

**Architectural**  
**Guidelines/Restrictions**

**INDIAN PALMS  
COUNTRY CLUB ASSOCIATION  
ARCHITECTURAL & LANDSCAPE GUIDELINES  
Revised September 2011  
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**INDIAN PALMS COUNTRY CLUB ASSOCIATION  
ARCHITECTURAL & LANDSCAPE GUIDELINES  
ARTICLE I**

**INTRODUCTION**

One of the most important functions of The Indian Palms Country Club Association ("Association") is the preservation of the architectural character of The Indian Palms Country Club Community ("Community"). The Board of Directors of the Association ("Board") has been charged with the administration and enforcement of architectural control within the community by the authority given to it in the Declaration of Covenants, Conditions and Restrictions of the Presidents Club and Resort Community Association ("CC&R's"). The CC&R's provide for an Architectural and Landscape Committee to be appointed to review all plans and specifications for any improvements proposed to be constructed within the Community and to approve, conditionally approve or disapprove such proposed improvements. The CC&R's authorize the Board of Directors to establish, amend and repeal Architectural Guidelines ("Guidelines"). The Architectural and Landscape Committee will administer the Guidelines. The Board has the right to levy a special penalty assessment against any Owner who fails to comply with the Guidelines or as a means of reimbursing the Association for costs incurred in the repair of damage to common area that is caused the Owner.

**Section 1.1**

**Intent of the Guidelines**

These Guidelines are principally concerned with the physical appearance of the Community. All Architectural and Landscape Committee submissions must include all plans and projections and other materials required by the Architectural and Landscape Committee along with a completed Architectural Application to be considered. **No work is to start prior to Architectural and Landscape Committee or Board approval of the proposed plans.**

**Section 1.2**

**Approval**

The Architectural and Landscape Committee may condition its approval of plans and specifications on such changes it deems appropriate and may require submission of additional plans and specifications. If the Architectural and Landscape Committee fails to approve or disapprove complete plans and specifications within thirty (30) days after receipt by the Architectural Committee of all required materials, such plans and specifications shall be deemed approved. This thirty-day (30) period shall begin when the Architectural and Landscape Committee deems the submission package complete.

**Section 1.3**

**Appeal**

Should the Architectural and Landscape Committee disapprove plans and specifications submitted, the Owner submitting such plans and specifications may appeal in writing to the Board. The homeowner has 30 days to appeal from the date on the management company's disapproval letter. Appeals will be heard at the next available board meeting and the Board will respond to the appeal in writing within 60 days after that Board meeting.

**Section 1.4**

**Reviews/Other Management Documents**

The Architectural and Landscape Committee, or designated representatives, may make reviews of improvements during construction and following completion thereof. The owner must provide written notification to the Architectural and Landscape Committee of the completion of the applicable improvements within forty-five (45) days after the improvements completion. Failure to obtain approvals constitutes a violation of the CC&R's and will result in remediative action. In the event of any conflict between the provisions of these Guidelines and the provisions of the CC&R's, Supplementary Declaration or Bylaws, the provisions of the CC&R's, Supplementary Declaration and Bylaws shall prevail.

**Section 1.5**

**City/County Approval**

All necessary City of Indio ("City") building permits must be obtained and all City and Riverside County ("County") regulations must be adhered to at all times. After the Committee has approved the plans for aesthetic purposes, the local regulatory agencies must be contacted to be sure that the plans are in compliance with all planning, building, zoning, health and other applicable regulations currently in force. The approval of any construction activity by the Architectural Committee does not waive the necessity of obtaining the required City and County permits. **Obtaining a City or County permit does not waive the need for Architectural and Landscape Committee approval.**

## ARTICLE II

### GENERAL SUBMISSION PROCEDURES AND REQUIREMENTS

#### Section 2.1 Application Submittal

All applications are to be made to the IPCCCA Architectural and Landscape Committee which has a mailbox in the Indian Palms Country Club Lifestyle Center. Applications may be delivered to the Lifestyle Center or mailed to:

ATTN: Indian Palms Country Club Association  
Architectural and Landscape Committee  
c/o Personalized Property Management  
68-950 Adalina Road  
Cathedral City CA 92234

Telephone inquiries should be directed to:  
(760) 325-9500

All requests for Architectural and Landscape Committee approval must be made on the standard Association Architectural and Landscape Committee Application forms that can be obtained from the Lifestyle Center or PPM.

#### Section 2.2 Required Copies

**THREE (3) COMPLETE COPIES OF THE APPLICATION, PLANS, AND SUPPORTING DOCUMENTS FROM THE HOMEOWNERS, SHOWING THE APPLICABLE ITEMS REQUESTED IN ARTICLE IV OF THESE GUIDELINES, ARE REQUIRED.**

#### Section 2.3 Construction Drawings

Plans describing requested work must be prepared with sufficient clarity and completeness. In addition, any improvement which requires modification to any slope or retaining wall must include a complete geo-technical soils report from a licensed soils engineer or geologist.

#### Section 2.4 Right of Entry

If "Construction Activities" (as defined in the CC&R's) require the use of common areas for purposes of transporting labor and materials, or for the temporary storage of materials for the work, the applicant shall obtain written permission from the Association of a "Right of Entry" during the course of construction. A copy of the Right of Entry shall be filed with the Architectural and Landscape Review Committee prior to the commencement of construction. All common area improvements damaged as a result of use of the Right of Entry must be repaired by the Owner, at the Owner's expense, to the satisfaction of the Association as noted below.

#### Section 2.5 Improvement Security Deposit & Submittal Fees

At this time a general fee is not charged for the submission of Architectural review applications. However, the Association reserves the right to consult with experts before rendering a decision on an application. The fees charged by such experts may be the responsibility of the applicant.

#### Section 2.6 Incomplete Submittals

To avoid unnecessary delays, the Architectural and Landscape Review Committee may refuse to accept incomplete submittals. Incomplete submittals may be returned to the applicant along with listings of deficiencies. The Architectural and Landscape Committee may proceed with the review and withhold formal approval until a complete package is submitted.

#### Section 2.7 Non-Liability

Plans and specifications are not reviewed for (a) engineering design, (b) compliance with zoning and building ordinances, and IPCCCA Architectural and Landscape Guidelines

other applicable statutes, ordinances or government rules or regulations, (c) compliance with the requirements of any public utility, (e) preservation of any view; or (f) safety or fitness for use. By approving or not approving such plans and specifications neither the Architectural and Landscape Review Committee, the members thereof, the Association, the Owners, the Board, nor Declarant assume liability or responsibility for any defect in any improvement constructed from such plans and specifications or for any obstruction or impairment of view caused or created as the result of any improvements. The Association is not responsible for and does not review applications for or make any decision regarding the application's compliance with building codes or other laws. Association approval does not relieve the owner of any duties to obtain city permit(s), nor does Association approval reflect compliance with any other public agency requirements. If an applicant contends that any provision of law mandates or requires the installation of all or any part of any proposed Improvement, the applicant must specify, in writing, to the Architectural and Landscape Review Committee what provision of law applies and what components of the proposed Improvement are required by law.

## 2.8

### Disposition

Upon approval, disapproval, or in the event the Architectural and Landscape Committee requests clarification or additional information, all submissions shall be distributed as follows:

- (a) One plan shall be retained by the Architectural and Landscape Committee as its working copy.
- (b) One approved plan shall be placed in the Association files.
- (c) One approved plan shall be returned to the owner who shall be required to maintain the same at the work site during the course of construction until such time as a final review has been made by the Architectural and Landscape Committee or its designated representative and the project has been accepted by the Architectural and Landscape Committee.
- (d) Disapproved plans or those requiring clarification or additional information shall be returned to the Owner with a copy of the disapproved plan remaining with the Committee.

## Section 2.9

### Time Period

Work must commence within one hundred-eighty (180) days of approval or the Architectural and Landscape Committee, or the Committee may void this approval and require new submission for review. All improvements shall be completed within one (1) year after the date of approval, unless otherwise specified in writing by the Architectural and Landscape Committee

## Section 2.10

### Review

Within forty-five (45) days following the completion of an approved improvement, the owner/applicant shall notify the Architectural and Landscape Committee in writing requesting final review and approval on the forms provided with the approval letter.

## Section 2.11

### Enforcement

Failure to obtain the necessary approval from the Architectural and Landscape Committee constitutes a violation of the **CC&R's**. The Architectural and Landscape Committee may require an owner to take such action as may be necessary to remedy such violation and may seek an injunction for the removal of the improvement. In addition, an owner who commences work before receiving Architectural and Landscape Committee approval shall be subject to a fine in a minimum amount of \$100.00, and a maximum amount of \$200.00; an owner who completes work without submitting a proper application to the Architectural and Landscape Committee shall be subject to a fine in a minimum amount of \$200.00, and a maximum amount of \$300.00. (Approved at 5/16/11 Board meeting).

## Section 2.12

### Violations

All residents have the right and the responsibility to bring to the attention of the Architectural and Landscape Committee any violations of any of these Guidelines.

## Section 2.13

### Amendments

These Guidelines along with the provisions set forth in the CC&R's form the basis and criteria for evaluation of plans and specifications submitted for review and approval by the Architectural and Landscape Committee. Any issues not covered by the Association management documents shall become a matter of discretionary judgment on the part of the Architectural and

Landscape Committee acting in good faith on behalf of the best interests of the Association as a whole.

**The Board of Directors may, at their discretion, from time-to-time, amend these Guidelines within the parameters set forth in the CC&R's**

**ARTICLE III  
GENERAL CONDITIONS OF APPROVAL**

The following shall be the conditions of any architectural approval and must be complied with even though not specifically referred to in such approval. It shall be the responsibility of the applicant to insure that these conditions are complied with by all persons or firms used, engaged or employed in carrying out any operation or trade in conjunction with the approved improvement.

**Section 3.1  
Signs**

Construction and/or contractors signs may not be displayed on lots within the Association.

**Section 3.2  
Hours of Operations**

Except in case of emergency, no person shall be employed nor cause to be employed in any construction, repair or landscaping activities except between the hours set forth as follows (see CC & R General Community rules – 11.):

- (1) Pacific Standard Time
  - (a) Monday through Friday, 7:00 a.m. to 6:00 p.m.
  - (b) Saturday, 8:00 a.m. to 6:00 p.m.
  - (c) Sunday, 9:00 a.m. to 5:00 p.m.
  - (d) Government Code holidays, 9:00 a.m. to 5:00 p.m.
- (2) Pacific Daylight Time
  - (a) Monday through Friday, 6:00 a.m. to 6:00 p.m.
  - (b) Saturday, 7:00 a.m. to 6:00 p.m.
  - (c) Sunday, 9:00 a.m. to 5:00 a.m.
  - (d) Government Code holidays, 9:00 a.m. to 5:00 p.m.

No exterior work on Sundays and holidays.

**Section 3.3  
Temporary Structure**

No structure of a temporary character will be permitted to remain on any lot without the written approval of the Board.

**Section 3.4  
Construction Materials**

All construction materials must be stored within an owner's lot. Any construction materials that are delivered and deposited on the streets or on any other common area must be relocated to the owner's lot, except to the extent that the owner has obtained a Right of Entry from the Association as described above. The owner shall be responsible for removing all debris and maintaining all common areas, including the streets and walkways, in a clean and attractive condition. The Board has the right to levy a special assessment against the owner who is making the improvements to recover the cost of cleaning or restoring any common area to the condition that existed prior to the commencement of such improvements (see section 2.4).

**Section 3.5  
Maintenance of Improvements**

The repair and maintenance of any work or improvement will be the responsibility of the installing owners or subsequent owner.

**Section 3.6  
Additional Conditions**

In addition to the conditions set forth in this Article III, the Architectural and Landscape Committee may impose additional conditions relative to any improvement, as more fully set forth in the CC&R's.

### **Section 3.7 Construction Equipment**

Owners shall be responsible for insuring that construction equipment (other than commercial vehicles) such as trailers, trash bins, and compressors shall not be parked or placed on the streets for a period greater than seventy-two (72) hours. Commercial vehicles shall be removed from the Community immediately after use and may not be parked, stored or kept on any street (public or private) within the Community while not in use. At no time, shall construction equipment block vehicular access or the intended use of the streets within the Community. The Board has the right to levy a special assessment against the owner as a disciplinary measure for a violation of the foregoing regulation and for reimbursement of any costs incurred by the Association in the repair for damage for which the owner, owner's agents, or contractors are responsible.

### **Section 3.8 Drainage**

There shall be no interference with the rain gutters, down spouts, or other drainage systems (whether surface or subterranean) originally installed by the Declarant or any "Merchant Builder" (as defined in the CC&R's), or any other interference with the established drainage pattern over any lot or common areas unless an adequate provision, previously approved in writing by the Architectural and Landscape Committee, is made for proper drainage.

## **ARTICLE IV SUBMITTAL REQUIREMENTS**

In addition to the general submission procedures described in Article II of these Guidelines, Owners within the Community shall comply with the following submission guidelines: Each type of drawing submitted must include the minimum amount of information listed below:

- (a) Plot Plan
  - (i) Show lot lines accurately as to length, angles and amount of curve. Show all existing property lines and proposed buildings, structures, fences, walls, sidewalk and other improvements; indicate all required setbacks, and easements.
  - (ii) Show all dimensions on work to be considered; distances between existing and proposed work and distances between proposed work and property lines, and setback lines.
- (b) Landscape Plan
  - (i) Include all walkways, paving, flatwork, decks, terraces, walls, fences, railings, steps, stairs, ramps, pools, spas, fountains, ponds, mechanical equipment, sculpture, trellises, arbors, gazebos, built-in barbecues and counters or bars, sports courts, play equipment, storage units, ornamental rocks/boulders, area lighting fixtures, garden lighting fixtures, planting areas and plant material names and proposed sizes, et al.
  - (ii) A separate landscape hardscape plan and a separate landscape planting plan submission are encouraged to clarify proposed improvements.
  - (iii) Proposed fences and wall drawings shall note materials, colors and heights. Heights shall be noted in relation to the immediate ground elevations.
  - (iv) Pool, spa, fountain and pond plans shall include the location, size, and sound and visual (screening) mitigation treatment of all mechanical equipment.
- (c) Exterior Elevations
  - (i) Provide exterior elevations of all proposed structures including trellises, gazebos and shade structure. When the proposed improvement is attached to the existing home, the existing elevation must be shown in relation to the proposed improvement.
  - (ii) Note all finished materials, colors and textures of proposed work. Note if proposed finishes and materials are to match existing finishes and materials.
  - (iii) If the proposed finish materials or colors are different than those of the existing structure; a color and material board must be included clearly depicting the existing materials and colors that are to differ.
- (d) Floor Plans
  - (i) Indicate all walls, columns, openings and any condition or feature that will affect the exterior design of the structure.
  - (ii) Show dimensions of proposed work and related existing work; indicate relationship.
  - (iii) Delineate all parts of the exterior that cannot be shown on elevation drawings.
  - (iv) Identify square footage of proposed work and existing work.



- (e) Roof Plan
  - (i) Show all existing and proposed roof surfaces. Note pitches, overhangs and maximum heights. All roof surfaces shall be tile.
  - (ii) Call out existing and proposed roof materials and colors.
- (f) Include all mechanical devices exposed to the exterior and all solar collectors, racks, storage facilities and distribution components.

**ARTICLE V  
SITE DEVELOPMENT GUIDELINES**

The following site development guidelines shall apply to all Improvements.

**Section 5.1  
Workmanship and Corrective Action**

All lot improvements shall be performed in a manner consistent with the CC&R's, these Guidelines and the existing structures, fences, etc. The Architectural and Landscape Committee may require an owner to take such action as may be necessary to remedy any work which was not performed in compliance with the CC&R's and these Guidelines, which action may include the modification, removal or restoration of the applicable improvements. If the owner fails to remedy the noncompliance within sixty (60) days from the date the Architectural and Landscape Committee's notice of noncompliance is deemed received by the owner; the Architectural and Landscape Committee shall notify the Board in writing of such failure. If the Board determines that a noncompliance exists, the owner must remedy or remove the same within a period of not more than forty-five (45) days from the date that notice of the Board ruling is given to the owner. If the owner does not comply with the Board ruling within that period, and to the extent not prohibited by applicable law, the Board may record a notice of noncompliance and may commence a lawsuit for damages or injunctive relief, as appropriate, to remedy the noncompliance.

**Section 5.2  
General Development Guidelines**

- (a) Heights
  - (i) Dwellings  
Heights of improvements other than landscaping shall be restricted to the maximum height of the existing structure and must be compatible with the intent of the existing structure with respect to massing and enclosure.
  - (ii) Other Structures  
Maximum height of the occupiable area of all other structures including patio structures, trellises and gazebos shall be limited to twelve (12) feet in height. All portions of proposed structures that are decorative and unoccupiable and exceed the twelve (12) foot limit are subject to review and may be permitted.
- (b) Setbacks  
Minimum setbacks for the community are established in conformance with the applicable City building and zoning codes. For Indian Palms located in the City of Indio the set backs are five (5) feet from the back boundary and three (3) feet from the side boundaries. These setbacks affect all improvements including without limitation, buildings, out-buildings, garages, carports, pool, and recreation facilities, parking areas, awnings, patio covers, balconies, stairs and decks. In the case of irregular shaped lots or flat lots, the Architectural and Landscape Committee may establish front, side and rear yard setbacks, consistent with the approved minimum guidelines, to allow alternative siting of improvements. Freestanding structures shall be limited to a maximum of 10% of rear yard area. The rear yard area shall be measured from the back of the house to the rear and side property lines. All freestanding structures, regardless of size, require approval from the Architectural and Landscape Committee.
- (c) Chimneys  
No chimney may extend higher than the minimum height as required by the Building Code of the City.
- (d) Fences and Walls  
Fences, walls and gates shall not be installed, removed, reconstructed, or modified as to structure, finish or color without the prior written consent of the Architectural and Landscape Committee. Double walls constructed side-by-side shall not be permitted. Non-retaining fences, walls and gates shall not exceed six (6) feet in height or 7'-6" in combination with a retaining wall. Retaining walls are subject to the approval of the Architectural and Landscape Committee. Such approval shall be based on the aesthetic appearance of the wall but shall not be deemed to warrant or approve in any manner the engineering or structural design of the

wall. Unfinished sides of fences or walls shall not be exposed to any public right of way, common area or other lot. Side yard return walls shall be masonry with a wrought iron gate; however, all walls, fences and gates must properly screen any element as required in these guidelines. Exposed wood fences viewed from a public place are prohibited.

(i) Side Yard Walls

The Architectural and Landscape Committee will approve requests to modify side yard walls if the owner first obtains the approval of the adjoining neighbor and agrees to construct the wall so that it matches the existing wall in terms of material, color and height. NOTE: Homeowner to obtain City Building Permit.

(e) Planter Walls

Building materials used to construct decorative planter walls should compliment the style of the home and existing walls or fences. These materials are subject to the Architectural and Landscape Committee's approval. All planter walls shall also have an approved drainage system located near the wall footing.

(f) Antenna

Radio, TV and Satellite Dish Antenna:

Appliances or installations upon the roof of any residential or accessory structure, except for solar panels or other appliances installed by the builder, shall not be permitted except in accordance with the CC&R's.

(g) Door and Window Coverings

Screen doors or retractable doors shall be permitted on any front or main entry door provided that the color is white or that it matches the existing trim or base color of the residence. No natural aluminum (i.e. clear anodized) doors will be permitted whatsoever —Decorative; architecturally appropriate awnings may be installed provided that they have been approved by the Architectural and Landscape Committee. Window shall not be covered with unsightly material such as aluminum foil, paint, etc.

(h) Exterior Lighting

No exterior lighting shall be placed or maintained upon any lot so as to cause an unreasonable glare or illumination upon any other private or common lot.

(i) Clotheslines

Outside clotheslines shall not be erected, unless they are placed and maintained so as not to be visible from neighboring properties. Retractable clotheslines may be considered.

(j) Patio Structures, Sun Shades and Gazebos

All patio structures, sun shades, gazebos and similar features shall be subject to review and approval by the Architectural and Landscape Committee. They may also be subject to separate review and approval by the City. Trellis structures, patio covers and gazebos should be of high quality, consistent with the character of the home, with compatible materials and colors. The integration of planting and architecture is particularly encouraged.

(k) Exterior Colors

Exterior colors of existing improvements shall not be changed or altered without the consent of the Architectural and Landscape Committee. All colors shall be compatible with existing colors of the Community. A sample of the recommended color palette is on display at the Lifestyle Center.

(l) Flagpoles

Display of a Flag of the United States made of fabric, cloth, or paper displayed from a staff or pole, or in a window, is permitted.

(m) Mechanical Equipment

All mechanical equipment exposed to the exterior, including pumps, heaters, air-conditioning compressors, etc be subject to review and approval of the Architectural and Landscape Committee. The design and installation of shall be in accordance with CA Civil Code sec.714 et seq. Clear anodized aluminum frames and support structures are prohibited. All mechanical equipment exposed to the exterior shall be located in a manner to minimize visual impact.

(n) Paving Materials

Enhancement of front yard driveway and entry paving is subject to the approval of the Architectural and Landscape Committee. All exterior paved areas exposed to street right-of-way shall be of materials approved by the Architectural and Landscape Committee. Applicant will be responsible for replacing all common area improvements damaged during the installation of such enhancements. Modification to the common area irrigation system is prohibited unless otherwise approved by the Architectural and Landscape Committee. Any such approved modification to the common area irrigation system will be done by the Association at the applicants' expense.

- (o) Soil Elevation  
Soil shall remain six (6) inches below the plaster screed line on the exterior walls of the residence.
- (p) Re-grading  
Drainage flow lines should be maintained at not less than eighteen (18) inches from the exterior walls with the low point not less than three (3) inches below the soil's adjacent high point.

**Section 5.3  
Landscaping and Pool Guidelines**

- (a) Front Yard Design  
To soften the appearance of the hardscape in the front yard, at least seventy (70) percent of the front yard not covered by the driveway is required to be landscaped with plant materials. Some foundation planting will be required. Extremely thematic designs are not appropriate, such as elaborate topiary, rock gardens, and lawn sculpture and are discouraged. Front yard landscape shall include the parkway area between the curb and the property line.  
Desertscape will be allowed in conjunction with some planting material provided plans are reviewed by the Architectural and Landscape Committee.  
Asphalt paving is not permitted, except in the street right-of-way or on common driveways.  
All front yards must be landscaped within one hundred eighty (180) days following the close of escrow to the first Owner.
- (b) Rear and Side Yard Design and Maintenance
  - (i) All rear and side yards must be landscaped within one hundred eighty (180) days following the close of escrow.
  - (ii) The Architectural and Landscape Committee shall have the right, but not the obligation, to require any owner to remove, trim, top or prune any bush, tree, shrub or plant which the Architectural and Landscape Committee decides detracts from the appearance of the Community.
  - (iii) No owner may interfere with the adjoining or other lots. Adequate provisions for proper drainage (as approved by the Architectural and Landscape Committee) will be made in the event it is necessary to change said established drainage.
  - (iv) All owners of lots shall continuously maintain and properly water any slope within their rear yard. All improvements located within the slope areas such as landscaping and sprinklers shall be maintained in a safe condition and state of good repair. Any re-planting of slope area must be approved by the Architectural and Landscape Committee.
  - (v) Each owner of a lot shall keep all shrubs, trees, grass and plantings of every kind on his lot neatly trimmed, properly cultivated, irrigated and free of trash, weeds and other unsightly materials.
- (c) Approved Plant Materials  
Owners are encouraged to select plant material suitable to the general environment and appropriate to the area. If owner-installed plant materials materially increase the maintenance costs such that the landscape maintenance company charges an additional fee for their maintenance, that cost shall be paid for by the owner as a Special Assessment.
- (d) Pools, Spas, Hot Tubs, Ponds, Fountains
  - (i) Pools, spas, hot tubs, ponds and fountains shall be subject to review by the Architectural and Landscape Committee. There may also be a separate review and approval by the City.
  - (ii) All accessory equipment shall be located, screened or recessed in such a manner so as not be viewable from off-site and adjacent lots.
  - (iii) Heaters shall be stackless or low profile in configuration.
  - (iv) All equipment installations shall be located, sound controlled and maintained in such a manner so as not to unreasonably disturb residents of other lots. The Architectural and Landscape Committee shall have the right, but not the obligation, to require any owner to repair or restore any installation to quiet operation or restrict its use or operation if in the reasonable opinion of the Architectural and Landscape Committee continued use or operation disturbs residents of other lots.
  - (v) Pools shall be designed by a licensed geotechnical consultant in compliance with all applicable codes of the City. No pools shall be located within ten (10) feet of a top of slope without an approved design from a licensed geotechnical consultant. No pools will be allowed in common area easements.

- (vi) Fences are not required for yards in which pools and/or spas are installed but are recommended by the Association. Such fences, walls, and gates shall be consistent with the design standards contained in these guidelines. If a fence is not installed the owner is accepting all liability and the Association will be held harmless for any and all liability with the pool or spa.
- (e) Irrigation  
All yards must be properly irrigated to conserve water. Irrigation and area drains in yards must be properly designed for adequate drainage to permit plants to survive and to minimize the ponding of water.
- (f) Drainage/Grading  
All yards must be properly drained to minimize damage to neighboring parcels. All grading must be based on a final grading plan prepared by a registered engineer and/or landscape architect in conformance with the regulations of the City and other governmental agencies. Prior to the commencement of construction, a final grading plan must be submitted to and approved by the Architectural and Landscape Committee and the City (if required). All common area and adjoining lots must be protected during grading operations, including the use of erosion control measures.

**Section 5.4  
General Materials and Color Guidelines**

- (a) Architectural and Structural Elements  
Exterior plaster or stucco will be the primary wall surface material with a smooth or raked finish texture. Heavy textures such as Spanish lace, swirl or heavy trowel are prohibited. Exterior wall and accent materials and colors used should complement the existing neighborhood color palette. (Add ref. to color palette) Wood trim shall be stained with semi-transparent stains or painted as accents. The use of tile, brick, stone and masonry are permitted as design accents and trim as approved by the Architectural and Landscape Committee.
- (b) Patio Structures, Sunshades, Trellises, Gazebos and Sundecks  
Structures, including overhead elements, shall be of wood or "Alumawood" (aluminum representing wood) construction. Vertical support members/columns may be wood, stucco, alumawood, or masonry to relate to existing structures.  
Roofing materials shall match the roof material of the dwelling or be open wood beams, rafters and lattice. Structures of exposed metal sheeting and roofing materials of gravel, built-up roofing, asphalt shingles or shakes, composition roofing, plastic, fiberglass, canvas and metal are prohibited.
- (c) Walls and Fences  
Existing rear yard walls and fences cannot be modified without approval by the Architectural and Landscape Committee. Walls on side property lines in the front yard setback are not permitted. Behind the front yard setback, walls on side property lines must match the existing design. All retaining walls must be waterproofed and have drainage system as approved by the City. Wood fences are not allowed.
- (d) Color  
Color is intended to act as a primary theme conveying element. The color theme of IPCCCA is desert colors which are neutral and earth tones. Please refer to the recommended color palette. A sample of the color palette is on display at the Lifestyle Center.  
The use of vinyl or aluminum siding is prohibited. Exterior colors of buildings shall match those of the original home and/or comply with the color approved by the Architectural and Landscape Committee.

In general, colors shall be consistent with the architectural character of the Community.

The color of any stucco wall shall be compatible to the existing building immediately adjacent. Wrought iron fences (excluding rear yard property line fencing) shall match the existing trim color on the adjacent wall or match the color of the existing original wrought iron used on the exterior of the residence or rear yard wrought iron fencing.

**Section 5.5  
Building Material Guidelines**

- (a) Exterior Building Walls
  - (i) Material allowed for exterior cover of building walls shall include any of the following;
    - (A) Brick or stone to match existing accents.
    - (B) Stucco, texture finish, color to match existing.
  - (ii) Exterior cover material treatment used on the building walls shall be continuous and consistent on all elevations of a residence in order to achieve a uniform and complete architectural design statement.
  - (iii) Two story wall surfaces shall be treated in one or more of the following ways in order to break up the flat appearance of the wall plane.

- (A) Balcony or other projection.
  - (B) Change of plane between first and second story.
  - (C) Change in finish material.
  - (D) Other treatments considered by the Architectural and Landscape Committee.
- (iv) All two-story additions shall have a minimum ten (10) foot setback from the property line. Additional landscape shall be incorporated to enhance the exterior architectural elevation.
- (b) **Window and Door Openings**  
Window openings within exterior wall surfaces shall be located and detailed in a manner consistent with the existing treatment.
- (c) **Diverter**  
Galvanized iron or aluminum diverters shall be painted to match roof vents or roof material.
- (d) **Roof**  
All roofing materials shall be compatible with the existing treatment, which is tile. All roof pitches shall match existing roof pitches.
- (e) **Roof Vents**  
All roof vents shall be colored to match the roof.
- (f) **Gutters and Down spouts**  
All gutters to match color of trim at roof and down spouts to match color of house or trim unless approved otherwise by the Architectural and Landscape Committee.
- (g) **Flashing**  
All flashing shall be colored to match the roof or wall surface surrounding it.
- (h) **Metal Fencing**  
All metal fencing shall be square steel, galvanized, zinc metalized or bonderized prior to applied primer and finish color. Color to be approved by Architectural and Landscape Committee.

## **ARTICLE VI ON-LOT HOMEOWNER DESIGN CRITERIA**

### **Section 6.1 On-Lot Fence and Wall Exhibits**

All existing walls within lots or on lot property boundaries shall be maintained by the lot owner. Front yard enclosure walls are not provided with lot improvements. The homeowners shall construct such front yard enclosure walls to match existing side yard walls or as approved by the Architectural and Landscape Committee. All front yard enclosure gates shall compliment the architectural design as approved by the Architectural and Landscape Committee.

### **Section 6.2 On-Lot Driveway Design, Installation and Maintenance Requirements**

Any modifications to or replacement of the driveway provided by the Builder is subject to review and approval of the Architectural and Landscape Committee.

Any driveway and entry walk improvements shall be accurately reflected on all Landscape Improvement package elements to be submitted to the Architectural and Landscape Committee. All colors and materials shall be consistent with the architectural character of the Community.

All off-street parking requirements shall be adhered to as part of any modifications or replacements in accordance with the CC&R's. For further information, please contact:

Personalized Property Management  
68-950 Adelina Road  
Cathedral City CA 92234  
(760) 325-9500 FAX (760) 325-9300