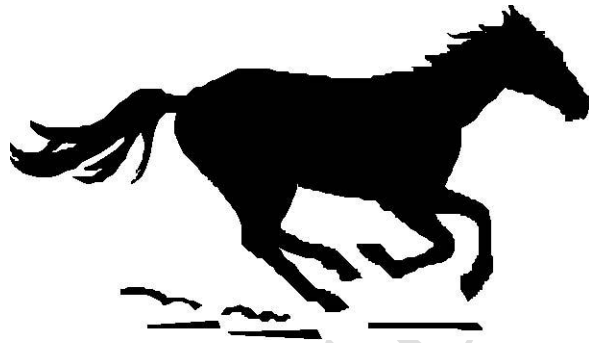


# **Wild Horse Subdivision**



## **Architectural Committee (AC) Rules**

October 2019 Revisions

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# SECTION 1: WILD HORSE SUBDIVISION ARCHITECTURAL RULES NEW CONSTRUCTION

## Introduction

**Purpose:** The purpose of these Rules when combined with the recorded Conditions, Covenants and Restrictions (CC&Rs) is to ensure consistently high-quality development and market success, thus protecting the investment of those who locate within the development area and assuring the residents and property owners of high-quality development.

The Wild Horse Subdivision Architectural Committee (AC) has been formed by the Wild Horse Home Owners Association (HOA) to oversee that all plans are in general conformance with the development rules, conditions, and restrictions for Wild Horse Subdivision.

**The Architectural Committee:** The AC, established in accordance with the Wild Horse Home Owners Association CC&R's, shall have its members appointed by the Board of Directors. The AC is composed of three (3) regular and one (1) alternate member. The AC shall hold meetings on the first and third week of the month as needed. The Committee shall choose a Chairman and a Secretary and shall conduct business in accordance with established rules of order.

**AC Review of New Construction:** AC review activity occurs in three phases. Phase 1 is **plan approval**. This phase includes review of the site plan and details of the planned site improvements. Phase 2 is an 8-month **construction** period and includes monitoring the roping of the construction site envelope through the completion of the site improvements. Phase 3 is **landscaping** and involves approval of landscaping plans and monitoring its completion over a 9-month period. A graphic overview of the steps in this process is shown in Exhibit A.

## Site Planning

Site planning addresses the placement of buildings, roads, and utilities with an understanding of existing site topography and constraints. It involves issues of construction site envelope, structure height, setbacks, grading, drainage, utilities, and native vegetation.

**Property Line Verification:** Lot pins shall be identified, and property lines verified and delineated by paint or rope, subject to the satisfaction of the AC.

**Construction Site Envelope:** The construction site envelope is the enclosed portion of each lot within which all improvements must be built, and all construction-related activities take place. This area must be clearly staked and fenced by posts and rope. No construction-related activities are allowed outside of the construction site envelope.

**Structure Heights:** As per the first amendment to the Wild Horse CC&Rs the maximum structure height (from grade) shall be 26 feet. The height is measured from the elevation of the natural grade in the center of the proposed structure. The maximum number of stories shall be one. Finish floor elevations (FFE) will be determined on an individual basis, based on topographical contours of each lot. Approval of preliminary plan elevations such as FFE and structure height will be based on the graphic representation of the site topography as shown on the submitted plans.

**Setbacks:** Setbacks are referenced to the property lines. All structures (including walls and fences) and improvements will adhere to the following setbacks:

- A. Front: 100 feet
- B. Sides: 100 feet
- C. Rear: 100 feet

The HOA owns a 50-foot-wide Right of Way (ROW) on all streets in the subdivision. For ease of measuring the setback compliance, measurements may be made to the center of the street adjacent to the property line by adding 25 feet (½ of the ROW) to the setback. Note: The ROW of each cul du sac varies and should be noted.

Driveways and their approaches to the street are not subject to the front setbacks when part of the approved Site Plan.

**Setback Variance Request:** The CC&Rs in Wild Horse subdivision allow for the AC to grant variances to setback requirements. Variances are considered when it is *required* based on restrictive lot topography and county erosion setbacks. If a request for a setback variance is made, the rationale for the variance must be presented to the AC (Form #1, page D-1). If lot topography is used as a rationale for a variance request, a preliminary site plan shall accompany the request. A sample preliminary site plan is shown in EXHIBIT E: Sample Preliminary Site Plan. If a county erosion setback is used as rationale for a variance request, it must be shown on the preliminary site plan submitted to the AC.

**Grading:** The intent of grading rules is to minimize the impact and extent of disturbed areas and to preserve native vegetation and the integrity of the natural landscape.

Cut slopes should be limited to a maximum grade of 2.5H:1V (horizontal to vertical) and fill slopes should be limited to a maximum grade of 3H:1V where possible.

- There shall be no grading prior to final plan approval;
- It is recommended that cut slopes not exceed 4 feet in height and fill slopes not exceed 3 feet in height whenever possible; cut and fill areas should be broken up consistent with existing topography and vegetation;
- If 150 days after grading has occurred there is no construction activity, the graded area shall be re-seeded with a native seed mix. Graded slopes shall be replanted with trees, shrubs, and native-type ground covers to control erosion and minimize views of denuded slopes;
- It is the property owner's responsibility that no vegetation is disturbed outside the construction site envelope. If vegetation is disturbed outside the construction site envelope, then it must be replaced.

**Drainage:** Natural drainage ways shall be preserved. No fence or other improvement shall be constructed or maintained on any lot which obstructs a natural drainage way or area designated as a "drainage easement" except with the consent of Cochise County and the AC. No property owner shall alter in any way the drainage areas along Association roadways, the drainage easements located on the owner's property or natural drainages without the prior consent of the AC.

Except as modified by new structures, drainage provisions shall be designed to maintain, to the extent possible, original drainage flows on the lot.

**Utilities:** All new utility lines shall be underground. All exterior utility pads and mechanical equipment such as air conditioners, pool equipment, water harvesting systems, and solar cooling and heating devices must be screened with walls, fences, or vegetation as required by Article VIII of the CC&Rs

**Native Vegetation:** Native vegetation shall be preserved where possible. The native growth of the Property, including grasslands, mesquite and oak trees, shall not be destroyed or removed from any portion of the Property except as provided in Article VIII of the CC&R's and as may be necessary for permitted and approved improvements. If any native growth is removed or destroyed without the approval of the AC, or where not necessary for construction of approved improvements, the AC may require the replacement of the same and the costs shall be borne by the Property Owner as set forth in the HOA CC&R's.

## Site Improvements

For the purpose of these Rules, structures/buildings are defined as homes, detached buildings (i.e., detached storage buildings, workshops, gazebos, playground equipment, etc.), flag poles, sun canopies and awnings, gutters and downspouts, walls and fences (attached or detached), solar devices and satellite dishes.

**Size and Location:** All lots are restricted to:

- a one story, single family, residential dwelling of not less than 2,000 square feet, with a maximum height of 26 feet,
- one guest house, no greater than 1,200 square feet of heated and cooled living space with a maximum height of 26 feet; the nearest point of the guest house must be located within 50 feet of the main residence,
- one storage building, not to exceed 600 square feet with a maximum height of 16 feet; the nearest point of the storage building must be located within 50 feet of the main residence,
- patio walls must be located in their entirety within 50 feet of the main residence,
- swimming pools, recreational courts must be located in their entirety within 50 feet of the main residence,
- a flagpole, with a maximum height of 18 feet, or the height of the residence (whichever is less), must be located within 50 feet of the main residence and no closer than 30 feet from the property line.

**Structural Building Materials:** All structures in Wild Horse Subdivision shall be designed and constructed in styles generally referred to as Spanish, Mission or Southwestern, consistent with the geography, topography, and cultural history of southern Arizona and harmonizing with the desert and foothill environment. Permitted materials include:

- A. Cement stucco over concrete masonry unit (CMU)
- B. Split face concrete block
- C. Brick and mortar washed brick
- D. Fired adobe block
- E. Mud stucco over stabilized adobe block
- F. Stucco over wood frame
- G. Stone

All exposed wood timbers shall be kiln dried and bolted or strapped securely in place. Oversizing of structural exposed timbers is recommended with a minimum nominal thickness of 2-1/2 inches. All exposed wood shall be treated with a preservative, stained or painted, and maintained. All exposed roof scuppers, gutters, downspouts and sheet metal shall be painted. Copper gutters and chain drains can be used; however, they must have a natural patina.

**Exterior Appearance & Colors:** The exterior appearance of structures shall blend with the natural surroundings and landscaping. Mill finished aluminum window and door frames are not permitted, nor are reflective surfaces.

The AC has adopted an earth tone color palette and a light reflective value (LVR) standard between 20 and 50 percent to be used when selecting colors for vertical surfaces. A copy of the color palette may be borrowed from the AC for a two-week period. The colors that make up the palette are from Sherwin Williams; however, any manufacturer's colors are acceptable as long as the colors and LRVs are within the approved palette range. Small amounts of accent colors are permitted; however, accent colors must also fall within the approved color palette.

For new construction, the color selections must accompany plans submitted for approval; any subsequent change in color must be submitted to the AC for approval.

**Roofs, Pitches and Materials:** Simple pitched gable, hip or shed roof forms, and flat roofs with parapet walls are permitted. All pitched roof materials must be approved by the AC to ensure a continuity of textures and colors and to ensure that the roof materials do not present unreasonable glare or interference observable from other properties or the street. Permitted materials are mission tile, aged copper roofing or other equivalent materials that have minimal shine and have a flat matte, velvet, suede or eggshell finish, with an LRV no greater than 40 percent. The

specular reflection of roof materials shall be less than 20 gloss units measured with a 60-degree geometry (incidence angle) in accordance with ASTM D 523 and ISO 2813. Mill finished aluminum, asphalt shingles and wood shingles are not permitted. Requests for metal roofs shall be carefully reviewed by the AC to protect the value and desirability of the Property and to ensure the roof will not have an obtrusive appearance or reflective glare visible on any neighboring lot or the roadway. Considering factors in determining approval of metal roofs will include roof pitch and elevations, Solar Reflectance rating and index values, texture, finish and color of the metal materials.

Flat roofs shall be any roof area having a lesser slope than 3V:12H. All flat roofs shall be enclosed by a parapet wall at a minimum height of 1foot. Continuity of parapet walls in flat roof areas is required so that the roof is concealed from view of other lots and from the roadway. If an installation of solar devices is anticipated, the parapet walls must be tall enough to screen these devices from adjacent properties and the roadway. High LRV value colors are permitted on flat roofs as long as they are not visible from any other property or road in the Wild Horse subdivision. If structures built at lower elevations within the subdivision have flat roofs, care must be taken to assure that no portion of the high LRV coating is visible from properties located at higher elevations.

All vents and other projections shall be colored to blend with the finished roof material coating color. No mechanical equipment or apparatus of any kind, including without limitation, evaporative coolers, heating and cooling units (except for customary vents and chimneys) will be permitted on roofs unless approved by the AC and screened from view by a parapet wall or other screen not to exceed 4 feet in height or as required by the AC. No radio, television or any other kind of antennas or device for the reception or transmission of radio, microwave, television or other similar signals shall be placed or maintained upon any lot except as permitted by the AC. Repair/replacement of roofing material using the original materials/colors does not require AC approval.

**Chimneys:** Chimneys should have the same finish and texture as the building. Fireplace chimney heights and forms will be restricted to not exceed the building code minimum height criterion and must compliment the structure's overall design.

**Gutters and Downspouts:** Gutters, downspouts, and other devices for control of water from roofs are important for managing high concentrations of rainfall. These devices shall be concealed or integrated into the architectural design.

**Rainwater Collection Units:** On-site retention of storm water run-off is encouraged to supplement irrigation. Collection units shall be the same or a complimentary color to the adjacent structure. Collection units must be concealed or integrated in the overall architectural design.

**Skylights:** Skylights are to be designed as an integral part of the roof.

**Glass & Glass Treatments:** The installation of reflective metallic film (designed to reduce sun and heat) on the inside of windows shall be subject to the approval of the AC. Such treatments shall not have an obtrusive appearance or reflective glare visible on any neighboring lot or from the street. Reflective glass, reflective foil or aluminum foil is not allowed on windows. Only drapes, blinds, shutters or other appropriate window coverings will be allowed.

**Exterior Lighting:** All exterior lighting shall be subject to the approval of the AC. Energy conserving lamps are encouraged. All exterior lights must be located and maintained in a manner which, in the opinion of the AC, does not have an obtrusive appearance or cast a glare visible on any neighboring property or the roadway. All lights must be attached to the residence or other permitted structures (i.e., walls). No free-standing lighting is allowed except for low voltage or solar lighting. All exterior light fixtures shall be located, installed, directed, shielded, and maintained to avoid light trespass and minimize direct light and/or glare on neighboring properties or roadways. All fixtures with an output of 1,000 or more lumens shall be fully shielded.

Property owners should also be aware that other exterior lighting restrictions are presented in the ordinances of Cochise County, commonly known as the Cochise County Light Pollution Code. Refer to Cochise County Website: [http://cochise.az.gov/cochise\\_planning\\_zoning](http://cochise.az.gov/cochise_planning_zoning) for detailed information.

**Flashing & Vents:** All flashing and vents will be colored to match the material to which it is attached.

**Solar Devices:** Installation of solar devices on new and existing homes requires review and written approval by the AC.

Consistent with Arizona State Statutes, Wild Horse CC&Rs allow for the installation of solar devices. Also, like other HOA rules and regulations, the Wild Horse Architectural Committee solar device guidelines are written to minimize any detrimental effect on the neighborhood and promote aesthetic sensitivity to existing homeowners, those currently building new homes, and those who plan to build new homes in the future.

It, therefore, becomes the responsibility and expectation of each property owner to work with the AC and make every attempt to minimize any adverse visual impact of such devices to: 1) maintain the beauty of our neighborhood and 2) not diminish the value of neighboring and community properties. This responsibility is especially important for those who are planning to install solar devices on existing homes.

Arizona State Statutes (ARS 33-1816, 44-1768 and 44-1762) state that communities that have CC&Rs cannot deny the installation of solar devices. However, the statutes do permit those communities to require installations that reduce the visual impact of solar devices as long as the restrictions do not significantly affect the efficiency or cost of the solar device itself.

Every attempt must be made to minimize any adverse visual impact of solar devices. Roof-mounted solar collectors should be screened from view as part of the architectural design of the building or integrated and blended into the form of the building to present a finished appearance. Devices mounted on sloping roofs should be set in the roof into specifically designed cutouts with the devices flush mounted to the roof surface. Roof color and the solar device color must be coordinated and match as nearly as possible.

Solar devices mounted on flat roofs, which are screened by parapet walls, and ground-mounted solar devices that are screened by walls or landscaping, are the preferred installations to minimize visual impact on neighboring properties.

Ground-mounted solar devices must be located adjacent to and integrated with the residence, site and landscape design. Ground-mounted solar collectors are considered to be “structures” and, as such, must be located within the allowed setbacks. The county may grant a variance for locating solar panels in the erosion setbacks if the electrical portion of the panels is elevated above the flood plain, in which case the AC will also consider granting a variance for that location.

**Flagpoles:** Installation of a permanent, free-standing flagpole is allowed subject to the following limitations:

- A. The height of the flagpole shall not be more than the lesser of
  - a. eighteen feet
  - b. or the height of the residence;
- B. The flagpole shall be placed no farther than fifty feet from the residence and no closer than thirty feet from the front property line; and
- C. The flagpole shall have a matte finish of a color on the AC’s color palette with a maximum light reflective value of forty percent.

**Outside Storage:** Personal property other than barbecues, lawn furniture and/or deck furniture may not be stored outside of a residence or garage unless reasonably screened from view from neighboring properties and roadways. The AC must approve such screened enclosures.

**Sun Canopies and Awnings:** Sun canopies and awnings are permitted in moderation, but require approval of the AC.

**Mechanical Equipment:** No apparatus, including without limitation, evaporative coolers, and heating units (except for customary vents and chimneys), shall be placed on a lot or on the roof of any unit unless approved by the AC. Equipment must be screened from view by a parapet wall or other screen and shall not exceed 4 feet in height or as the AC requires.



**Garages:** Garages, including RV garages, should not be the major visual element from the front of the house. All garages must be built of the same material as the residence, attached as a part thereof, and painted to match the color of the house. A minimum two-car garage is required for each home and shall have doors of a style or design approved by the AC. Garages must be enclosed and garage doors must face away from the street that fronts the house or as approved by the AC. Garages should be of normal size and any construction of more than a three-car garage will require approval by the AC. As the prevailing strong winds in the Wild Horse Subdivision come from the southwest, it is recommended that garage doors not face that direction.

The Wild Horse Rules and Regulations have very restrictive vehicle parking requirements so property owners should include in their architectural plans to provide adequate enclosed parking for all vehicles, including machinery and trailers, and any additional vehicles anticipated for future needs.

**Detached Storage Buildings, Workshops, Gazebos, etc.:** All detached structures of these types shall be designed and constructed in styles, building materials and colors generally matching or identical to the home. One storage building is allowed and must be located with the nearest point within 50 feet of the main residence. The structure must be of the same architectural design as the main residence. Storage buildings shall not be used as garages for the storage of motorized vehicles. See Article VIII Section 1 of the WH II CC&Rs for restrictions on garages.

**Walls, Fences and Gates:** All walls shall be considered extensions of the adjacent building and be constructed of colored brick or of gray brick covered with masonry or masonry-like materials; the walls may include ornamental iron. The only fencing allowed on any lot shall be a wood fence or masonry wall, unless specific written permission is obtained from the AC. The entire wall must be located within 50 feet of the residence. All wood fence colors, other than natural, must be approved by the AC. Wall and fence heights shall not exceed 6 feet and shall be measured from the existing natural grade at the exterior of the structure. It is recommended that long wall lines be softened with plant recesses and landscaped to provide for vertical and horizontal relief. All walls (colored brick or other) must be the same, or finished and painted the same, as to be complimentary or identical to the home or structure/building color. Gates may be added to existing walls/fences or incorporated into new walls/fences. The gate style and color must be approved by the AC.

**Driveways & Parking Areas:** Driveways and parking areas shall be paved only with the following paving materials: [Note: natural driveways are not permitted.]

- A. Concrete
- B. Chip and seal
- C. Asphalt
- D. Decomposed granite
- E. Bricks or Pavers
- F. Exposed aggregate concrete
- G. Gravel

Driveway grading and paving shall minimize the disturbance of bordering native vegetation. Driveways may be used for construction access and to accommodate temporary guest parking. Driveways must also be completed by the final construction inspection prior to owner occupancy.

**Culverts & Drainage Easement:** Driveways that cross washes or natural drainage must have appropriate concrete toe-downs or culverts as recommended by the HOA Roads Committee if the driveway could cause erosion or allow excessive water flow that could cause damage to the adjacent road. No property owner shall alter in any way the drainage areas along Association roadways, the drainage easements located on the owner's property or natural drainages without the prior consent of the AC.

**Satellite Dishes:** The proposed location of a satellite dish must be submitted and approved by the AC. The AC shall approve placement of a one meter- (approximately 40 inches) diameter or smaller satellite dish on a roof provided that the dish is screened by a parapet or other screen that is acceptable to the AC.

**Mailboxes:** No personal mailboxes or newspaper boxes are permitted. Owner mailboxes are clustered at central locations as determined by the United States Postal Service.

**Screening:** Required screening shall completely hide an apparatus or structure with existing natural vegetation, approved new landscaping, and/or walls/fences that comply with AC rules such that such apparatus or structure cannot be seen from any roadway or lot (with or without homes) in Wild Horse. Furthermore, if existing natural vegetation or newly approved landscaping is used for screening it must:

- fully screen the apparatus or structure when initially planted,
- be of a lasting and durable character so that regular maintenance provides year-round coverage.
- be in place within a time frame as determined by the AC based on visibility, type of structure, availability of plants, and planting season.

## Landscape Architectural Rules

Property Owners shall provide and maintain the landscaping on their individual lots.

Landscaping plans and a revegetation schedule must be submitted to the AC *at least two months prior to the end of new home construction*. Planned landscaping and native vegetation reseeding shall be completed within nine (9) months after Final Site Inspection. Exceptions may only be allowed by written request to and approval by the AC. Additional landscaping after home completion must be approved by the AC. See *Existing Home Modifications*.

Landscaping plans address grading and water drainage, installation of ground cover (stone and/or grass, etc.), planting of trees and plants, and installation of exterior lighting and ornamental lawn and roof fixtures that might be visible or intrusive to neighboring homes or roadways.

A revegetation schedule includes property owner plans for revegetating all native vegetation areas disturbed by grading, and installation of septic systems and new utility line(s). Restoring native vegetation is important for maintaining the beauty of the subdivision and to minimize runoff and erosion. The property owner should be aware of the extensive effort and expense of revegetation, and the extended time it takes for native vegetation to grow back. Therefore, disturbance to existing native vegetation *must be minimized* to minimize property owner revegetation expense.

There are three designated areas of landscaping within a given lot.

**Ornamental Landscape Area:** The Ornamental Landscape Area includes all areas located inside patio walls and areas under covered entry ways. Ornamental plant material includes trees, shrubs, ground covers, wildflowers, succulents, and grasses. Most shrubs, ground covers, wildflowers, succulents, and grasses can be used as long as they are not on the Prohibited Plant Materials list or exceed height limitation.

*Key Points for this area:*

- Select drought tolerant native plant material.
- No selected plant material may exceed the highest elevation of the home (exclusive of chimneys or other pop-up elevations). If a property owner uses a plant or tree in the patio area that may exceed this height limit, the owner will be required to keep it trimmed accordingly or remove the plant.
- No plant materials listed in the Prohibited Plant Materials List may be used.

**Transitional Landscape Area:** The Transitional Landscape Area includes any portion of the lot that is mowed or rocked. The intent of designating a Transitional Landscape Area is to enhance the quality of the existing native Huachuca Foothills landscape. These trees and plants are not subject to the height limitation.

*Key Points for this area:*

- Select drought tolerant native plant material from the list of *approved* Transitional Landscaping and Desert Restoration Plants.
- No plant materials listed in the Prohibited Plant Materials List may be used.
- The color of crushed rock ground covers and boulders shall be earth tone. River rock (3 inches or larger) and boulders should blend in and complement the existing native landscape.

**Undisturbed Native Vegetation Area:** The Undisturbed Native Vegetation area is defined as the area between the property lines and the Transitional Landscape Area.

*Key Points for this area:*

- No living native vegetation on the lot, including oak tree, juniper trees, manzanita, mesquite trees, and other native vegetation, shall be disturbed or removed unless approved by the AC.
- If vegetation within this area is inadvertently destroyed or removed during construction activities the property owner will be required to restore the native vegetation to its original condition.
- Trees added to this area must be selected from the approved Desert Restoration/Native Landscaping Plant Materials List and approved by the AC.
- No plant materials listed in the Prohibited Plant Materials List may be used.
- Disturbed washes within the property shall be re-vegetated and enhanced to restore them to a natural appearance.

**Plant Schedules and Selection:**

Three plant schedules are included in *Exhibit C*.

1. Prohibited plants and trees that may *not* be used in any of the three landscaping areas: Ornamental, Transitional and Undisturbed Native Vegetation Areas.
2. *Approved* trees, shrubs, ground covers, wildflowers, succulents and grasses for the Undisturbed Native Vegetation
3. *Approved* trees, shrubs, ground covers, wildflowers, succulents and grasses for Transitional Landscape Areas. These recommendations are listed in Exhibit C.

Selection of plants should take into consideration the natural desert environment, water conservation, and maintaining the magnificent views of all neighbors.

The AC is aware that many of the approved plants and trees may be unavailable in local commercial markets. Property Owners facing this problem are encouraged to propose substitute plant material of similar types.

Property Owners are encouraged to provide a copy of these prohibited and approved lists to their landscapers, landscape designers, or sellers.

A copy of a booklet entitled *Landscape Plants for the Arizona Desert: Guide to Growing More than 200 Low-Water-Use Plants* (Arizona Municipal Water Users Association) may be borrowed from the AC for a period of two weeks. Although specifically written for the Phoenix Area, we have found it useful for its pictures and details of plants and trees on the AC approved lists.

Another excellent source of southwestern landscaping information can be obtained from the County Extension Office. (Currently, Jan Groth at 458-8278, extension 2176.)

## SECTION 2: PROCEDURES, PLAN REVIEW, CONSTRUCTION RULES

### Overview of Procedures

There are three phases to the Wild Horse AC approval and monitoring process for home construction and landscaping. Below are the sequential steps necessary for a successful construction project. See Exhibit A for a flowchart of the process.

#### **PHASE 1: PLAN APPROVAL**

- 1) If a property owner is contemplating the construction of a structure on their property, they should first consider the property topography and county erosion setbacks relative to placement of any envisioned structures. If there is any concern, please contact the AC to review the considered structure placements on the property. If a setback variance is deemed necessary, the property owner needs to apply to the AC for a setback variance (Form #1, VARIANCE OF SETBACK REQUEST).
- 2) The property owner must apply for approval of their project (Form #2, PLAN REVIEW REQUEST). A non-reimbursable plan review fee of \$600<sup>1</sup> is due with this submittal. Review the next section, *Plan Review and Approval Requirements* to see what information is necessary to accompany this submittal. Form #3, PLAN CHECKLIST, must be completed, signed and accompany the review request.
- 3) The complete plan submittal will be given to the AC's architect for professional review of the plans regarding compliance with the AC rules when necessary. The architect will submit his/her review comments to the AC.<sup>2</sup>
- 4) Upon review of the architect's comments and additional materials submitted by the property owner, the AC will send its recommendations to the property owner for consideration and response.
- 5) After communications with the property owner, the AC will provide the architect with any required revisions for review and recommendations. The architect's review comments will be submitted to the AC.
- 6) After any further differences between the AC's recommendations and the property owner's requests have been resolved, the revised plans will be reviewed by the AC and, if approved, both sets of plans will be signed by a representative of the AC with one set of approved plans given to the property owner. The general contractor may apply for the county building permit at this time. The property owner must provide the AC with a copy of the Cochise County Building permit.
- 7) An AC liaison will be assigned to the project upon plan approval by the AC. The liaison will facilitate communications between the AC and the property owner, general contractor, and site inspector, if chosen.

#### **PHASE 2: CONSTRUCTION**

- 8) The home site or structure shall be staked, and the construction site envelope, which includes access road, septic system, leach fields, utilities, and all areas that will be graded, shall be roped by the property owner or general contractor prior to starting any construction activities.

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<sup>1</sup> Price subject to change with architect and site inspection fees.

<sup>2</sup> The architect's review is factual assessment of compliance with the CCR's and does not include a decision of the entire site plan's suitability to Wild Horse Subdivision.

- 9) The AC liaison will meet to inspect and verify that the construction site envelope has been properly staked and roped. Authorization for pad grading will be given by the AC liaison after the construction site envelope has been inspected *and* a copy of the Cochise County Building permit received. The top of Form #4 (START CONSTRUCTION AUTHORIZATION) will be used to record the items completed and will be dated and initialed by the AC liaison. A \$3,000 construction compliance deposit (refundable at the end of Phase 2) and a \$1,000 landscaping compliance deposit (refundable at the end of Phase 3) are due *from the property owner* at this time.
- 10) When the pad has been graded, and forms for the foundation have been set *and before any concrete is poured*, a meeting of the AC liaison, property owner, general contractor and the site inspector (when selected) will be held at the building site. The site will be inspected to verify that the structure location is in accordance with the Site Plan. Form #4 (START CONSTRUCTION AUTHORIZATION) will be completed and signed by the AC liaison authorizing the pouring of concrete. The Property Owner and General Contractor will also sign and date Form #4 acknowledging the authorization.
- 11) Ongoing inspections by the site inspector and/or AC liaison will be made to verify compliance with the construction rules. If there are any observed violations of the construction rules or deviations from the approved plans, the site inspector will notify the AC liaison and the violations process will be initiated. See Section 3 for violation details.
- 12) Upon completion of construction, the property owner will request a final inspection by the AC liaison. If the property owners need an extension to the construction period, they must apply by submitting Form #7, CONSTRUCTION PERIOD EXTENSION REQUEST.
- 13) The AC liaison will conduct the final inspection. Upon successful inspection, Form #5, FINAL SITE INSPECTION, will be signed, and the return of the construction compliance deposit to the property owner authorized.

### **PHASE 3: LANDSCAPING**

- 14) The property owner must apply for landscaping approval by submitting his/her plans for landscaping that includes grading, water drainage, installation of ground cover, planting of trees and plants, installation of exterior lighting, and revegetation of disturbed native vegetation. These plans must be submitted at least two months prior to the end of construction. Revegetation and landscaping must be completed within 9 months of the Final Site Inspection.
- 15) On completion of the revegetation and landscaping, the property owner will request a final inspection of the landscaping.
- 16) The AC liaison will conduct the final landscaping inspection and upon a successful inspection the AC liaison will sign the FINAL LANDSCAPING INSPECTION form (Form #6) and request authorization for the return of the landscaping compliance deposit to the property owner.

AC approved plans will be valid for six (6) months following approval. If construction is not started within this time period, all variances will be void and the plans will need to be resubmitted to the AC along with a \$300 fee to cover re-review. Appropriate submittal forms are presented in Exhibit D.

## Plan Review and Approval Requirements

Two sets of the following materials are required for the approval process to begin.

### **Site Plan:**

Note: All elevations should be in feet above sea level.

1. Drawn to scale at minimum of 1-inch equals 30 feet
2. All property lines must be indicated, and all setbacks must be dimensioned
3. Locations of all proposed structures and planned site improvements must be shown, including any out-buildings. The proposed construction envelope must be delineated
4. Existing and final elevations should be shown using a contour interval of 5 feet or less. Proposed finished grades, lot drainage patterns and drainage systems should be clearly shown
5. If culverts are required, the locations, diameters and lengths of each culvert must be provided
6. Finish floor elevation(s) of all structure(s) must be provided
7. Locations, elevation callouts and material specifications of driveways, patios, etc. must be provided
8. Locations, material specifications and top-of-wall elevations of all proposed patio walls, retaining walls, etc. must be provided
9. Locations of any proposed TV antennas or satellite dishes must be shown
10. Locations of any ground-mounted solar devices must be shown along with a description of proposed screening measures
11. Locations of any water collection tanks must be shown along with a description of the proposed screening enclosure
12. Locations of all existing trees of 3 inches or greater caliper within 50 feet of any planned structure must be shown
13. Locations of all mechanical equipment (condensers, pool equipment, etc.) must be shown along with descriptions of the proposed screening enclosures
14. Locations of any proposed screening enclosures for outside garbage container(s) must be shown and described

### **Floor Plans:**

1. Drawn to scale at one-quarter inch equals one foot
2. Enclosed living area square footage totals must be noted

### **Elevations:**

All dimensioning of drawings should be in feet above finished floor elevation (FFE).

1. Drawn to scale at one-quarter inch equals one foot
2. All exterior building dimensioning must be shown
3. Existing contour grades and proposed finished contour grades must be provided
4. Finish floor elevation(s) lines must be shown
5. Top-of-wall and top-of-roof (structural height) dimensions for all building components must be shown
6. If roof sections are pitched, the LRV must be specified.
7. If non-tile roof material is used the specular gloss units must be specified.

### **Exterior Color Descriptions:**

Color printouts must be provided with manufacturers' number and LRV (not physical samples) for the following:

1. Exterior walls
2. Exterior trim
3. Roofing materials

### **Revegetation and Landscaping Plans:**

(Submitted at least two months before the end of construction)

1. Master site plan drawn to scale at minimum 1-inch equals 30 feet
2. Master site plan reflecting all existing major native growth removed by construction or that is within 20 feet of proposed improvements

3. Detailed treatments of revegetation of disturbed native vegetation impacted by construction, including septic area.
4. Detailed treatments of new supplemental vegetation of all exterior areas (not enclosed by patio walls, etc.), including grading, water drainage, installation of ground cover, planting of trees and plants, installation of exterior lighting, and
5. Any proposed substitutions for plant materials identified by both common and scientific name, with a rationale for any substitutions

NOTE: No clearing, grubbing, grading or other ground disturbance is allowed outside of the construction site envelope.

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## Construction Rules

The AC is responsible for the enforcement of the construction standards. The AC reserves the right and has the discretionary power to enforce any of the previously stated provisions of the AC Rules of the Wild Horse Subdivision by whatever measure it deems appropriate, including fines as directed by the Board of Directors and in accordance with the Wild Horse Subdivision CC&Rs.

**Construction Period:** As per the Wild Horse CC&Rs, all construction shall be completed within eight (8) months from the start thereof unless a waiver and extension of time is issued by the AC. For the purpose of this paragraph, “start” shall mean the date of issuance of a county building permit for the improvement on a lot. “End” is determined by the issuance of the AC *Final Site Inspection* approval. Any extension needed beyond the initial eight-month construction period must be submitted to and approved in advance by the AC (Form # 7, CONSTRUCTION PERIOD EXTENSION REQUEST). Final inspection **must** be made prior to move-in. Approved landscaping must be completed within nine (9) months following approval of the final site inspection by the AC.

**Construction Site Envelope:** The construction site envelope is the portion of each lot where proposed improvements and construction-related activities will take place. This area must be clearly staked and fenced by posts and rope prior to any construction-related activities taking place on the lot. Given the difficulty and expense of revegetation, the purpose of delineating the construction site envelope is to minimize grading limits and disturbance to native vegetation.

The construction site envelope:

- is determined by natural features of the lot, site topography, views from neighboring lots, etc.
- should include the access route from existing roadways to be used by construction equipment and personnel and that will ultimately be used as the driveway for the residence,
- includes all areas to be used for storage of construction supplies and equipment,
- includes areas to be disturbed for construction of the septic system and leach fields, as well as installation of any underground utilities,
- must be clearly staked with posts and rope, and
- must be verified by the AC prior to starting construction activities and remain in place to just prior to final inspection by the AC.

NOTE: If any damage is done to the native vegetation outside the construction site envelope, the property owner is responsible for its repair. If not, the Wild Horse HOA shall have the right to repair any damage and charge the owner for said repairs.

**Construction Trailers, Portable Field Office:** The use of construction trailers, portable field offices, or any other similar temporary structure on the site is strictly prohibited, except upon prior written consent of the AC. No structure of a temporary nature shall be used for living purposes during construction. No prefabricated residences or mobile homes shall be placed on the property.

**Debris & Trash Removal:** Owners and builders shall clean up trash and debris on the construction site at the end of each day. Rubbish containers or “dumpsters” are required when construction framing of the home is initiated. Trash and debris shall be removed as needed and delivered to a dump site located off the project. Lightweight material, packing, and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site or out of the dumpster. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the property. Any debris not contained within the site shall be cleaned up immediately. If not, it will be removed at the owner’s expense by the Wild Horse Subdivision. It is preferable not to wash out concrete trucks in the Wild Horse Subdivision. If concrete trucks are washed out on individual building sites or lots, one designated clean-out site within the graded construction site envelope will be permitted. Other concrete or masonry by-products shall be cleaned out in one designated site and removed from site in conjunction with other debris and trash removal.



**Vehicles & Parking Areas:** Construction crews shall not park on, or otherwise use, other lots, open spaces, washes or drainage ways. All vehicles shall be parked within designated areas as not to inhibit traffic. No equipment or trucks shall be permitted to operate outside the limits of the construction site envelope designated on the approved construction site plan. Damage to streets, shoulders of streets, adjacent lots or undisturbed open space shall be the responsibility of the property owner and will be subject to fines. The property owner should advise the general contractor of the consequences of violating any of these rules.

**Site Utilities:** All existing utilities shall be located and protected prior to the start of construction. If it becomes necessary to use any equipment or machinery, such as a generator, for temporary utilities, this equipment shall have appropriate sound control devices to minimize objectionable noise.

**Sanitary Facilities:** During construction, portable, clean sanitary facilities shall be on site at all times. These facilities shall be cleaned and maintained to ensure sanitary conditions and shall be secured so as not to be blown over by the wind.

**Restoration or Repair of Other Property:** Damage and scarring to other property including, but not limited to, open space, other lots, roads, driveways, and/or other improvements shall not be permitted. If any such damage occurs, it must be repaired/restored promptly at the expense of the property owner.

**Construction Access:** The only approved construction access during the time a residence, or other structure, or other improvements are being built shall be over the approved driveway for the lot or parcel, unless the AC approves an alternate access point.

**Signs:** During construction, a general contractor is the only business permitted to have a sign on a lot, and then only one sign. The contractor's sign shall be no larger than 48 x 36 inches with a dark colored frame and mounted no higher than 36 inches from the ground. No financial institutions or sub-contractors are allowed to display signs. This sign must be removed before final inspection.

**Construction Hours:** Construction vehicles and/or workers and material deliveries may enter the Wild Horse Subdivision no earlier than 6:00 a.m. and depart no later than 6:00 p.m. Monday through Saturday. Work may not be performed on Sunday, or on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas. AC approval must be obtained for work performed under special circumstances outside of the construction hours detailed above.

## **Architectural Committee Construction Liaison**

The AC will appoint an individual (normally a member of the AC) to act as construction liaison for each new construction and major exterior modification. The primary responsibilities of the AC liaison are:

- 1) To represent the HOA at construction kickoff meeting involving the property owner and the general contractor to answer any questions on the AC Rules.
- 2) To work with the site inspector to inspect the construction site on a regular basis to help ensure these Rules are being observed.
- 3) To provide early warning to the property owner and/or general contractor of potential construction violations.
- 4) To facilitate effective communication between the property owner/general contractor, site inspector and the AC.
- 5) To review the Construction Rules and Regulations.
- 6) To take pictures of main road access to lot to show condition of such road prior to construction.
- 7) To inspect and sign the final construction and landscaping forms on behalf of the committee.

The intent of the AC is to facilitate the timely completion of construction of every new house or other construction project in the Wild Horse Subdivision in accordance with the CC&Rs and AC Rules. Appointment of and activities by the AC liaison does not relieve either the property owner or the general contractor of complying with all Association requirements.

## SECTION 3: CONSTRUCTION RULES VIOLATIONS AND APPEALS

### Notification Process of Construction Rules Violations

If a violation is called to the attention of the AC such violation must be verified by either an AC member or a member of the Wild Horse HOA Board of Directors. Once a violation has been verified the process for handling a violation and/or for any subsequent appeal of the violation is as follows:

**Step 1:** The general contractor and property owner are notified by the AC Chair by phone plus follow-up email or in writing and the fine is enforced immediately.

- A. The fine will be deducted from the construction or landscaping compliance deposit as appropriate,
- B. If the violation continues, a written Stop Work Order on the applicable construction site will be issued.
- C. The Stop Work Order will be lifted once the violation has been corrected and the compliance deposit value has been restored to its original value.

**Step 2:** If the general contractor or property owner allows or repeats the same violation on the same construction site after the first violation, the fine will be doubled each time the violation is repeated.

### List of Violations

**Severe Violations:** The fine for these violations is \$500 unless otherwise noted below:

1. Starting construction prior to receiving an approved copy of the plans and fencing the construction site envelope.
2. Starting construction prior to supplying the AC with a copy of the Cochise County building permit.
3. Starting construction prior to a "START CONSTRUCTION AUTHORIZATION" inspection by the AC Liaison and Site Inspector, constituting AC approval (Form #4).
4. Starting construction prior to posting the construction and landscaping compliance deposit.
5. Failure to honor a Stop Work Order: \$500 as noted above, plus \$250/day.
6. Failure to complete construction within the required eight-month period or within extensions to such period granted by the AC. Fine is \$250/week for each week or portion thereof beyond the approved completion date. Approval of construction period extension requires a completed and approved Form #7.
7. Moving into residence before the final inspection is completed and signed by AC liaison (Form #5).

**Major Violations:** The fine for these violations is \$300 unless otherwise noted below:

1. Obtaining a building permit from Cochise County before obtaining approval of the plans by the AC.
2. Use of adjacent property for any reason without prior property owner's written consent filed with the AC.
3. Lack of deployment of a construction dumpster on site and lack of control and/or disposal of construction debris and/or trash on site or any adjacent lot. This includes failing to empty the onsite dumpster prior to debris falling out or being blown over the site.
4. Any variations of approved plans to the exterior of the building or major landscaping without prior approval of the AC.
5. Storing building materials on the street in front of the construction site for more than one 12-hour working day.
6. Clearing or disturbing property for construction without written approval of the AC.
7. Failure to adequately maintain the integrity of the construction site envelope including, but not limited to: 1) proper maintenance of posts and rope, 2) conducting work outside of the site envelope (including parking of vehicles and storage of materials), and 3) removal of posts and rope prior to end of construction (just prior to final inspection).
8. Violation of the sign restriction rule. \$300 as noted above, plus \$25/day.
9. Construction during non-construction days. Fine is \$250/day.
10. Failure to repair construction-related damage to roads adjacent to the property after site construction has been completed. Fine is \$500/week.

11. Failure to complete landscaping in accordance with the approved plans within the required nine-month period or within any extension period granted by the AC. Fine is \$250/week for each week or portion thereof beyond the required completion date.
12. Construction activity outside designated or approved construction hours. Fine is \$150 per day.

*In addition to the fines stated herein, all legal and collection costs for the enforcement of construction rules will be borne by the property owner.*

### **Right of Appeal**

In all cases where a fine has been issued, the property owner has the right to appeal the decision of the AC. The property owner wishing to exercise this right must notify the AC by e-mail or in writing within two days of the fine being imposed. If a property owner appeals a violation, the property owner must still pay the fine and/or clear the violation prior to continuing the work while the appeal is being reviewed. If on subsequent review it is deemed that no violation existed or the violation waived, then the fine will be returned to the Compliance Deposit.

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## SECTION 4: EXISTING HOMES

### Modifications/Home Improvement Projects

No additional building, structure, fence, wall or landscaping (“structure”) shall be erected, placed or altered on any lot within the Development until the plans and specifications showing the location of the structure upon the site have been approved by the AC. Property owners shall not alter the topographic conditions of his/her lot or create visible scarring of the property without the prior consent of the AC. Prior to making any modifications to existing structures, the property owner should first contact the AC to determine if AC review is necessary. The AC can then advise the owner about what information needs to be submitted for the review.

A refundable construction compliance deposit of between \$500 and \$3,000 is required as determined at the discretion of the AC. Factors determining the amount of the deposit include, but are not limited to whether the exterior home improvement project:

- is outside existing patio walls,
- will take longer than one week,
- involves construction materials visible to other properties,
- requires portable johns or
- involves heavy equipment.

Construction rules, violations and fines as described in *Section 3, Construction Rules Violations and Appeals* apply. The AC understands that home improvement projects vary greatly; therefore, applicable rules will be reviewed at the time of the project approval.

**Planning Document:** See the Home Improvement Planning Document to guide you in determining if you need approval for your project or not. Relevant AC rules are referenced by types of projects.

**Adding Buildings and Structures:** The following modifications to the property require AC approval:

- Major modifications to any existing structure that affects or can be seen by neighboring properties
- A guest house, no greater than 1,200 square feet of heated and cooled living space, and
- One storage building, not to exceed 600 square feet and 16 feet in height,
- Patio walls, swimming pools, recreational courts, flag poles, sun canopies, awnings, and gazebos.

The owner should review the criteria for each of these structures in Section 1 before submitting plans to the AC.

**Solar Devices:** Installation of solar devices on existing homes requires review and written approval by the AC. Solar devices mounted on flat roofs which are screened by parapet walls and ground-mounted solar devices that are screened by walls or landscaping are the preferred installations to minimize visual impact on neighboring properties. The visual impact of ground-mounted installations on adjacent properties also needs to be taken into consideration. Roof color and the solar device color on existing slanted roofs should be coordinated and match as near as possible.

### Repainting

Structures that were completed prior to the issuance of these revised AC rules may repaint in their existing exterior color; however, the AC encourages the use of the approved color palette. When repainting, any new color must come from the approved color palette and be submitted to the AC for approval. Repainting of existing structures using the original paint colors does not require AC approval.

## Repairs

AC approval is required when repairing the exterior of existing structures (e.g. repair to cracks in stucco, replacement or repair of damaged wood trim, etc.) with any new material or paint color different from the original. Repairs using the same materials and paint colors as the original do not require AC approval.

Examples of repairs not requiring AC approval:

- Repair of existing driveways using the original materials
- Repair of exterior walls using the original materials/colors

## Landscaping

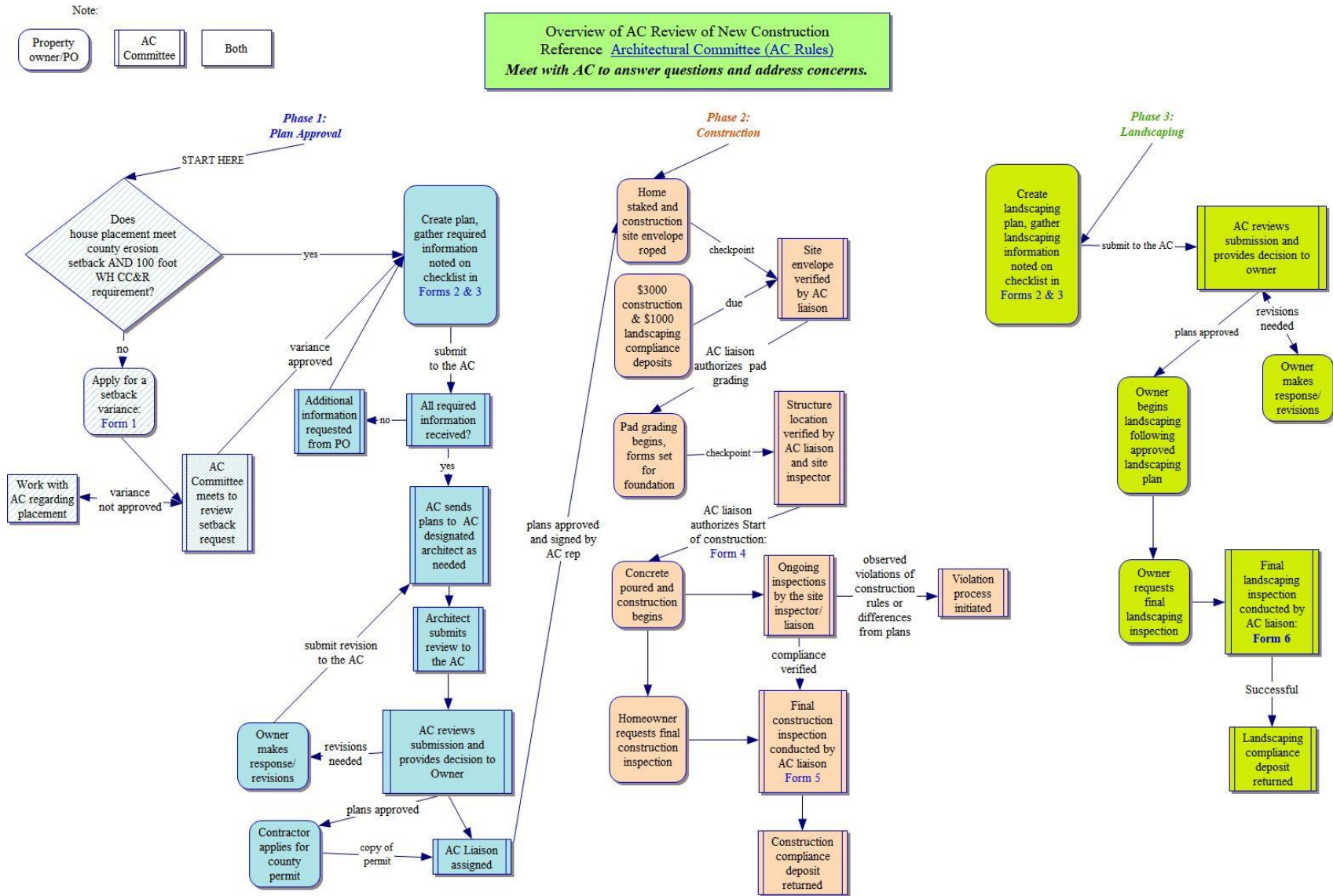
**Landscaping Requiring AC Approval:** The following conditions require AC approval:

- A. Landscaping projects that involve altering drainage within the Transitional or Undisturbed Native Vegetation Landscape Areas.
- B. When materials such as rock & gravel piles are anticipated to be stored in the Transitional Landscape Area for more than 30 days.
- C. Major landscaping projects such as projects that include new walls, patio enclosures, changes to driveway location or materials, new berms or other changes to the approved site plan, major plantings or other similar projects.

**Landscaping Not Requiring AC Approval:** Maintenance of existing landscaping including the replacement of trees, plants or groundcovers that have been damaged or have died from disease does not require AC approval. However, replacement materials, groundcover, plants and trees must be the same as the original or comply with those listed in the Transitional and Undisturbed Native Vegetation Landscaping Plant Materials. Refer to Part I of the HOA Rules and Regulations (RRs) for additional information pertaining to lot maintenance.

Addition of trees and plants within the existing landscaping (having met the criteria for permitted and prohibited plants, shrubs and trees as stated in the Plant Materials Schedules) does not require AC approval. However, the height of any plant or tree may not exceed the highest elevation of the home (exclusive of chimneys or other pop-up elevations) with the exception of those on the Transitional or Undisturbed Native Vegetation Landscaping Plant Schedules.

# EXHIBIT A: Overview of AC Review of New Construction



## **EXHIBIT B: Approved Color Palette**

A copy of the HOA AC-Approved Color Palette may be borrowed from the AC for a period of two weeks.

The palette consists of a range of thirty-five (35) AC-approved earth tone colors that have an LRV of between 20 and 50 percent. The colors within the palette are Sherwin Williams Brand Paint names and numbers\* and are used for reference purposes only. Colors from other manufactures are acceptable as long as the color is within the palette range and the LRV is between 20 and 50 percent.

\*Manufacturers change color names and numbers periodically; therefore, the AC will rely on the actual color to determine approval.

## EXHIBIT C: Plant Materials

### 1. Prohibited Plant Materials List:

The objective of the Prohibited Plant Materials List is to preserve and protect the Huachuca Foothills landscape and to minimize allergy-producing pollen. The following are prohibited:

1. Any species of tree or shrub whose mature height may reasonably be expected to exceed the highest elevation of the home (exclusive of chimneys or other pop-up elevations) with the exception of those on the Native Landscaping or Transitional Landscaping Plant Schedules, is prohibited.
2. All *Washingtonia* species, *Phoenix dactylifera* and *Phoenix canariensis* are prohibited for aesthetic reasons, as well as for their high maintenance requirements. This includes **all palms**.
3. **Olive trees** (*Olea europaea*) are prohibited for reasons of their profuse production of allergy producing pollen.
4. **Oleanders** (*Nerium oleander*) are prohibited for aesthetic reasons, as well as for their profuse production of allergy producing pollen.
5. **Fountain Grass** (*Pennisetum setaceum*) is prohibited as a defined weed with the potential to spread throughout the development and also as a fire hazard.
6. **Common Bermuda Grass** (*Cynodon dactylon*) is prohibited as a defined weed and for its profuse production of allergy producing pollen.
7. **Buffelgrass** (*Pennisetum Ciliare*) is prohibited as it is considered to be invasive.
8. **Mulberries** (*Morus*) is prohibited as a noxious pollen producer.
9. **Desert Broom** is prohibited due to the potential for it to spread uncontrollably throughout the development. *Property owners are encouraged to remove existing Desert Broom from their lot during initial construction and landscaping and maintain an ongoing program of Desert Broom eradication.*



## 2. Undisturbed Native Vegetation Landscaping

### Trees:

Common Name	Scientific Name
Alligator Juniper	Juniperus deppeana pachyphlaea
Arizona White	Oak Quercus arizonica
Desert Willow	Chilopsis linearis
Emory Oak	Quercus emoryi
Mesquite	Prosopis velutina or glandulosa
Mexican Blue Oak	Quercus oblongifolia
One Seed Juniper	Juniperus monosperma

Arizona Revegetation & Monitoring Company: <http://azreveg.com/> provides valuable information on revegetation: native plant materials and/or native seed mix.

### Large Shrubs:

Common Name	Scientific Name
Bush Dalea	Dalea pulchra
Catclaw Mimosa	Mimosa biuncifera
Cliffrose	Purshia Mexicana stansburiana
Evergreen Sumac	Rhus virens
Greythorn	Zizyphus obtusifolia
Manzanita	Arcrostaphylus pungens
Morman Tea	Ephedra
Mountain Mahogany	Cercocarpus betuloides
Rubber Rabbit Brush	Chrysothamnus nauseosus

### Small Shrubs:

Common Name	Scientific Name
Little Leaf Sumac	Rhus Microphylla
Mexican Bird of Paradise	Caesalpinia Mexicana
Threadleaf Groundsel	Senecio longilobus
Turpentine Bush	Ericameria laricifolia

### Groundcovers/Wildflowers:

Common Name	Scientific Name
Buckwheats	Eriogonum
Fleabane	Erigeron
Fairy Duster	Calliandra eriophylla
Green Lotus	Lotus greenei
Tufted Evening Primrose	Oenothera caespitosa

### Succulents:

Common Name	Scientific Name
Agave	Agave Palmeri
Beargrass	Nolina microcarpa
Cane Cholla	Opuntia spinosior
Desert Spoon	Dasyliirion wheeleri
Engleman's Prickly Pear	Opuntia englemannii
Pincushion Cacti	Mammillaria species

### Grasses: (A source for native grasses is [www.azreveg.com](http://www.azreveg.com/))

Common Name	Scientific Name	Common Name	Scientific Name
Arizona cottontop	Digitaria californica	Plains lovegrass	Eragrostis intermedia
Blue grama	Bouteloua gracilis	Sideoats grama	Bouteloua curtipendula
Cane beardgrass	Bothriochloa barbinodis	Texas bluestem	Schizachyrium cirratum
Green sprangletop	Leptochloa dubia		

### 3. Transitional Landscaping Plant Materials

**Trees:**

<b>Common Name</b>	<b>Scientific Name</b>
Acacia	Acacia supp.
Afghan Pine	Pinus Eldareca
Alligator Juniper	Juniperus deppeana
	pachyphlaea
Arizona Ash	Fraxinus velutina
Arizona White Oak	Oak Quercus arizonica
Desert Willow	Chilopsis linearis
Emory Oak	Quercus emoryi
Mesquite	Prosopis velutina or glandulosa
Mexican Blue Oak	Quercus oblongifolia
New Mexican Locust	Robinia neomexicana
One Seed Juniper	Juniperus monosperma
Palo Verde	Cercidium spp.
Photinia	Photinia fraseri
Purple Plum	Prunus cerasifera
Salt Bushes	Atriplex canescene
Silverberry	Elaeagnus pungene
Texas Ebony	Pithecellobinum flexicaule
Western Red Bud	Cercis occidentalis

**Succulents:**

<b>Common Name</b>	<b>Scientific Name</b>
Agave	Agave palmeri
Beargrass	Nolina microcarpa
Cane Cholla	Opuntia spinosior
Desert Spoon	Dasyilirion wheeleri
Engleman's Prickly Pear	Opuntia englemannii
Indian Fig Prickly Pear	Opuntia ficus-indica
Pincushion Cacti	Mammillaria species

**Grasses:** (A source for native grasses is [www.azreveg.com](http://www.azreveg.com))

<b>Common Name</b>	<b>Scientific Name</b>
Arizona cottontop	Digitaria californica
Blue grama	Bouteloua gracilis
Cane beardgrass	Bothriochloa barbinodis
Green sprangletop	Leptochloa dubia

**Large Shrubs:**

<b>Common Name</b>	<b>Scientific Name</b>
Arizona Rosewood	Vaquelinia
Bush Dalea	Dalea pulchra
Catclaw Mimosa	Mimosa biuncifera
Cliffrose	Purshia Mexicana stansburiana
Desert Hackberry	Celtis pallida
Desert Hunesuckle	Arisacanthus thurberi
Evergreen Mock Orange	Pittosporum
Evergreen Sumac	Rhus virens
Feathery Acacia	Acacia angustissima
Greythorn	Zizyphus obtusifolia

**Groundcover/Wildflowers:**

<b>Common Name</b>	<b>Scientific Name</b>
Blue Fax	Linum lewisii
Blue Gamma Grass	Bouteloua gracilis
Blackfoot Daisy	Melampodium leucanthum
Buckwheats	Eriogonum
Buffalo Grass*	Buchole dactyloides
Chocolate Flower	Berlandiera lyrata
Coneflower	Ratibida columnaris
Coreopsis	Coreopsis spp.
Desert Marigold	Baileya multiradiata
Fairy Duster	Calliandra eriophylla
Fleabane	Erigeron
Gaillardia	Gaillardia spp.
Gaura	Gaura spp.
Globemallow	Sphaeralcea spp.
Green Lotus	Lotus greenei
Lantana	Verbenacea
Mexican Primrose	Oenothera birlandieri
Morning Glory	Convolvulus, Ipomoea spp.
Paper Flower	Psilostrophe tagentina
Penstemon	Penstemon spp.
Primrose	Oenothera spp.
Sun Drops	Calylophus hartwegii
Sun Drops	Calylophus drummondii
Trailing Indigo Bush	Dalea greggii
Tufted Evening Primrose	Oenothera caespitosa
Verbena	Verbena spp.

\*not invasive Buffelgrass (Pennisteam Ciliare)

<b>Common Name</b>	<b>Scientific Name</b>
Plains lovegrass	Eragrostis intermedia
Sideoats grama	Bouteloua curtipendula
Texas bluestem	Schizachyrium cirratum

**Small Shrubs:**

<b>Common Name</b>	<b>Scientific Name</b>
Apache Plume	Fallugia pradoxa
Arizona Yellowbells	Tecoma stans
Barberry	Berberis spp.
Beargrass	Nolina microcarpa
Coffeeberry	Rhamnus californica
Creosote Bush	Larrea tridentata
Dalea	Dalea spp.
Flame Anisacanthus	Anisacanthus spp.
Four-wing Saltbush	Atriplex canescens
Hawthorn	Crataegus Monogyna

Hop Bush  
Little Leaf Sumac  
Manzanita  
Morman Tea  
Mountain Mahogany  
Ocotillo  
Pyrocantha Species  
Rubber Rabbit Brush  
Texas Ranger  
Wright Bee Bush

*Dodonaea viscosa*  
*Rhus Microphylla*  
*Arcrostaphylos pungens*  
Ephedra  
*Cercocarpus betuloides*  
*Fouquieria splendens*  
  
*Chrysothamnus nauseosus*  
*Leucophyllun species*  
*Aloysia wrightii*

Mexican Bird of Paradise  
Mountain Mahogany  
Red Yucca  
Salvia  
Shrubby Senna  
Sugar Sumac  
Threadleaf Groundsel  
Turpentine Bush  
Yucca

*Caesalpinia Mexicana*  
*Cercocarpus spp.*  
*Hesperaloe parviflora*  
*Salvia spp.*  
*Cassia wislizeni*  
*Rhus ovata*  
*Senecio longilobus*  
*Ericameria laricifolia*  
*Yucca spp.*

## **EXHIBIT D: Submittal Forms**

Form 1. Variance of Setback Request

Form 2. Plan Review Request

Form 3. Plan Checklist

Form 4. Start Construction Authorization

Form 5. Final Site Inspection

Form 6. Final Landscaping Inspection

Form 7. Construction Period Extension Request

**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #1**

**VARIANCE OF SETBACK REQUEST**

PROPERTY OWNER \_\_\_\_\_

EMAIL \_\_\_\_\_ PHONE \_\_\_\_\_

LOT# \_\_\_\_\_

PROPERTY OWNER'S Signature \_\_\_\_\_

**Required materials:**

**Preliminary Site Plan to include<sup>3</sup>:**

1. Drawn to scale at minimum of 1-inch equals 30 feet.
2. Property lines indicated and setbacks dimensioned. Proposed construction envelope shown.
3. Locations of proposed structures including all out-buildings, planned site improvements, 3-inch-diameter trees within 50 feet of planned structures, and existing contours with elevations.
4. Proposed finished grades, areas of cut and/or fill, lot drainage patterns and drainage systems, including all leach fields. Locations of Cochise County-designated erosion setbacks.
5. Finished floor elevations(s) of structure(s) based on feet above sea level.
6. Locations, material specifications and top-of-wall elevations of all proposed patio walls, retaining walls, etc.

**Rationale for the variance: [Note: Variance will not be considered unless a rationale is included.]**

\_\_\_\_\_

<sup>3</sup> See Sample Preliminary Site Plan in Exhibit E.

**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #2**

**PLAN REVIEW REQUEST**

PROPERTY OWNER \_\_\_\_\_

EMAIL \_\_\_\_\_ PHONE \_\_\_\_\_

LOT# \_\_\_\_\_

PROPERTY OWNER's Signature \_\_\_\_\_ DATE: \_\_\_\_\_

**Materials required:**

**TWO COPIES OF:**

1. Site Plan,
2. Floor Plans,
3. Elevations,
4. Exterior Color Descriptions, and
5. Landscaping Plan.

**ONE COPY OF:**

6. Completed and signed Form #3, PLAN CHECKLIST  
(See also *SECTION 2 – Plan Review and Approval Requirements*).

The application fee of \$600 is due at this time with a check payable to the Wild Horse HOA.

***PLAN APPROVAL:***

APPROVED BY \_\_\_\_\_ FUNCTION \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

On behalf of the AC Committee

# WILD HORSE HOME OWNERS ASSOCIATION

## FORM #3

### PLAN CHECKLIST

#### **Site Plan:**

Note: All elevations must be in feet above sea level.

1. Drawn to scale at minimum of 1-inch equals 30 feet
2. All Property lines shown setbacks dimensioned, and proposed construction site envelope shown
3. Location of proposed structures on site, proposed improvements, existing contours with elevations
4. Proposed finished grades, lot drainage patterns and drainage systems
5. If culverts are required, the locations, diameters and lengths shown
6. Finish floor elevations(s) of the structure(s)
7. Locations, elevation callouts and material specifications of related improvements of driveways, patios, etc.
8. Locations, material specifications and top-of-wall elevations of all proposed patio walls, retaining walls
9. Locations of any TV antenna or satellite dish
10. Locations of any ground-mounted Solar Devices with screening enclosure
11. Locations of any water collection tanks with screening enclosure
12. Locations of all existing trees of 3 inches or greater caliper within 50 feet of any planned structure
13. Locations of all mechanical equipment (condensers, pool equipment, etc.) and their screening enclosures
14. Locations of any enclosures for outside garbage can(s).

#### **Floor Plans:**

1. Drawn to scale at one-quarter inch equals one foot
2. Enclosed living area square footage totals noted

#### **Elevations:**

All dimensioning of drawings should be feet above FFE

1. Drawn to scale at one-quarter inch equals one foot
2. All exterior building dimensioning
3. Existing contour grades and proposed finished contour grades
4. Finish floor elevation(s) lines
5. Top-of-wall and top-of-roof (structural height) dimensions for all building components
6. If roof sections are pitched, specify LRV
7. If non-tile roof material, specify specular reflection of material in gloss units

#### **Exterior Color Descriptions:**

Color print out with manufacturer's number and LRV (not physical samples)

1. Exterior walls
2. Exterior trim
3. Roofing materials

#### **Landscaping Plan(s) (May be submitted up to 2-month prior to the end of the construction period):**

1. Master site plan drawn to scale at minimum 1-inch equals 30 feet
2. Master site plan reflecting all existing major native growth removed by construction or that is within 20 feet of proposed improvements
3. Detailed treatments of revegetation of disturbed native vegetation impacted by construction
4. Detailed treatments of new supplemental vegetation of all exterior areas (not enclosed by patio walls, etc.), including grading, water drainage, installation of ground cover, planting of trees and plants, installation of exterior lighting, and
5. Specify any proposed substitutions for native vegetation by both common and scientific names (if known) with a rationale for the substitutions.

PROPERTY OWNER's Signature \_\_\_\_\_ DATE: \_\_\_\_\_

**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #4**

**START CONSTRUCTION AUTHORIZATION**

PROPERTY OWNER \_\_\_\_\_ PHONE \_\_\_\_\_

LOT# \_\_\_\_\_

GENERAL CONTRACTOR \_\_\_\_\_ DATE: \_\_\_\_\_

The following functions have been performed as *initialed and dated* by the AC liaison:

- \_\_\_ Plan review approved (Date: \_\_\_\_\_)
- \_\_\_ Property lines verified (Date: \_\_\_\_\_)
- \_\_\_ Site staking verified (Date: \_\_\_\_\_)
- \_\_\_ Construction site envelope enclosure clearly staked and roped off (Date: \_\_\_\_\_)
- \_\_\_ Construction compliance deposit made (Date: \_\_\_\_\_)
- \_\_\_ Landscaping compliance deposit made (Date: \_\_\_\_\_)
- \_\_\_ Copy of the county building permit has been received (Date: \_\_\_\_\_)
- \_\_\_ Photos of the street in front of the construction access have been taken (Date: \_\_\_\_\_)
- \_\_\_ Construction Rules reviewed (Date: \_\_\_\_\_)
- \_\_\_ Foundation Forms set and are verified against site plans (Date: \_\_\_\_\_)

**THE AC AUTHORIZES PAD GRADING ON (DATE) \_\_\_\_\_**

**THE AC AUTHORIZES POURING CONCRETE ON (DATE) \_\_\_\_\_**

**EXPECTED CONSTRUCTION COMPLETION DATE: \_\_\_\_\_ (8 MONTHS)**

**LANDSCAPING PLANS EXPECTED BY (DATE) \_\_\_\_\_ SUBMITTED: \_\_\_\_\_**

**EXPECTED LANDSCAPING COMPLETION DATE: \_\_\_\_\_ (9 MONTHS))**

AC LIAISON: \_\_\_\_\_

SITE INSPECTOR: \_\_\_\_\_

AC LIAISON'S Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

PROPERTY OWNER Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

GENERAL CONTRACTOR Signature: \_\_\_\_\_ DATE: \_\_\_\_\_



**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #5**

**FINAL SITE INSPECTION**

PROPERTY OWNER \_\_\_\_\_ PHONE \_\_\_\_\_

LOT# \_\_\_\_\_

GENERAL CONTRACTOR \_\_\_\_\_ Date: \_\_\_\_\_

The following items have been removed from the construction site or completed:

\_\_\_ Porta-Potty

\_\_\_ Dumpster

\_\_\_ General contractor's sign

\_\_\_ All construction equipment

\_\_\_ All construction material

\_\_\_ All flashing and vents colored to match adjacent surfaces

\_\_\_ Garage doors painted to match

\_\_\_ Driveway completed (natural driveways are not acceptable)

\_\_\_ Construction completed according to the approved plans (color, material, location, etc.)

**FINAL APPROVAL DATE:** \_\_\_\_\_

**AC LIAISON SIGNATURE:** \_\_\_\_\_

**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #6**

**FINAL LANDSCAPING INSPECTION**

PROPERTY OWNER \_\_\_\_\_

LOT# \_\_\_\_\_

- Revegetation of disturbed native vegetation
- Grading, water drainage, installation of ground cover, trees, plants, and exterior lighting according to the approved landscaping plans, with alterations noted
- Postponed, approved landscaping noted
- Construction materials and equipment removed

**FINAL LANDSCAPING APPROVAL DATE:** \_\_\_\_\_

**AC LIAISON SIGNATURE:** \_\_\_\_\_

**NOTATIONS:**

**WILD HORSE HOME OWNERS ASSOCIATION**

**FORM #7**

**CONSTRUCTION PERIOD EXTENSION REQUEST**

PROPERTY OWNER: \_\_\_\_\_

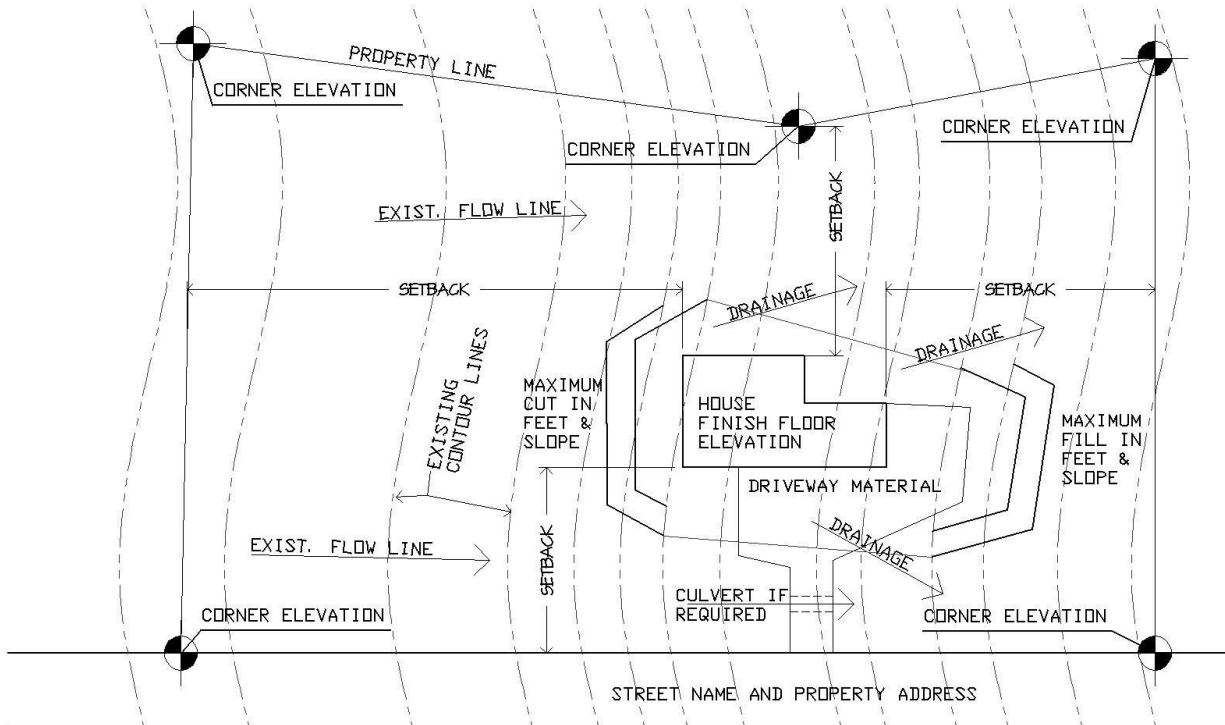
LOT # \_\_\_\_\_

REQUEST DATE: \_\_\_\_\_

ESTIMATED COMPLETION DATE: \_\_\_\_\_

Rationale:

## EXHIBIT E: Sample Preliminary Site Plan



WILD HORSE SUBDIVISION  
 GRADING AND DRAINAGE  
 SAMPLE DRAWING

- GRADING PLAN REQUIREMENTS PER ARCHITECTURAL COMMITTEE RULES:**
1. DRAWN TO SCALE AT MINIMUM OF ONE INCH EQUALS 30 FEET.
  2. SHOW STRUCTURES, IMPROVEMENTS, TREES, EXISTING CONTOURS AND FLOW LINES.
  3. SHOW PROPOSED FINISHED GRADES, LOT DRAINAGE PATTERN AND DRAINAGE SYSTEM INCLUDING LEACH FIELD.
  4. SHOW DRIVEWAY SLOPES AND FINISHED FLOOR ELEVATIONS.
  5. IF CULVERTS ARE REQUIRED, SHOW THE LOCATION, DIAMETER AND LENGTH.