation which, upon maturity, will have a density of at least that existing in the natural landscape of surrounding areas. All areas of cut and/or fill having a slope steeper than two to one and not steeper than one to one shall be resurfaced with natural stones ("rip rap") that blend in with or complement the natural setting or shall be terraced and replanted. All areas of cut and/or fill having a slope steeper than one to one shall be retained by masonry retaining walls.
12. Drainage protection. Adequate provisions or facilities shall be provided to insure that the addition of any improvement does not alter the pre-existing drainage pattern or volume of discharge to streets and adjacent Lots sufficient to cause erosion of the natural landscape.
13. Driveways. All driveways shall be paved with asphalt or concrete. "Chip and seal" construction with no underlying pavement is prohibited. Corner lots shall be accessed from one street only.
14. Exterior lighting and speakers. All exterior lights and speakers, whether free standing or mounted on a building must be located so as not to be directed toward or reflect upon surrounding properties. Exterior lights must be in compliance with local government outdoor lighting codes.
15. Address signs and mailboxes. Each Lot shall include an address sign and mailbox that shall be of a design, material, texture and color that is consistent with the home.
16. Plantings. All plantings on a Lot shall be in conformance with the information provided in Appendix D of the Guidelines. No planting shall be placed or maintained on any corner Lot that obstructs sight lines at elevations between three (3) and eight (8) feet above roadways within the triangular area formed by the extended street property lines and a line connecting them at a point twenty-five (25) feet from the intersection.

## APPENDIX B

## PRE-DESIGN MEETING RECORD FORM

### WILD HORSE RANCH ESTATES IMPROVEMENT PRE-DESIGN MEETING

Date \_\_\_\_\_  
Lot No \_\_\_\_\_  
Owner \_\_\_\_\_ Address \_\_\_\_\_  
Phone \_\_\_\_\_  
e-mail \_\_\_\_\_  
Architect \_\_\_\_\_ Builder \_\_\_\_\_

#### Description of Improvement

Owner has: ☐ Current CC&Rs

☐ Current Approval Procedures

Improvement Category ☐ Major

☐ Moderate

☐ Minor

Plan Review Fee \_\_\_\_\_

Construction Deposit \_\_\_\_\_

Required Plan Review Steps and Submittals ( Pre-design Meeting & Final Inspection are always required.)

☐ Preliminary Plan Review

☐ Final Plan Review

☐ Site Plans

☐ Site Plans

☐ Floor Plans

☐ Floor Plans

☐ Elevation Plans

☐ Elevation Plans

☐ Site Staking

☐ Landscape Plans

☐ Color Sample & LRV

☐ Site Staking

☐ Roof Framing Review

☐ Other \_\_\_\_\_

Anticipated Start Date \_\_\_\_\_

Anticipated Completion Date \_\_\_\_\_

ARC \_\_\_\_\_

Owner \_\_\_\_\_



## APPENDIX C

### FEES and CONSTRUCTION DEPOSIT

**PLAN REVIEW FEES** - To be paid by the Owner to Managing Agent at submittal of Preliminary Plans:

- |  |        |
|--|--------|
| 1. Major Improvements.   |        |
| A. Single family dwelling  | \$650  |
| B. Other Major Improvements  | \$350  |
| 2. Moderate Improvements – (This fee will be refunded in whole or in part in the event no consultation or inspection by the Architectural Consultant is required.) | \$150  |
| 3. Minor Improvements  | No Fee |
| 4. Re-submittals on Major or Moderate Improvements   | \$100  |

**CONSTRUCTION DEPOSIT** - To be deposited by the Owner with the Managing Agent before the approved Final Plans are returned to the Owner.

- |  |                     |
|--|---------------------|
| 1. Single family dwelling or other Major Improvement - | \$5000              |
| 2. Moderate Improvement -                              | \$2000              |
| 3. Minor Improvement -                                 | No deposit required |

## APPENDIX D

### PLANT LIST

This plant listing was developed as a reference for planning, consistent with the WHRE desire to maintain a landscape using native or indigenous plants of the Tucson Basin Sonoran Desert, as it existed prior to 1950, before many non-native plants were introduced locally. Exceptions have been made to prohibit native plants that are particularly invasive or allergenic.

All plants in the "OK Anywhere" category are permitted for use in revegetation and for planting outside or inside enclosed or walled areas. While this list is extensive, it does not necessarily include all plants that may meet WHRE standards. Written approval from the ARC is required prior to planting outside of enclosed or walled areas, any plant that is not listed in this category. It is the Owner's responsibility to obtain and provide to the ARC thorough botanical information on any non-listed plant for verification of its acceptability for approval.

The plants in the "OK Inside Wall" category may only be used inside walled or enclosed areas. While not necessarily native, these plants have been found to be non-allergenic and non-invasive and are commonly available in the Tucson area. Approval is not required for the use of other plants in enclosed or walled areas, but it is the Owner's responsibility to insure that such plants are not severely invasive or allergenic, do not grow to heights which will interfere with views and are not in the "Prohibited Anywhere" Category.

Plants in the "Prohibited Anywhere" category may not be planted anywhere in WHRE.

Lawn grasses or ground covers are permitted only inside enclosed or walled areas. Bermuda grass is prohibited.

In all areas, any species of tree whose mature height may reasonably be expected to exceed the approved building height is prohibited, with the exception of those species specifically listed as approved.

Plants and plantings which do not conform to the above rules, but which were already planted before these rules were established, will not be subject to removal, but the Owner may not replace them in the event of their death or removal.

Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere	Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere
Abutilon californicum	X			Asclepias subulata	X		
Acacia	X			Asparagus densiflorus 'Myers'		X	
Acacia constricta	X			Asparagus Fern		X	
Acacia greggii	X			Atriplex canescens	X		
Aloe		X		Baby Bonnets		X	
Aloysia lycioides	X			Baccharis spp.			X
Amaranthus palmeri	X			Baileya multiradiata	X		
Ambrosia ambrosioides	X			Barrel	X		
Ambrosia deltoides	X			Bat-Faced Cupher		X	
Anisacanthus spp.		X		Bauhinia congesta		X	
Anisacanthus thurberi	X			Bear Grass	X		
Antigonon leptopus		X		Bebbia	X		
Apache Plume	X			Bebbia juncea	X		
Archontophoenix cunninghamiana			X	Beefwood			X
Arctostaphylos pungens	X			Beloperone californica	X		
Arecastum romanzoffianum			X	Berberis haematocarpa	X		
Aristida purpurea	X			Bermuda Grass, Common			X
Arizona Ash	X			Blue Grama	X		
Arizona Grape	X			Blue Palo Verde	X		
Arizona Rosewood	X			Bougainvillea spp.	X		
Arizona Sycamore	X			Boundary Ephedra	X		
Arizona Walnut	X			Bouteloua curtipendula	X		
Arizona Wild Rose	X			Bouteloua gracilis	X		
Arizona Yellow Bells	X			Brahea armata		X	
Artemesia	X			Brittlebush	X		
Artemesia ludoviciana	X			Buckbrush	X		

# APPENDIX D -- Continued

Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere	Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere
Buckthorn	X			Desert Broom			X
Buckwheats	X			Desert Globe Mallow	X		
Buddleia marrubifolia	X			Desert Hackberry	X		
Burro Weed	X			Desert Honeysuckle	X		
Bursage	X			Desert Ironwood	X		
Caesalpinia gilliesii		X		Desert Lavender	X		
Caesalpinia pulcherrima		X		Desert Marigold	X		
California Abutilon	X			Desert Milkweed	X		
California Poppy	X			Desert Olive	X		
Calliandra eriophylla	X			Desert Orchid		X	
Calylophus		X		Desert Plumbago		X	
Calylophus hartwegii		X		Desert Spoon	X		
Campsis radicans		X		Desert Willow	X		
Canotia holacantha	X			Desert Zinnia	X		
Canyon ragweed	X			Dodonaea viscosa	X		
Carlowrightia	X			Ebbing Silverberry		X	
Carlowrightia arizonica	X			Echinocereus engelmannii	X		
Carnegiea gigantea	X			Echinocereus triglochidiatus	X		
Carolina Jasmine		X		Eleagnus ebbingei		X	
Cassia	X			Encelia farinosa	X		
Casuarina spp.			X	Ephedra nevadensis var. Aspera	X		
Catclaw	X			Ephedra trifurca	X		
Catclaw Acacia	X			Eschscholzia californica	X		
Cat's Claw Vine		X		Eucalyptus spp.			X
Cedar			X	Euphorbia		X	
Cedrus Spp.			X	Eysenhardtia polystachya	X		
Celtis pallida	X			Fairy Duster	X		
Celtis reticulata	X			Fallugia paradoxa	X		
Cercidium floridum	X			Fan Palm			X
Cercidium microphyllum	X			Feather Tree	X		
Cercidium praecox	X			Feljoa sellowiana		X	
Cercocarpus montanus	X			Ferocactus wislizenii	X		
Chamaerops humilis		X		Fish Hook	X		
Chaste Tree		X		Flame Bush		X	
Chilean Mesquite	X			Foothills Palo Verde	X		
Chilopsis lincoms	X			Forestiera neomexicana	X		
Chilopsis linearis	X			Fountain Grass			X
Chinese Fountain Palm		X		Fouquieria splendens	X		
Chorisia speciosa		X		Four Wing Saltbush	X		
Chuparosa	X			Foxtail		X	
Citrus		X		Fraxinus velutina	X		
Claret Cup Hedgehog	X			Fraxinus velutina 'Rio Grande'		X	
Cleistanthus formosus	X			Fremont Cottonwood	X		
Common Bermuda			X	Fruitless Olive		X	
Condalia warnockii	X			Gelsemium sempervirens		X	
Cordia parvifolia	X			Germander		X	
Coursetia microphylla		X		Gleditsia triacanthus			X
Crape Myrtle		X		Golden Eye	X		
Creosote	X			Graythorn	X		
Crossosoma	X			Grevillea robusta			X
Crossosoma bigelovii	X			Greythorn	X		
Crucifixion Thorn	X			Hall's Honeysuckle		X	
Cuphea llavea		X		Haplopappus laricifolia	X		
Cupressus sempervirens			X	Haplopappus tenuisectus	X		
Cycus revoluta		X		Hedcoma anatum	X		
Cynodon dactylon			X	Hedgehog	X		
Dasylium wheeleri	X			Hesperaloe		X	
Deer Grass		X		Hesperaloe parviflora	X		

# APPENDIX D – Continued

Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere
Holocantha emoryi	X		
Honey Locust			X
Honey Mesquite	X		
Honeysuckle		X	
Hopbush	X		
Hummingbird Trumpet	X		
Hyptis emoryi	X		
Indian Hawthorn		X	
Indian Ricegrass	X		
Indigo Bush, Pea Bush	X		
Italian Cypress			X
Italian Jasmine		X	
Janusia	X		
Janusia gracilis	X		
Japanese Wisteria		X	
Jasminum humile		X	
Jasminum mesnyi		X	
Jatropha cardiophylla	X		
Jojoba	X		
Juglans microcarpa var. Major	X		
Justicia		X	
Kidneywood	X		
King Palm			X
Krameria Spp	X		
Lady Bank's Rose		X	
Lady Palm		X	
Lagerstroemia indica		X	
Lantana montevidensis	X		
Larrea tridentata	X		
Leucophyllum	X		
Limberbush	X		
Lippia	X		
Little Leaf Cordia	X		
Livistona chinensis		X	
Lonicera japonica 'Halliana'		X	
Lophocereus schottii	X		
Lupine	X		
Lysiloma candida	X		
Lysiloma thornberi	X		
Macfadyena unguis-cati		X	
Mastic		X	
Mediterranean Fan Palm		X	
Mendora scabra	X		
Mescal Bean	X		
Mexican Blue Palm		X	
Mexican Elderberry	X		
Mexican Palo Verde			X
Mimosa bluncifera	X		
Mimosa dysocarpa	X		
Mockpenny	X		
Monkey Flowers	X		
Mormon Tea	X		
Morus spp.			X
Mountain Mahogany	X		
Mountain Marigold		X	
Muhlenbergia spp.		X	
Mulberry Tree			X
Myers' Asparagus Fern, Foxtail		X	

Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere
Myoporum parvifolium		X	
Nandina		X	
Nandina domestica		X	
Native Yuccas	X		
Nerium oleander			X
Night Blooming Cereus	X		
Nolina bigelovii	X		
Nolina microcarpa	X		
Ocotillo	X		
Olea europaea var. 'Swan Hill'		X	
Olea europaea*			X
Oleander			X
Olive Tree*			X
Olneya tesota	X		
Organ Pipe	X		
Oryzopsis hymenoides	X		
Palmer's amaranth	X		
Palo Blanco	X		
Palo Brea	X		
Paperflower	X		
Parkinsonia aculeata			X
Parry's Penstemon	X		
Pennisetum Spp.			X
Penstemon	X		
Penstemon parryi	X		
Periwinkle		X	
Pilosocereus purpusii	X		
Pincushion	X		
Pine			X
Pineapple Guava		X	
Pinocereus greggii	X		
Pink Trumpet Vine		X	
Pinus spp.			X
Pistache lentiscus		X	
Pithecellobium flexicaule		X	
Plantanus racemosa var. Wrightii	X		
Plumbago scandens		X	
Podranea ricasoliana		X	
Pointleaf Manzanita	X		
Pomegranate		X	
Poplar			X
Populus fremontii	X		
Populus spp.**			X
Prickly Pear, Cholla	X		
Primrose		X	
Primrose Jasmine		X	
Prosopis hybrid	X		
Prosopis juliflora	X		
Prosopis juliflora var. velutina	X		
Prosopis pubescens	X		
Prosopis chilensis	X		
Prostrate Myoporum		X	
Psilostrophe cooperi	X		
Punica granatum		X	
Purple Threeawn	X		
Queen of the Night	X		
Queen Palm			X
Queens Wreath		X	

# APPENDIX D – Continued

Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere	Common or Botanical Name	OK Anywhere	OK Inside Wall	Prohibited Anywhere
Rangers	X			Teucrium chamaedrys 'Prostratum'		X	
Raphiolepis indica		X		Texas Ebony			X
Ratany	X			Texas Mountain Laurel	X		
Red Barberry	X			Texas Ranger	X		
Red Bird of Paradise		X		Thevetia spp.			X
Red Yucca, Hesperaloe	X			Tobira		X	
Rhapsis		X		Trachycarpus fortunei		X	
Rhus ovata	X			Trailing Lantana	X		
Rhus trilobata	X			Trumpet Creeper		X	
Rosa arizonica	X			Trumpet Vine		X	
Rosa banksiae		X		Turpentine Bush	X		
Ruellia nudiflora	X			Twain Berry	X		
Sago Palm		X		Vauquelinia californica	X		
Saguaro	X			Velvet Mesquite	X		
Salt Cedar			X	Velvet Pod	X		
Saltbush	X			Verbena		X	
Salvia	X			Vigueria deltoidea	X		
Sambucus caerulea var. Mexicana	X			Vinca major		X	
Screwbean Mesquite	X			Vitex agnus-castus		X	
Senita	X			Vitis arizonica	X		
Sideoats Grama	X			Washingtonia spp. ***			X
Silk Floss		X		Western Hackberry	X		
Silk Oak			X	White Brush	X		
Silverleaf	X			Whitethorn Acacia	X		
Simmondsia chinensis	X			Willow	X		
Sophora	X			Windmill Palm		X	
South American Mesquite	X			Wisteria floribunda		X	
Sphaeralcea ambigua	X			Wolfberry	X		
Squaw Bush	X			Wooly Butterfly Bush	X		
Stenocereus marginatus	X			Wooly Torch Cactus	X		
Sturts Desert Pea	X			Xylosma		X	
Sugar Bush	X			Xylosma congestum		X	
Tagetes lemmonii		X		Yellow Bird of Paradise		X	
Tamarix aphylla			X	Yellow Trumpet Bush	X		
Tamarix Spp.			X	Zauschneria californica latifolia	X		
Tan-Tex Ash		X		Zinnia acerosa	X		
Tecoma stans	X			Ziziphus obtusifolia	X		

## Notes:

- \* Olea europaea 'Swan Hill' (Fruitless Olive) is permitted inside enclosed or walled areas only. All other Olive Trees (Olea europaea) are prohibited because of their allergy-producing pollen.
- \*\* Populus fremonti is permitted.
- \*\*\* Chamaerops humilis (Mediterranean Fan Palm) is permitted inside enclosed areas only.

## APPENDIX E

### WILD HORSE RANCH ESTATES CONSTRUCTION RULES AND REGULATIONS

Wild Horse Ranch Estates is a private community with construction rules and regulations established by the Association to protect the safety, security and property of its members. Verified infractions of the rules and regulations by contractors or subcontractors will result in loss of access to Wild Horse Estates and payment of full restitution for any damages incurred. Unless otherwise indicated, these rules and regulations apply to all contractors and subcontractors regardless of the type of work or category of improvement that they are undertaking.

1. Prior to the beginning of construction of a home, guesthouse, outbuilding or an addition to a home any Builder or Contractor which will utilize the services of subcontractors shall provide a complete list of all subcontractors to the WHRE Association Managing Agent. If more contractors are required as construction progresses the Builder shall provide an updated list to the Managing Agent prior to the arrival of the new contractors at the site.

2. If the Owner does not elect to have a Contractor call from the gate for entry, prior to the beginning of construction, contractors shall contact the Association Managing Agent to obtain codes for the controlled access entry gate. An end date, consistent with the anticipated Improvement completion date, shall be set for this Code, after which it shall no longer be valid. Code disclosure is to be strictly limited.

3. Parking is limited to the side of the street on which the construction is located. No parking is permitted on or in any cul-de-sac or within twenty (20) feet of a resident's driveway or mailbox, except for that of the Owner of the lot undergoing an Improvement,

4. No parking is permitted off paved roadways unless on the construction site in areas approved by the Association Architectural Review Committee (ARC) for clearing and construction. Neither private nor construction vehicles will be left overnight on the streets of the subdivision.

5. Construction and related deliveries are permitted Monday through Saturday. No construction is permitted on any Sunday or Major Holiday. Contractors, Architects, Builders and Engineers will be permitted access for meetings on Sundays, but no construction equipment or deliveries will be permitted. The Association recognizes the following Major Holidays as a non work schedule: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas Day.

6. Construction work hours are from 5:00 a.m. to 7:00 p.m. from April to October and 6:00 a.m. to 6:00 p.m. from November through March (Monday through Saturday). All vehicles will be operated on the paved surface of the private subdivision streets to the maximum extent possible. Contractor vehicles are expected to limit themselves to the posted speed of 25 m.p.h. Any access routes cleared to the construction site which will not ultimately be paved as driveways for the resident will be re-vegetated and returned to such condition as not to encourage off road vandalism. Any damage to Association streets will be completely repaired at Builder/Owner expense.

7. Within Wild Horse Ranch Estates, counter-clockwise traffic flow must be observed at all cul-de-sacs. Contractor suppliers and personnel may not use private driveways as turnarounds.

8. Sound or video equipment is not to be played on the construction site at a volume that is objectionable to the surrounding residents. Car or truck telephones are not permitted to "ring" by blowing the vehicles horn.

9. Erosion during construction from unpaved construction drives or cleared areas, spillage from trucks and equipment and tracking of such materials by vehicles onto paved streets or private property is not permitted. Spillage or tracking of oils, paints, solvents and other hazardous material may constitute an environmental hazard and shall be promptly cleaned up in accordance with county, state and federal guidelines and regulations. Dumping of waste paints, solvents, building materials or other waste or discarded materials on lots or common areas is strictly prohibited and forbidden under any circumstances. Timely cleanup is the responsibility of the Owner.

10. During the construction phase, storage of equipment and/or material and the installation of security fencing shall be confined to the property limits. Common areas, specifically including the privately owned streets and cul-de-sacs of the Association, shall not be used for this purpose.

11. Any portable rest room facilities are to be located on the property under construction in the least conspicuous manner possible, but in no case closer than thirty (30) feet to roadways and adjacent lot lines.

12. No billboards or advertising signs shall be erected, placed, permitted or maintained on any lot or structure, except for the property identification sign referred to in Article II, Section 8, of the WHRE CC&Rs and, for the period of construction of a new single family dwelling and until it is occupied, a single sign including only the name, address and phone number of the general contractor. No billboards or signs are permitted for any other type of construction or other work.