

# THE ENCLAVES

## ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES

The Enclaves Community Association, Inc.  
2563 N. Kiowa Boulevard  
Lake Havasu City, Arizona 86403

October 1, 2021

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### 1. INTRODUCTION

Havasu Foothills Estates is the exclusive single-family residential gated community in Lake Havasu City. This unique setting provides recreational and southwestern desert dwelling opportunities unparalleled in the desert southwest. The Enclaves is located amongst the Desert Foothills east of Lake Havasu. These foothills provide privacy and a unique sense of exclusivity while enjoying dramatic desert, lake, and mountain views.

These Architectural and Landscaping Design Guidelines (Design Guidelines) are for Residences and related Improvements that are to be built at The Enclaves. These Design Guidelines function to unify the community as a whole through the implementation of high development standards and excellence of design in order to create and enhance lasting values.

The design review for each dwelling is subject to the approval of the Committee to ensure continuity of excellence throughout The Enclaves. This review is not intended to supersede the permitting functions of the public agencies (compliance with which is the responsibility of each Homesite Owner) but to coordinate aesthetic design and construction standards. for the development of all residences and other improvements throughout The Enclaves.

The Committee shall determine, at its discretion, and without limiting the scope of its authority for design review of all Improvements within The Enclaves including, but not limited to, the acceptable design, size, landscaping, hardscaping, setting, materials, colors, setbacks, and all elements of design review of the Homesites and Residences proposed for the Custom Home Neighborhood. The requirements for Improvements within the Custom Home Neighborhood as determined by the Committee. The Committee will exercise its authority for design review of Custom Home Neighborhood within the spirit and intent of the Guidelines. An Owner seeking design review of the Semi-Custom Neighborhood must comply with the review process described in the Guidelines and with the design standards expressed in the Guidelines.

All capitalized terms within these documents are defined in Appendix C - "Definitions" of this document.

## 2. PHILOSOPHY

The philosophy at The Enclaves is the sensitive integration of a unique architectural image within the natural desert environment. The goal of The Enclaves is to achieve "inspiration from integration of modernization" by blending all improvements and advanced building techniques with the existing Mohave Desert and the surrounding mountains. The unifying theme for the community is the enhancement of the natural desert within a harmonious and aesthetically pleasing community.

The Enclaves is well suited to justifying such a philosophy. It is bordered on the west by the distinct features of the Seven Sisters, shimmering Lake Havasu waters and on the east by the Majestic Sun washed Mohave Mountain Range. Close-range views of these mountains, vista-oriented views across the Colorado River Valley and views of Lake Havasu are available to most building sites throughout the property. The expression of architectural and landscape design must be responsive and complement the desert environment, rather than dominate these features and views.

The Enclaves philosophy encourages and fosters quality design in architecture and landscape where individual Homesite Owners, and the community as a whole, bear the responsibility and agree to cooperate to achieve The Enclaves "inspiration from integration of modernization." To this end, the architecture and landscape design will have to emphasize an organic inseparability between residences and the desert landscape.

These Standards and Procedures are designed to provide direction to Owners in the planning, design and construction of Improvements on their Lots and Parcels, thus ensuring the highest quality of development and preservation of the unique Mojave Mountains and desert environment found at The Enclaves. The Standards and Procedures set forth herein should be viewed by each Owner as their protection that the special environment of The Enclaves will be retained and enhanced over time.

The design of each Improvement must be tailored to the unique features of each individual Lot or Parcel. Although the allowable colors and materials of Improvements have been chosen to maintain a Contemporary – Modern southwestern design, the purpose is not to create look-alike homes. No one Improvement should stand apart in its design or construction so as to detract from the overall environment and appearance at The Enclaves. To preserve the natural features of each Lot and Parcel, such as significant existing plants, washes, rock outcroppings, each Improvement must be sited to minimize disruption of the natural landscape. Natural drainage must not be altered. Undisturbed desert is the unifying theme at The Enclaves, and this can only be achieved by minimizing alteration of Lots and Parcels.

To ensure preservation of the natural desert, the City of Lake Havasu has enacted ordinances with which all Owners must comply. On many of the larger custom home lots, the Owner will be required to specify a "Development Envelope" that defines the natural area and the maximum conceptual allowable Development area on their Lot or Parcel. The Development Envelope must be approved in advance by the Architectural Review Committee (ARC). All Improvements on a Lot or Parcel must be constructed within this Development Envelope. It is not intended that an Owner design their Improvements to completely fill the Development Envelope, and landscape elements (such as fences) will not be permitted to delineate its boundaries. Outside the Development Envelope, the natural desert must be left undisturbed.

# THE ENCLAVES ARC *Aesthetic review Committee*

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The concept and design of all proposed Improvements to be constructed within the Development Envelope must be approved by the ARC. It is recommended that an Owner retain competent professionals to plan and design Improvements. Only plans of professional quality will be accepted for review by the ARC. Each owner must strictly comply with the Architectural Standards and Procedures, the Declaration, and the regulations of any governmental authority.



### 3. SITE DEVELOPMENT GUIDELINES

Below are guidelines and standards for all site work relating to the Homesite, including grading, landscaping, siting of structures, and outdoor areas.

Owners are required to obtain the services of a professional Architect, Civil Engineer or Landscape Architect I Designer. These professionals have the ability to analyze the unique potential of each site and to understand and address the needs of the Owner. They are also capable of portraying to the Committee, through detailed drawings and renderings, the site and landscape design concept.

To assist in the creation of a quality, environmentally responsible community, which preserves and enhances the desert setting, the site design and landscape of each Homesite shall be carefully planned according to the following standards:

The Enclaves CCR's, and these Design Guidelines, which establish design criteria for architectural and landscape activities within The Enclaves, prohibit any structure from being placed, erected, or installed upon any Lot, and prohibit any Improvements (including staking, clearing, excavation, grading and other site work, exterior alteration of existing Improvements, and planting of landscape materials) from taking place without the written approval of the Architectural Review Committee. The ARC has the responsibility to administer these, and other design-related guidelines for the community. The ARC also has the authority to review, approve or not approve all applications for modifications to existing Improvements. These Design Guidelines are not the exclusive basis for decisions of the ARC, and compliance with the Design Guidelines does not guarantee approval of any application.

All buildings, structures and other Improvement within The Enclaves must also comply with all applicable City, State or Federal codes. Review and approval of any application is made on the basis of aesthetic considerations, and the ARC shall not bear any responsibility for ensuring the structural integrity, or soundness, of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements.

Plans and specifications for any proposed residence, Addition, modification or other Improvement must be submitted to the ARC prior to construction or installation. Please consult with The Enclaves Association to obtain the address or submittal location of the ARC.

### 3.1. The Enclaves Home Design

The Enclaves is to be a fully Custom Home/ Estate Custom Community

#### 3.1.1. Estate Lots:

The Estate Homesites are consistent with the rugged terrain of the existing foothills utilizing the use of modern and contemporary desert techniques as inspiration is important in that it establishes a common aesthetic quality that reaches beyond the conventional desert foothill landscape, The Estate Homesites properties consist of three distinct Landscape Zones - The Native Zone, The Transition Zone and The Private Zone. On these properties as much of the natural plant material, boulders, and rock formations must be saved, preserved and integrated into the final site landscaping. The Homesite Diagram I Survey for each Estate Property will identify the Native Zones and preliminary Transition Zone on each homesite. Upon submission of the Site Plan for construction the ARC will further define the Private Zona, and Transition Zone. For further information on Landscape Zones, see Section 4 - Landscape Guidelines.

### 3.2. Homesite Diagrams / Survey

Homesite Diagrams have been prepared for each Homesite within The Enclaves.

Homesite Diagrams indicate the Building Envelope, and the Natural Zone, Transition Zone, building setbacks and any additional consideration, such as slope information.

Homesite Diagrams include an as built survey of the Homesite. Homesite Diagrams provide the homeowner and design professionals with the relevant site data necessary to design and develop plans for the property based on these design guidelines.

Homesite Diagrams are available at the Enclaves Sales Center or from the Architectural and Landscaping Control committee of The Enclaves Homeowners Community Association, Inc. Refer to Figure 1 for a sample Homesite Diagram.

### 3.3. Building Envelopes

Building Envelopes have been established for all Homesites in order to ensure that every home is sited in the most appropriate location.

Established Building Envelopes are illustrated on the Homesite Diagram for each property. See Figure 1 for a sample Homesite Diagram.

All structural improvements on a Homesite (including outdoor amenities such as covered patios, accessory buildings, and related Improvements) must take place within the Building Envelope area.

### 3.4. Building Envelope Adjustment

It is the intention of these regulations that all structures and site improvements such as covered patios, accessory buildings, and related Improvements be located within the Building Envelope area. However, it is also recognized that each Homesite presents its own unique design challenges and Owners, along with their Architects, may develop design solutions involving encroachment outside of the Building Envelope.

All proposals for constructions that encroach outside of the Building Envelope shall be evaluated by the Committee for continuity with the adjoining Homesites and/or the goals of these Design Guidelines and shall be made solely at the discretion of the Committee.

### 3.5. Combining Homesites

When an Owner combines two or more Homesites, the Committee will designate A new Building Envelope based on the new lot lines and the criteria above.

### 3.6. Easements

Property lines are located approximately ten feet six inches (25') behind the back of the street curb of any street that abuts the Homesite. This area between the back of the curb and the property line represents the street right-of-way. This right-of-way is property of Lake Havasu City and consists of utilities and utility boxes, landscape (or streetscape) and potential sidewalks, mailboxes, street signs and other neighborhood improvements. It is the responsibility of the Owner to landscape and maintain this area in accordance with approved plans or existing landscape and streetscape themes.

Along with the street right-of-way, an adjacent on-site eight foot (8' -0") wide strip easement exists within each Homesite. This easement has been established for utilities and landscape (or streetscape).

Each Homesite is served with underground electricity, television cable, telephone, sewer and water line. The location of these utilities within easements is the responsibility of the Owner to determine and should be confirmed in the field when a survey of the Homesite is performed to verify the boundary and topographic features and future placement of other improvements.

Landscaping and the building of driveways or fencing within utility easements is permissible if done in accordance with an approved plan and is acceptable by governmental agencies or utilities with jurisdiction over the Homesite. There is a need for access to such utilities. Furthermore, the Utility Companies, Homeowners Association, or Developer has no responsibility for damage to Owner improvements when accessing such utilities.

Drainage easements may be established over a portion of some Homesites. These easements are areas of special consideration due to the potential for water flows of a higher volume and must remain unaltered and unobstructed. Improvements designed and constructed by the Owner to bridge these drainage easements are encouraged. However, the design of such improvements must be submitted to the

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Committee for review and approval. Such improvements, if approved, shall be constructed to maintain in as natural a setting as possible.

All utility company pulls boxes, transformers, and similar facilities have been set at or below grade whenever possible, and within the easement. Future planting and grading must be designed and implemented to further diminish the visual impact of these facilities. The Committee will review individually all improvements planned for inclusion over easements held by utilities or public agencies as well as those held by the Association.

Easements that are located on Homesites include, but are not limited to, emergency access, water lines, irrigation lines, sewers, storm drainage, and utilities. Locations of these easements are found on the corresponding tract map or within a separate instrument. It is the Owner's responsibility to confirm the location and purpose of all easements and the improvements within the easements.

The Owner or Owner's design consultants should check with the Committee and local governmental agencies and utilities to determine restrictions relating to improvements constructed within easements.

### 3.7. Grading and Drainage

Grading of homesites shall be done in a manner that compliments the elevation changes of the natural desert environment that defines the open spaces and surrounding foothills. All sloped areas should roll and fall in the forms of ridgelines, swales, washes, and rock outcroppings. Unnatural slopes that are steep and lack movement and contouring will not be allowed. Where slope conditions exist that prevent one from achieving functional and aesthetically pleasing slopes, retaining walls should be used to absorb the elevation change and help terrace the property.

No grading shall be done that may cause erosion on or off-site. No slopes shall be steeper than 2: 1 except for existing slopes, or where a variance is allowed by the Committee. All finished grading must comply with any local jurisdictional codes.

In the desert water does not come often, but when it does it often comes hard and fast. Because of the rocky impermeable surfaces that make up the desert floor, adequate drainage patterns must be provided to deal with runoff. To prevent erosion damage to adjacent homesites, streets, and improvements all water must be directed to natural and designated drainage swales, washes, or the street. Along with the flow paths and contouring of a homesite, water should be encouraged to create sheet flows rather than point loading water to narrow channels where erosion and damage are sure to occur. Where at all possible, retaining walls, retention swales, dry wells, and drainage basins should be used throughout the homesite to contain water onsite and minimize the amount of runoff.

#### 3.7.1. Grading:

**Finished Grade I Finished Graded Pad.** The Lots in The Enclaves were developed with specific engineered Finished Graded Pads at the time of the development. Pad elevations are defined on the approved Lot Exhibit for each property. In general, the grade and elevation of the Finished Graded Pad

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should not be modified. Any grading or pad elevation modifications will need approval of the ARC. Building heights will be measured as a floating plane above the approved pad elevation for each property.

- Any aesthetic landscape berming shall not direct drainage onto adjacent Homesites.
- All berming shall occur within the Building Envelope. All slope transitions shall be even and smooth rather than abrupt and unnatural looking.
- When transitioning to Natural Zones, the existing slope conditions of the Natural Zone should be augmented to create a smooth and natural transition.
- Landscape berming shall be in conformance with the overall approved drainage patterns established at Havasu Foothills Estates.
- No grading shall be done that may cause erosion, on or off-site. No slopes shall be steeper than 2:1 except for existing slopes, and except where a variance is allowed by the Committee at the Committee's sole discretion.
- All finished grading must comply with any local jurisdictional codes.
- Any imported soil needed to created landscape berming shall be free of weeds and debris.
- Final grading of all planting areas shall be rolled, raked, and hand worked to achieve a smooth, continuous surface.

### 3.7.2. Drainage:

- Concentrated run-off from roofs, driveways and other impervious surfaces onto adjacent property is prohibited except where a natural drainage condition exists.
- Drainage swales shall be designed to minimize run-off velocity to protect the Homesite from erosion. There shall be no increased water flows off of home sites.
- Drainage shall always be directed away from any structure.
- All excavation and fill areas shall be sufficiently compacted to prevent erosion and future settling problems.

### 3.8. Retaining Walls, Fence Walls, and Fences

Because of the rugged mountain foothill terrain that is home to Havasu Foothill Estates, portions of the site will require the need for retaining walls, fence walls, and fences. All retaining walls, fence walls and fences should be of natural desert hues and must blend in with the surrounding landscape and improvements.

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Retaining walls may never exceed eight (8') feet in height from the lowest elevation on either side of the wall. In areas where additional retaining walls in excess of eight (8') feet are required, a terraced effect must be implemented. These terraces must have a minimum of three (3') feet of separation between walls and must be landscaped to help minimize the effects of the walls.

Fences and Fence Walls must be a combination of stone, stucco or split faced masonry and of wrought iron or aluminum metal and painted in black or natural desert hues. Fences and Fence Walls shall not exceed six (6') feet in height.

Prior to construction or alteration of any retaining walls, fence walls, or fencing, detailed plans indicating materials, colors, heights, elevation changes and locations on the homesite must be submitted to the Committee for approval. No freestanding or retaining walls may be placed in the Natural Area. Walls may be located within the Transition Area.

- The maximum approved slope from property line to top of wall is 2 to 1, except where a variance is allowed by the Committee and Local Building Authorities.
- No retaining wall shall exceed eight (8') feet in height unless otherwise approved by the Committee.
- Approved materials for retaining walls are stone faced walls, stucco, keystone type, or split face. Other materials may be used if reviewed and approved by the Committee.
- All Retaining Walls, Fence Walls, and Fences must be contained within the Building Envelope.
- A Homeowner may request a variance to allow for Retaining Walls, Fence Walls, and Fences to be built outside of the Building Envelope. Detailed plans and specifications outlining such requests must be submitted to the Architectural and Landscaping Control Committee for review. An approval or variance for such request is at the sole discretion of the design review committee.
- Retaining Walls, Fence Walls, and terraces are restricted to a maximum combined height of sixteen feet (16'), with a minimum of one (1) terrace, in any one location. If a need exists the Enclaves o exceed the maximum of sixteen feet (16'), please consult the Architectural and Landscaping Control Committee.

### 3.9. Driveways

Driveways shall be carefully designed, landscaped and sited to blend with the terrain and to minimize visibility from adjacent Homesites and the street.

- To create continuity, Pavers will be utilized in the transition from the main street into the home driveway and entry. The Enclaves has preselected three (3) color blends long with two (2) textures that are all acceptable driveway paver materials. Homesite paver selections are available at the Enclaves Sales Center or from the Architectural and Landscaping Control committee of The Enclaves Homeowners Community Association, Inc

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- All driveways should be constructed to intersect with streets at approximately 90-degree angles for safety, visibility and continuity.
- Driveways shall be a maximum of sixteen (16') feet wide, except at the driveway apron and where driveways provide a turnaround at a garage or are used in conjunction with off-street parking. Parking and turnaround areas must be located within the Building Envelope.
- All approaches in the street right of way shall be gray concrete, unless otherwise approved by the Committee and by the Lake Havasu City Public Works Department.
- Driveway Gates **are** allowed in the Private Zone or within the front yard building setback. Driveway Gates may be considered by the ARC on a case- by-case bases for homes with a porte-cochere. long driveway or with a deeply recessed side auto courtyard that is behind the front-most face of the home. Driveway gates, if allowed, shall match the authentic architectural style of the home, including the colors, materials, patterns and appearance. Driveway Gates may not be treated as artwork or design statements. The height of driveway gates may be limited as deemed appropriate in the sole opinion of the ARC

### 3.10. Parking and Garages

Parking and garage layouts shall be carefully designed and landscaped so that their visibility is minimized from adjacent Homesites and the street. Refer to Figure 9- Garage Door Design.

- Each Homesite shall contain an enclosed garage, either attached or detached from the residence, with parking for at least two automobiles.
- Garage doors which face the street are discouraged. For those Homesites that have front loaded garages, the garage building shall be set back a minimum of 4' -0" from the front plane of the main Residence. Landscaping shall be provided in planting pockets in the front and sides of the garage to visually soften the appearance of the garage and its doors.
- Recessed garage doors (minimum of eight (8") inches) are required.
- Garages must be fully enclosed. All walls and ceilings are to have a finished surface. Carports are not permitted as primary parking for the residence. However, breezeways are permitted subject to Committee approval.

### 3.11. Service Areas and Utility Entrance Locations

Service areas are intended primarily for the pickup of trash and for the storage of firewood, maintenance tools, and similar items. Pool, air conditioning, irrigation, and other mechanical equipment also must be located in these areas or underground. Walls are required around service area and must be of an adequate height and length to conceal all equipment from view.

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- Propane tanks must be screened or placed below grade.
- Grinder Pumps, grinder pumps must be below surface and boxes to be screened with adequate landscape.
- The interior of enclosed service areas must not be visible to the street or adjacent properties

### 3.12. Art Objects

Art and other freestanding objects must be located within the Building Envelope. If visible from streets and/or other public area, art objects must be approved by the Committee.

### 3.13. Satellite Dishes

Satellite dishes shall not exceed eighteen (18") inches in diameter. The antenna must be shielded from view from the street and neighboring properties to the maximum extent possible as long as an acceptable signal quality may be received. If necessary to shield the antenna from view, the Association may require that the antenna be shielded by reasonably priced landscaping that complies with the Association's landscape requirements.

### 3.14. Poles

A flagpole for the display of the American flag only shall be permitted subject to Committee approval of placement, design and height. No flagpole shall be used as an antenna.

### 3.15. Signage

The only signage permitted without further approval on a Homesite are the address numbers as part of the approved mailbox and any construction signs as described in Section 7 (Construction Rules and Regulations) of these Design Guidelines.

All other signage must be approved by the Committee. Standard sign requirements are available upon request from the Committee.

## 4. LANDSCAPE GUIDELINES

### 4.1. Landscape Approach

Landscaping is the most visible tool available to augment the natural setting and beauty intrinsic to The Enclaves.



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The intent of the Landscape Guidelines is to promote the establishment of a continuous desert landscape that compliments the existing Mohave Desert environment. In order to blend with the existing setting, a desert theme has been created for The Enclaves. By preserving existing vegetation where possible, and by re-vegetating and landscaping with similar plants, a unique and special character will be created. This character is reinforced throughout The Enclaves.

Desert landscaping does not mean sand or gravel with an occasional cactus. A vast number of plants exist which are native to the southwestern deserts that are lush and green in appearance. Cactus and succulents can be used in limited numbers as accents and focal points. Numerous colorful annuals and perennials are available and encouraged to add accent and seasonal color to the design. Within the confines of the Private Zones, greener tropical-like plants may be used to create a lush and cooling effect.

By using predominantly desert plant materials, the planted landscape shall not contrast or compete with the existing natural setting. To achieve this, a special plant pallet has been developed for the community (See Appendix B - Approved Plant Materials). The plants selected are adapted to the harsh desert climate of heat, wind and sun. The unique characteristics of these plants allow them to survive and thrive in this climate with a minimum amount of water. The use of these desert plants will enhance the existing environment and wildlife habitat while helping blend and minimize the impact of the new improvements and homes throughout the property.

The landscape design of each homesite shall extend, preserve and enhance the overall landscape theme of the community. Landscaping shall help to integrate new structures and outdoor improvements with the Homesites, open space, and Native Zones throughout the development. The overall landscape design theme calls for informal I native arrangements of plant and other landscape materials to enhance the natural beauty of the desert through use of subtle color, material, and size changes throughout the landscape.

Views of the natural open spaces, mountains, Lake Havasu and the expansive valley floor are found throughout many homesites within The Enclaves. Therefore, the placement and selection of tree types and sizes must be carefully considered in order to protect and enhance the valuable assets that these views provide to the community. Respect should be considered for neighboring homesites, open spaces, and streets.

The desert growing season is intense and can last for long durations of time, therefore, the appropriate selection of plant material, along with correct watering techniques must be considered to prevent plants from reaching uncontrollable sizes. Plants should be selected for each landscape zone based on their natural growth habits and the microclimates that exist around the homesite. Excessive and stylized pruning of plant material will not be allowed as pruning should only enhance the natural growth habits of the plant material to help achieve a more natural look.

To tie in with the natural character of desert trees, the use of multi-trunk trees is highly preferred over the typical standard or single-trunk trees. Hedgerows of trees are not allowed. Trees should be planted singly or in natural groupings.

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Plantings of shrubs of a single variety shall be massed in groups of no less than three (3) plants to avoid a sporadic appearance. The variety of plant material shall be limited because too many types are often confusing and detract from the overall landscape.

Any portion of a homesite not covered by buildings, patios, driveways, sidewalks, or designated Native Zones shall be landscaped as part of the improvements during the original construction of the home. All landscaped areas must be landscaped in accordance with these Landscape Design Guidelines and shall be irrigated with a fully automatic irrigation system.

### 4.2. General Landscape Guidelines

- The landscape design on each Homesite shall gradually transition from the Private Zone, as the most lush or ornamental landscape, to the Native Area, as the most indigenous desert landscape. The Private Area shall be separated from Native Areas, Transition Areas, adjacent properties, streets, and open space by walls, courtyards and/ or other structures.
- The Native Zone shall remain as natural desert to the greatest extent possible. Owners/ Contractors should do everything in their power to protect, preserve and replant these Native Zone areas.
- The Transition Zone shall incorporate those materials utilized on the Entry and Streetscapes of the Enclaves than the Private Zone to help the landscape design transition to natural desert.
- Several types of trees and plants are prohibited at The Enclaves and they are listed in the Prohibited Plant List section of Appendix B. These plants are not permitted in any area of the Homesite because they can be potentially destructive to native plants or because of noxious pollen, excessive height, weed. like growth habits, high water demands of other traits considered undesirable.
- Any exposed rock surfaces shall match as nearly as possible the color of the surrounding rocks. In some instances, exposed rock surfaces should be treated with an approved 'desert varnish' (also called an oxidizing or aging agent) such as "Ebonite" or "Permeon". This process restores the natural desert coloration to disturbed surfaces.
- Boulders may be used in the landscape. They shall be sunk a minimum. of one-third (1/3) below grade and be massed in groupings of two or more to appear most natural looking. The boulder color shall match as nearly as possible to the color of the rocks in the surrounding landscape. An oxidizing or aging agent as described above may be used to achieve this desert varnish color.
- Turf shall be contained by a permanent edging or mowing strip to provide a clean appearance. To maximize the cooling effects of turf, these areas in general, should be located within the Private Area adjacent to or near the house where they are easily accessible for recreation and enjoyment. Other areas of Turf are by approval only, and must be screened from view.
- Select plants that are the appropriate size and shape for the yard being designed. Keep the mature size in mind to avoid the need for excessive continual pruning in the future, particular! y in narrow side yards.

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- Locate shade trees near the house for their cooling effects. Consider deciduous varieties on the south and west sides so that the winter sun may access the house and yard.
- The use of larger specimen trees is preferred in areas close to the house to help blend buildings with the site, accentuate entry areas, provide for climate amelioration, and to define patio and/or outdoor areas.
- All irrigation shall be installed and working prior to or simultaneously with the installation of any plant material.

### 4.3. Landscape Zones

Throughout the neighborhood types found within The Enclaves ' there are three distinct Landscape Zones in relation to the landscape and the natural environment:

- 1) The Native Zone
- 2) The Transition Zone
- 3) The Private Zone

#### 4.3.1. The Native Zone:

Natural rock formations and native plant groupings makeup the spectacular natural desert setting intrinsic to Mohave Foothills. In order to protect this natural environment, certain Native Zones have been established throughout the development and on certain homesites and estate lots. These zones should be used to re-vegetate and renovate the disturbed areas resulting from the original improvements and the construction of the individual residences.

The Native Zone is that portion of the homesite that lies outside of the Building Envelope and is to remain in essentially natural condition. No building improvements of any kind may be done in this zone and only plant materials from the Approved Plant List (Appendix B) for the Natural Zone may be used. It is the responsibility of the Homeowner to tie into this. landscape and augment the existing surrounding landscape. Every effort must be made to preserve, protect and replant the natural rock and plant formations found within these zones. These natural areas must be fenced off and protected while all improvements to the property are completed. No turf is allowed in these areas.

Native Zones are not in effect on every homesite and property within the development. The Estate Homesites that are adjacent to natural open space areas and jurisdictional washes are subject to Native Zones.

Refer to the Homesite Diagram (See Section 3 .2) to determine if there is a Native Zone on the property.

Only plant materials from the Approved Plant List (Appendix B) for the Native Zone may be used throughout these areas.

### 4.3.2. The Transition Zone:

The Transition Zone provides an opportunity to align the home entry with the streetscape and the natural environment surrounding The Enclaves.

The Transition Zone is that portion of the homesite that is visible from streets, parks, natural open spaces, and neighboring homesites. Throughout The Enclaves, the Transition Zone ties one home to the next in a natural and aesthetically pleasing fashion. Where Native Zones are present, the Transition Zone provides a gradual transition or separation from the more non-native and formal Private Zones and structural improvements of the homesite to the Native Zone.

Homeowners may use low walls, courtyards, or planting areas within these Transition Zones to help separate the Private Zones and the residence from the street, adjacent homes, and Native Zones.

Landscaping within this zone shall, in general, incorporate a drier, more desert like character that compliments the backdrop of the natural desert. No turf will be allowed in this zone unless it is bordered or enclosed by a screen wall.

Only plant materials from the Approved Plant List (Appendix B) for the Transition Zone may be used throughout these areas.

### 4.3.3. The Private Zone:

The Private Zone includes those portions of the building envelope and homesite that are not visible from the streets, parks, natural open spaces, and neighboring homesites because they are screened from view by privacy walls, buildings and I or other landscape elements.

Within this zone the homeowner has more flexibility in creating a lush and or ornamental landscape, provided that irrigation needs are not excessive. Turf is allowed in the Private Zone along with a variety of plants that aren't allowed in the Natural or Transition Zones.

Only plant material from the Approved Plant List (Appendix B) for the Private Zone may be used throughout these areas.

## 4.4. Planting Requirements per Landscape Zone

### 4.4.1. The Native Zone:

The Natural Zone is to remain untouched or if during the grading evolution should be re-vegetate and renovate the disturbed areas resulting from the original improvements and the construction of the individual residences.

Contractors and homeowners should take extreme caution and care so as to protect these Natural Zones.

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If the Native Zone on a property is damaged during construction, it must be restored as best as possible to its natural condition.

With approval of the committee, a homeowner may enhance the native zone to increase plant density, replace damaged or dead plant material, and to repair damaged portions of the Natural Zone.

Only plant material from the Native Zone section of the Approved Plant List (see Appendix B) may be used in the Natural Zone.

### **Tree and Shrub Revitalization Planting for Slopes or terraces disturbed by Lot Formation:**

Owner/s with Slopes or Native zones shall plant on their Homesite in the Native Zones a minimum quantity trees and shrubs within the disturbed Native Zones.

Trees and shrubs may be planted at various locations throughout the Native Zone in the Slopes to create the resemble the native look of the surrounding Native zones.

Tree and shrub species shall be selected from the Approved Plant List for the Transition Zone see Appendix C).

### **Tree Planting Requirements:**

Each Owner shall plant a minimum of 5 Trees of 24" box or larger per 1500 s.f of Native Zone area on their lots.

The following formula shall be used to calculate the Native Zone area:

Native Zone area sq/ft = Lot sq/ft minus Total sq/ft of Residence (Including Garages and Covered Patios) minus Any Transition Zone sq/ft found on the Lot.

### **EXAMPLE:**

Lot Size = 40,000 sq/ft

Residence (Including Garages and Covered Patios) = 6,500 sq/ft

Transition Zone = 5,000 sq/ft

Native Zone = 40,000 - 6,500 - 5,000 = 28,500 sq

### **Shrub Planting Requirements:**

Each Owner shall plant a minimum of 5 shrubs per 500 s.f of Transition Zone area on their homesite.

The following formula shall be used to calculate the Transition Zone area:

Transition Zone area sq/ft = Lot sq/ft minus Total sq/ft of Residence (Including Garages and Covered Patios) minus Any Natural Zone sq/ft found on the homesite.

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**EXAMPLE:** Lot Size = 40,000 sq/ft  
Residence (Including Garages and Covered Patios) = 6,500 sq/ft  
Transition Zone = 5,000 sq/ft  
Native Zone = 40,000 - 6,500 - 5,000 = 28,500 sq/ft

### 4.4.2. The Transition Zone:

The plant character to be established in this zone is that of a lush desert, utilizing low water demand plant materials from arid regions. These plants were carefully selected for their ability to blend with the natural desert, their drought tolerate characteristics, their foliage and flowering seasons and to complement The Enclaves Entrance, Streetscape and community park.

The use of larger specimen trees is preferred in areas close to the house. to help blend buildings with the site, accentuate entry areas, provide for micro-climate change, and to define patio and/or outdoor areas.

The Transition Zone on each Lot must be landscaped with approved plant materials which augment the adjacent street landscape and natural desert surround the Lots.

#### Tree Planting Requirements:

Each Owner shall plant on their Homesite in the Transition Zone a minimum of two (2) tree (36" box or larger) for every 25 feet of street frontage.

For example, a Homesite with 100' of street frontage would require a minimum of eight (8) trees to be planted.

Trees may be planted at various locations throughout the Transition Zone. Corner Lots must use both of their two streets: frontages to calculate the number of trees required.

Tree species shall be selected from the Approved Plant List for the Transition Zone see Appendix C).

#### Shrub Planting Requirements:

Each Owner shall plant a minimum of 5 shrubs per 500 s.f of Transition Zone area on their homesite.

The following formula shall be used to calculate the Transition Zone area:

Transition Zone area sq/ft = Lot sq/ft minus Total sq/ft of Residence (Including Garages and Covered Patios) minus Any Natural Zone sq/ft found on the homesite.

#### **EXAMPLE:**

Lot Size = 40,000 sq/ft  
Residence (Including Garages and Covered Patios) = 6,500 sq/ft

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Natural Zone = 5,000 sq/ft

Transition Zone = 40, 000 - 6, 500 - 5, 000 = 28,500 sq/ft

The following formula shall be used to calculate the required number of shrubs:

Shrubs Required = Transition Zone area sq/ft divided by 500 multiplied by 5

**EXAMPLE:** Transition Zone = 28,500 sq/ft

Shrubs Required = 28,500 / 500 x 5 = 255 plants

The Transition Zone Area shall be rounded up to the nearest 500 s.f. to calculate the number of required shrubs.

Of the required plant material quantities, the following sizes are required: 5% must be 15. Gal. or Larger, 55% must be 5 Gal., and the remainder (40%) must be a minimum of 1 Gal.

Shrub species shall be selected from the Approved Plant List for the Transition Zone (see Appendix B).

### 4.4.3. The Private Zone:

A Private Zone is a portion of the lots, typically the back yard or front courtyard, that is screened from view of streets, neighboring properties, natural open spaces, and parks. These zones are allowed a greater amount of flexibility in the design and landscape elements that may be used.

The landscape design of these areas must follow the overall principles of the landscape guidelines, however there are no specific quantities of plant material required. Since Private Zones will be different shapes, sizes, and contain different elements on each lots, the landscape design of these spaces will be reviewed and critiqued on a site by site basis.

A sufficient amount of plant material must be used to complete the landscape of a Private Zone and all plant material must come from the Approved Plant List (see Appendix B).

### 4.5. Groundcover | Rock Mulch

All landscape areas must be treated with a rock mulch ground cover material. To tie in with the natural desert terrain of The Enclaves, decomposed granite is suggested. Rock mulch must cover all disturbed or unnatural surfaces throughout the homesite at a minimum of three (3) inches in depth.

Within Native Zones the existing rock compositions must be used to reestablish the natural desert floor.

Within Transition Zones a mix consisting of the following shall be used:

- 90% of the material shall be: 3/4" Minus
- 10% of the material shall be: 2"-4" Sized

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Within Private Zones smaller material (1" or less) may be used in either Sized or Minus.

All Groundcover I Rock Mulch must be of desert hues that are reflected in the surrounding desert and mountains. Any rock that is obtrusive or contrasts with the natural desert will not be allowed. The Homeowner, designer, or contractor must submit samples and I or specifications for rock mulch to the Committee prior to installation.

### 4.6. Boulders

Boulders are encouraged for use in the landscape to help continue and enhance the feel of the surrounding rock formations throughout the foothills and mountains.

Boulders shall be sunk a minimum of one-third (1/3) below grade and massed in groupings of two or more to appear as natural as possible. All boulders must be of desert hues reflected in the surrounding desert and mountains. Any boulders that are too obtrusive or contrast with the natural desert will not be allowed.

### 4.7. Existing Landscape within Entrance, Park and Streetscape

The developer has installed landscape along the public entrance, private streets and park. It consists of trees and other vegetation. This vegetation shall not be removed, and shall be incorporated into the overall design of the residential Lots.

If streetscape landscaping exists on any portion of a homesite, the style and theme must be preserved and continued along the entire streetscape of the property.

### 4.8. Irrigation

To aid in water conservation, careful planting design should reduce. later consumption needs while usmg m1mmal and efficient irrigation systems:

- All landscaped areas shall be provided with an automatic irrigation system.
- Low-Volume drip irrigation is recommended for trees, shrubs, and ground covers to conserve water. Bubblers are highly discouraged because flooding of plant beds caused unnecessary water loss. Spray or subterranean systems shall be used for turf areas.
- All systems shall be below grades.
- All systems shall have a backflow prevention device to prevent non-potable water from entering the potable system.
- Systems shall be designed to minimize run-off and loss of water. Use of ten-siometers and rain guards are encouraged to prevent the unnecessary watering of the landscape during rain storms.
- The system should be designed to meet the peak demands of all the plant material.



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- Irrigation controllers and backflow prevention devices shall be located where they are not visible to adjacent Lots and the street.
- Where spray heads are used, they shall be "pop-up" type. No exposed "knocker heads" are permitted.
- Due to issues of overspray and staining of walls, no turf or spray-type irrigation is allowed within three (3) feet of a wall or fence which is located on a property line, including rear and side yards.
- Different irrigation valves should be provided for trees, low-water-use shrubs, ornamental shrubs, turf, pots, fruit trees and vegetable gardens. Additional irrigation valves should be considered to accommodate varying sun exposures.
- Irrigation emitters should not be placed within five (5) feet of community concrete streets, curbs or gutters
- Irrigation run-off into streets, sidewalks, Common Areas or adjacent properties is not permitted
- Owners shall maintain their irrigation system to avoid run-off issues.
- The landscape design of each Homesite shall group or zone plant material according to water consumption needs and soil requirements. For example, trees and shrubs should be on different zones to allow for different watering times and durations.

### 4.9. Paths, Outdoor Stairs, and Terraces

Paths, outdoor stairs and terraces are to be designed to blend with the natural desert environment and to help in blurring the line between the indoors and the outdoors.

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- The use of natural materials, such as stone, chipped stone or gravel, is encouraged. Other paving materials such as concrete modular pavers (See Requirement), brick, block or similar materials may be approved, provided their colors, structure, and composition complement the residence and the surrounding landscape.
- Colored Concrete is not allowed.
- Paths, outdoor terraces and stairs may occur within the Transition Area provided they are surrounded with plantings, colored and designed to make a smooth transition to the Native Area. This includes using colors which match the surrounding landscape and incorporating plant materials from the Approved Plant Lists (Appendix B) for the Transition and/or Native Area.
- Designs should minimize the use of several different types of paving materials in order to produce a unified design.

### 4.10. Retaining Walls, Fence Walls, and Fences

In the tradition of design within desert climates, walls are used to enclose outdoor spaces and to extend building masses and living areas into the landscape. Walls are typically designed and constructed with considerable mass and thickness, and are punctuated with wrought iron and/or gates. All Retaining Walls, Fence Walls, and Fences shall be located within the Building Envelope.

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- Walls shall be utilized to enclose the Private Area and to act as a separation between the Private Area and the Natural Areas.
- Retaining Walls shall not exceed eight (8') feet in height.
- Fences and Fence Walls shall not exceed six (6') feet in height.
- Where appropriate, walls should be extensions of the residential structure and integrated into the overall architectural design.
- Acceptable finish materials for walls are stone, stucco, keystone type, or split face. Other materials may be used if reviewed and approved by the Committee.
- Walls should be constructed of materials and colors which match the building.
- Gates should both be in scale to surroundings walls and be detailed and designed to complement the architecture.
- Gate structures may be a maximum of eight feet (8 ' ) in height so as to accommodate overhead design features such as trellises and/or arbors.
- All walls must be of masonry from a minimum of six (6") in thickness and be appropriately finished to match or complement the exterior of the house. Wall offsets of architectural detailing to create shadow lines and texture is required to break up long, linear forms.
- Stucco wall ends should be detailed with piers, turned ends, or "bulges" to eliminate a thin wall appearance when viewed on the end.

### 4.11. Pools and Spas

All pools, spas, and related hardscape elements shall be located within the Private Zone and effectively screened from off site and adjacent Lots.

- Swimming pools and spas shall be designed to be visually connected to the residence through the use of privacy walls and courtyards. All supporting equipment and safety fencing must be screened from view and screened or located so as to attenuate sound. to other Lots or public areas.
- Above ground pre-cast or molded spas are not acceptable. Custom designed in-ground spas are acceptable and encouraged.

### 4.12. Lighting

Exterior lighting shall be low level and directed downward, recessed, or shielded so that the light source is not visible or obnoxious from residential development in the area or from a public viewpoint.

- LED lighting is preferred and reamended.

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- Any landscape lighting utilized shall be shielded to prevent nuisance glare onto adjacent properties.
- Driveway lighting as needed for safety is permitted.
- Lighting should be automated and controlled by a timer inside the house or photo-electric systems, and shall be active at all times, including those periods when the house is not occupied.
- All outdoor fixtures shall be low voltage, (maximum 75 watts), and use incandescent lamps. No lens which is colored shall be permitted (e.g. blue, green, red).
- Warm white and natural lamps are preferred to minimize glare and to be compatible with the warm desert hues.
- No exposed bulbs shall be permitted.
- Fixtures shall not exceed twenty (20") inches in height.
- Fixtures finishes shall be selected to blend with the area they are placed within.
- The Enclaves does provide and maintain Streetscape lighting.

### 4.13. Water Features

Water features are discouraged unless they are water and energy efficient.

- Water features shall be kept in scale with the house and shall have limited jets, sprays, and surface area, to reduce the loss of water through evaporation.
- It is recommended that water features be designed within courtyards and Private Zones for the benefit of the Homeowners only.
- Any water feature visible to the public shall require approval by the Committee.
- Flash evaporation (micro-mist) systems are allowed subject to Committee approval.

### 4.14. Completion of Landscape

All landscape for each Lot, as approved by the Committee, shall be completely installed within six months of the issuance of a Certificate of Occupancy.

Landscape inspections shall occur at three times: First, after rough grading and boulder placement. Second, after placement of plant material to confirm plant species, quantities, size, and placement. Location of turf and other site amenities will also be inspected at this time. Third, for final approval of the landscape including the irrigation system, lighting, plant training and site amenities. The landscape contractor shall be responsible for arranging these inspections with the Committee, the Owner, and the Landscape Architect I Designer.

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Upon completion of landscape and all exterior improvements to the property, the homeowner will be eligible for a final inspection and request for return of the compliance deposit. Contact the Association for final inspection and for further information.

### 4.15. Maintenance

The Homeowner shall maintain all plantings in a healthy growing condition. Fertilizer, cultivation, and pruning shall be carried out on a regular basis.

- Multi-trunk trees shall not be pruned up so as to create "standard" forms except within the Private Area where it is not in the public view.
- Dead and dying plants shall be removed and replaced promptly.
- Irrigation systems are to be kept in proper working condition to avoid unnecessary loss of water. Owners shall be responsible for adjusting, repairing, and cleaning such systems on a regular basis.
- The irrigation system shall be designed and checked regularly to ensure that water: from emitters or spray heads is not spraying onto walks or driveways, or off the Owner's property causing excessive water loss, staining or irrigating areas not designed to receive water.

### 4.16. Modifications to the Landscape

Any modifications to trees, palms, planted materials, hardscape elements, structural elements, and groundcover rock visible from the public view shall require approval by the Committee prior to the modifications being made.

## 5. ARCHITECTURAL GUIDELINES

The following section sets forth guidelines and standards for residences and any ancillary structures to be constructed within the Building Envelope, including appearance, massing, height, color and materials. The construction, installation, erection, or placement of anything, permanently or temporarily, on a Lot, on the exterior portions of a Residence or upon or within a front, side or rear yard, whether such portion is improved or unimproved shall include, without limitation, obtaining the prior written approval of the ARC in accordance with the procedures of the Residential Design Guidelines for The Enclaves. Such approval shall be

subject to the restrictions, requirements and conditions set forth in the applicable governing documents, including The Enclaves CCR's, Declaration(s), Supplemental Declaration(s) and other Rules and Regulations of The Enclaves Association, LLC

All Improvements must be submitted to the DRC for approval prior to construction.

The following Architectural Standards apply to all residences (attached and detached) and residential Lots covered by these Design Guidelines:

### **Accessory Buildings and Structures.**

- Detached accessory buildings or structures, including but not limited to: guest houses, cabanas, pool houses, detached garages, green houses, storage buildings larger than 80 sq. ft., workshops, or other structures, must be architecturally compatible with the main Residence.
- Unless otherwise approved by the ARC, such structures are limited to locations within enclosed rear yards or front courtyard and should tie into the overall building massing on the property.
- Materials, colors, finishes, style and architectural details shall be carefully coordinated on all accessory structures, and visually related by way of connecting walls, pergolas, terraces, or other landscape treatments. Such structures must match the style, materials, colors, finishes and detailing of the Residence.

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- The location, size, height and placement of all accessory buildings and structures are at the sole discretion of the ARC. The ARC reserves the right to not approve an accessory building or structure that, in its sole discretion, it feels is too large or oversized for the proposed Lot or location.
- It is the Homeowner's responsibility to obtain all necessary permits or other local, state and federal approvals and to adhere to all code requirements.
- All accessory buildings or structures shall meet the setbacks required by the Design Guidelines for Enclaves and Lake Havasu City, which may vary depending on Lot size (refer to Section 3 of these Design Guidelines for setback standards).
- The maximum allowed height for any such accessory building or structure must be consistent with the lower roofline massing of the primary residence and is subject to approval by the ARC.

### Address Identification

Each Residence is required to maintain address identification numerals located on the building structure, which are legible and visible from the street and comply with the criteria of the Lake Havasu City. Address identification numbers may not exceed eight (8) inches in height and should be of a simple font style appropriate to the architectural design of the home. Address identification may not be placed on freestanding signs. Address identification numerals are not allowed to be painted on any curbs. Lots in which the garage is accessed from an alley are required to have additional address identification visible from the alley.

## 5.1. Architectural Approach

Building masses should be predominantly Spanish Contemporary or Mediterranean Modern in order to enhance the overall theme of The Enclaves.

Colors and features must be chosen to blend with the naturally occurring desert and mountainscape as seen from a distance. Residences at The Enclaves may be seen from above and from far distances and, therefore, should be composed of shapes and tones responding to the adjacent improved and natural environments.

The Architectural Approach to designing and building a home is one of the most critical steps in the design and building process. It is highly recommended that the Homeowner select an approved builder before they begin the design process. By working closely with an approved builder, the Homeowner can minimize any problems or delays with the design and design review process while creating a plan that is value engineered to meet the client's budget and the aesthetic goals of these design guidelines and The Enclaves Community.

### 5.2. Approved Roof Heights

The Architect is encouraged to design the residence to conform to the existing grades and elevations of the Homesite. Recognizing that the home may have several levels, the elevation of the highest point of the roof structure of a single-story residence must not exceed The Enclaves Lot Exhibit Max Building Height limits. Two story residences, where permitted, may reach thirty feet (30') from the finished grade. The established finished grade is specified on The Enclaves Lot Exhibit (refer to Section 3.2 of this document).

Roof-mounted equipment is discouraged or must be placed within said height limitations and shall be screened or mitigated from view. The location, screening, and mitigating of roof mounted equipment shall be submitted to the Committee for approval at the design development stage.

The maximum building height for Detached Garages or structures may not exceed twenty (20') feet in height (See Section 5.17).

### 5.3. Minimum Floor Area

In The Enclaves, the minimum floor area for any residence shall be 2,800 square feet.

Residences shall be constructed entirely within the Building Envelope. The minimum floor area shall not include the area enclosed for garages, porches, covered patios, terraces, and other similar areas.

### 5.4. Building Style

Building style should reflect the casual element of living in the desert climate. Architectural design for arid climates is derived: from a wide variety of influences including climactic, geographic and historical and regional building traditions such as Mexican, Spanish and Mediterranean. While no one style is correct, buildings should incorporate elements found in these regional traditions in order to create a contemporary and modern way of living in the desert.

In general, homes throughout The Enclaves shall be designed to reflect a more "natural" and/or "contemporary" living style which borrows: from the surrounding desert slopes. Below are a few general notes to consider in regards to building style:

- Buildings in the desert should emphasize deep set doors and windows, recessed patios and portals, walled entries, radius corners and edges, and thick walls.
- Buildings shall utilize walls, terraces, patios and grading to make the building appear as if it "grows" out of the site and to reflect the "indoor/outdoor" traditions of living in the desert. Recessing the building into the site is encouraged in order to achieve a lower profile.
- Buildings should incorporate deep recesses, overhangs, wall offsets and/or buildings projections to create shade and patterns of shadow, light and texture. Large expanses of vertical planes (such as walls) should be broken up into smaller elements.

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- Buildings shall be human in scale and be made up of "room-size" volumes to create a welcoming ambiance that fits comfortably in the surrounding landscape.
- Buildings shall be designed to be viewed: from all sides by screening and/or designing service areas as an integral part of the architectural composition.
- Extremely severe grade designs as well as designs based on a different climate, such as Low Country Plantation, will not be approved.
- Owners and their Architects | Designers should consider complementing architectural style and detailing with other homes in The Enclaves. This can be achieved through form, height, massing, materials, colors and other design patterns.

The use of natural materials such as stone, tile and stucco is preferred, provided they are colored and textured to compliment the surrounding landscape.

- Natural rock outcroppings should be utilized and incorporated into the architectural design.
- A variety of textures and colors should be used that, when seen from a distance, blend the building into its site and minimize its presence. In general, darker and more recessive colors shall be used.

### 5.5. Building Massing

In general, buildings shall be one Story and follow natural site contours and surrounding conditions to the greatest extent possible. Building masses should be predominately horizontal rather than vertical, yet should not create long unbroken elements. (Refer to Figures and Examples of building massing and vertical height envelope):

- All Buildings must be located within the Building Envelope as described in Section 3 .2- Homesite Diagram.
- Second Story square footage for all Residence shall not exceed 35% of the total first Story square footage.
- Building, in general, should be made up of a group of distinct and simple geometric forms which emphasize the desert environment.
- Building designs shall incorporate varied projections such as wall offsets, trellises, decks or verandas that create visual interest and respond to the desert climate.
- The use of recessed doors (including garage doors) and windows openings is required to help created a sense of permanence.
- Building length will not exceed forty feet (40') in one direction without a change in direction, · roof alignment, wall offset or elevation change.

In general, larger building masses shall be located in the middle of the home site while smaller massed shall be located at the sides and in the front and rear of buildings.



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- Buildings should be designed to be viewed from all sides by screening and/or designed service areas as an integral part of the overall architectural composition.
- Building masses shall have a strong indoor-outdoor relationship by incorporating courtyards, breezeways and patios.
- Buildings may be anchored to sites by using robust building elements such as columns, chimneys and/or arbors.
- Entries shall be recessed and should be articulated with overhangs, porches and/or courtyards.
- Entry elements shall be in scale to the relative proportions of the home. Dominant or overly stylized entries shall be avoided.
- Buildings shall step with the grade to minimize exposed building facade on the downhill portion of the Homesite.
- Asymmetrical compositions of building forms are encouraged to create more "organic" forms which respond to the mountain environment.

### 5.6. Exterior Walls and Materials

All materials used on the house exterior should be compatible with, and complementary to each other and to the overall design in regards to: style, texture, color, and character. All materials should harmonize with the desert environment. Stone and stucco are materials which meet the aesthetic criteria at The Enclaves. Examples of acceptable materials are available from the Committee. The use of these materials is strongly encouraged.

- All exterior material shall be authentic and genuine in appearance. Materials must be used consistently around the entire building and not detract from the overall appearance of the building.
- Due to climactic extremes, the use of wood on a residential exterior should be carefully considered and limited in use to accent the architecture, such as painted or stained and treated fascia's, trim or door and window detailing.
- In general, the use of two primary exterior materials on building exteriors is preferred. No building shall use more than three dominant materials on the exterior. One material should be dominant over the other(s) in a logical structural relationship.
- Acceptable residential exterior materials include exterior plaster or stucco with a light to medium texture, stone, and painted and/ or stained wood accent area.
- Materials which are inappropriate are exterior plaster or stucco-using heavy textures such as swirl or heavy trowel, metal cladding or exposed standard concrete block.
- No Concrete

### 5.7. Colors

The color palette for The Enclaves will use muted and recessive colors that will allow the natural colors of the desert to predominate and to complement rather than contrast with the setting. This palette is based on the colors and hues of the surrounding desert geology and landscape. In general, this will require adhering to the following basic color concepts:

- Earth tones: Earth tone colors, with their organic origins should be used for the primary color composition.
- Recessive colors: Colors that recede, rather than advance, should be used. Generally, these are darker colors. A wide variety of colors may be used, but all must have a Light Reflective Value (LRV) of 44 or lower. All paint manufactures categorize their products by LRV and this information is readily available if not indicated directly on color swatches. Light or bright colors generally have a LRV greater than 44.
- Multi-hued: large areas of monochromatic surfaces tend to stand out in the bright desert sunshine. As a result, colors which have a "tonal Complexity" should be employed. With certain materials, such as stucco, this multi-hued quality may be achieved through surface texture and quality.

In dealing with color the Committee will consider the entire community as well as the individual Residence or submission.

The Committee will review and approve colors and textures in a two-step process. During the schematic design phase, the applicant may describe the color palette and indicate those colors on the exterior elevations. In the Construction Document Phase the applicant will select actual color and material samples. Based on these, the applicant will then be required to submit a material sample board showing representative samples of the intended colors, materials and textures of the major building elements.

The palette and following guidelines apply to all exterior surfaces of the house, including walls, parapets, roofs and a related fences and walls:

- No exterior materials used shall have a high gloss, glare, or reflective "mirror type" finish.
- Colors application should be used consistently throughout each lot for all the building (s) and related outdoor areas and/or structures.
- Colors for large field application shall be a combination of layering of two or three colors to achieve a "multi-hued" quality which changes with light and shadow, rather than a "flat" appearance. Large, monochromatic surfaces, with the exception of flat roofs, are not acceptable.
- Colors for roofing shall be darker in color or hue than the building's exterior walls.
- Accent colors should be carefully considered for front doors, windows sashes and other architectural elements so that they do not dominate or overwhelm the overall color composition.
- Exterior house colors should be complementary to exterior hardscape colors.

- Changes in exterior wall color should be made at "intent" intersections of walls.

### 5.8. Roofs

From many viewpoints in and around the community, roofs will become the dominant element of the landscape and must create a harmonious relationship to the street, site and adjacent structures. All roofs shall be carefully designed in terms of color, material and shape so that they help to integrate the structure with its site and neighboring buildings.

- Generally, acceptable roof pitches at The Enclaves may be flat or up to a pitch of 5:12.
- Roof designs shall incorporate both flat and pitched roof elements to avoid the appearance of wide, unbroken roof planes as viewed from above or off site. A minimum of 60% of the total square footage of the residence (including garage area) must utilize a pitched roof

### 5.9. Doors

Entry doors or courtyard doors present opportunities to introduce "artistic" touches that will personalize residences. Doors and entrances should be recessed and have simple, straightforward lines which borrow from the regional southwest architectural traditions.

- Special consideration should be given to the entry door and door hardware. The entry should be a design which complements the architecture of the residence.
- Exterior doors and entries shall be articulated to provide shade protection through the use of trellises and over hangs or portals.
- Exterior doors should be consistent with each other. Similar jam and head details should be used around the entire exterior of the house. Where vents are required for exterior mechanical room doors, full height louvers (preferably steel) should be used.
- Courtyards at or near entryways are encouraged.
- Garage overhead doors are required to be recessed eight (8") inches and tastefully designed to be complementary to the overall integrity of the house. Landscaping should be provided to visually soften the appearance of the garage and its doors. The garage door must not break the plane of the outside door-frame surface during operation. Garage doors of hinged section design are encouraged. One-piece or single slab type garage doors are prohibited.

### 5.10. Windows

Windows shall be recessed to create shade, shadow and a sense of massiveness:

- The proportion and scale of windows to exterior surfaces will be carefully considered by the Committee for each elevation. The style and material of the windows are required to be consistent

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with the overall architecture. Quality is important. Aluminum frame windows are permitted if anodized, treated or painted to blend with adjacent materials. Wood frame windows shall be carefully considered.

- Large window openings should be divided through the use of mullions or the ganging of smaller window units.
- Glass may be coated or tinted to control solar heat gain.
- Decorative precast window and door trim and cladding is encouraged.
- Canvas or similar type awnings over windows and/or entryways are discouraged and will be allowed only by Committee approval.

### 5.11. Fascia's

Consideration shall be given to the fascia as an architecturally integrated design element.

### 5.12. Chimneys

Fireplaces and chimneys are very dominant in an architectural design, and therefore, they need to be proportionate to and consistently detailed with the overall architectural design. Fireplaces must be equipped with an approved spark arrester. Flue pipes are required to be encased with a chimney enclosure of masonry or stucco, and supported by a foundation at grade when located on an exterior wall. Exposed metal flues are not acceptable.

### 5.13. Skylights

Skylights must be integrally designed into the structure and should not be obtrusive. Skylight glare shall not be back-lit or manufactured of reflective material. Skylight framing shall be colored or coated to match adjacent materials.

### 5.14. Solar Equipment

#### Introduction

The Association recognizes the Owners' right to install and use solar energy devices, as set forth in A.R.S.

While these Rules apply to all Owners, tenants and occupants within the Association, the Owner of a particular Lot is ultimately responsible for compliance with these Rules.

#### Types of Solar Energy Devices

- a) A system or series of mechanisms designed primarily to provide heating, to provide cooling, to produce electrical power, to produce mechanical power, to provide solar daylighting or to provide any combination of the foregoing by means of collecting and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability of storing such energy for future utilization. Passive systems shall clearly be designed as a solar energy device such as a trombe wall and not merely a part of a normal building element such as a window.
- b) If A.R.S. is expanded to include other types of solar energy devices, this Resolution and Policy shall encompass those solar energy devices as well.
- c) All other solar energy devices, except the ones listed above, may not be placed on any Lot or Parcel unless drawings and specifications therefor have been submitted to and approved by the ARC.

### Placement and Screening

No solar energy device may encroach upon the Common Area or the property of another Owner. If the solar energy device is one of the devices listed in A.R.S. § 44-1761, the Owner shall notify the Architectural Review Committee (ARC) of the planned placement of the solar energy device by completing and submitting Form 7 – Solar Energy Device Installation. The Association recommends that the Owner notify the ARC of the planned placement of the solar energy device before the Owner submits plans to the Lake Havasu City. Such solar energy device must comply with the following rules, to the extent that they do not impair the functioning of the device, or adversely affect the cost or efficiency of the device:

- a) A solar energy device must be placed on a portion of the roof facing away from the Common Area so as to not be visible from any other Lot, Parcel or Common Area within The Enclaves Development to the maximum extent possible. The architectural element used to shield the solar energy device must be approved in advance by the ARC.
- b) Any visible accessories such as conduit or utility boxes visible from adjacent properties must be painted to match the adjacent surface of the building. Where practical, wiring, conduits and accessories should be placed in discrete locations, run within walls or behind parapets, etc.
- c) The solar energy device must comply with all applicable city, county and state laws, regulations and codes. The Association must be provided with a copy of any applicable governmental permits.
- d) Placement and installation must be pursuant to the manufacturer's instructions.
- e) In order to protect against personal injury and property damage, all solar energy devices must be properly grounded and secured.
- f) In order to protect against personal injury, solar energy devices may not block or obstruct any driver's view of an intersection or street.
- g) All solar energy devices may not encroach into the setbacks, as set forth in Appendix E.

### Maintenance

- a) The Owner is responsible for all damage caused by or connected with the solar energy device.

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- b) The Owner must hold the Association harmless and indemnify the Association in the event that someone is injured by the solar energy device.
- c) The Owner shall keep the solar energy device in good repair so that it does not violate any portion of these Rules.
- d) All solar energy devices may not encroach into the setbacks.

### Fees; Expert Advice

- a) Any processing or review fee shall be waived for notifications of installation of solar energy devices.
- b) The Board grants the ARC the authority, in its discretion, to hire a qualified solar energy device expert on behalf of the Association. The ARC may hire such expert to assist an Owner in the selection, placement, and design of solar energy devices on the Owner's Lot or Parcel, in order to balance the Owner's solar energy goals with the Association's and other Owners' desire to maintain the integrity of the design aesthetic of Owner's property in harmony with the natural environment. In addition, the ARC may hire such expert to determine whether, in accordance with the restrictions imposed by law, there are reasonable alternative locations for solar energy devices on an Owner's Lot or Parcel. The cost of the expert's services shall be a reimbursable expense of the Association. Notwithstanding the foregoing, the Board reserves the authority to establish rules, regulations, or guidelines for the ARC's authority to hire such expert.

### Enforcement

- a) The Board of Directors shall have the authority to enforce these provisions in any manner provided by law.
- b) Notwithstanding anything contained in these Rules, the ARC Standards and Procedures for The Enclaves, the Declaration, or any other document governing the Association, these rules shall not be enforced in a way that (1) prevents the installation of a solar energy device; (2) impairs the functioning a solar energy device; (3) restricts the use of a solar energy device; or (4) adversely affects the cost or efficiency a solar energy device.
- c) If any provision of these Rules is ruled invalid, the remainder of these rules shall remain in full force and effect.
- d) If the Legislature of the State of Arizona modifies A.R.S. § 33-1816 or A.R.S. § 44-1761, the modified laws shall be incorporated into this Resolution as if fully set forth herein.

## 5.15. Exterior Showers

Exterior shower enclosures or equipment should not be visually exposed to the adjacent property.

## 5.16. Mechanical Equipment, Sheet Metal, and Vents

Roof mounted mechanical equipment must not be visible and must not generate excessive noise levels nor emit odors.

- All sheet metal should be minimally exposed and must be coated to match adjacent materials.

- Plumbing vents pipes and similar elements should be ganged resulting in a minimum number of vents exposed to view from the street and adjacent property. These elements should be located on the interior side of roof elements (away from the street) and, where requested by the Committee, screened from view from higher homesites. Galvanized sheet metal enclosures of these elements are encouraged when integrated architecturally into the roof forms and coated to match adjacent materials.

### 5.17. Guest Houses, Casitas, and Detached Garages

Guest houses should be designed as a single visual element with the residence, and should be visually connected by walls, courtyards, roofs or other major elements. The guest house must comply with the zoning regulations of the City and all other provisions of these Design Guidelines. No guest house or guest suite may be leased or rented. The maximum building height for Detached Garages or structures may not exceed twenty (20') feet in height.

### 5.18. Exterior Trim and Detailing

Exterior trim and detailing shall be consistent around the entire house.

### 5.19. Columns

Columns are an important design element which should be carefully detailed without appearing unnecessarily ornamental or overly stylized. They shall be constructed with substantial materials, proportionate to other design elements, complementary to the overall architectural design, and consistently detailed.

- Columns which are appropriate for uses at The Enclaves include: cylindrical stucco/ plaster, natural stone, rectangular stucco/plaster, square stucco/plaster or exposed wood (such as peeler poles).
- Columns shall not be overly stylized; such as Ionic, Corinthian or Egyptian designs.

## 6. DESIGN REVIEW

The ARC (or "Architectural Review Committee") is established to oversee the overall development of The Enclaves Community in accordance with the Design Guidelines and the professional judgment of the ARC members. The ARC is empowered as described within the Declaration of Covenants, Conditions, and Restrictions (the "Declaration") to administer and enforce proper development and operation of The Enclaves. The ARC will perform its duties and be composed of a membership as described within the empowering document.

Design development and review will follow a logical sequence wherein the applicant/Owner and the ARC enter into a process-oriented relationship as described within the design review procedures of the Design Guidelines.

## 6.1. Architectural and Landscaping Control Committee

The Committee is the design review agent for The Enclaves Association, Inc. (Association) and the Declarant. The ARC will consist of a minimum of three to a maximum of 5 members. Each member will hold office until such time as he or she has resigned or been removed, or until his or her successor has been appointed as set forth in the "Declaration".

### 6.1.1. Appointment of Members

Members of the Committee will be appointed as provided in the Declaration, which in substance provides for the Declarant to appoint the ARC, as defined in the Declaration. Any member or the Committee may at any time resign from the Committee upon written notice delivered to Declarant or to the Association, whichever then had the right to appoint and remove members.

### 6.1.2. Functions of the Committee

The Committee shall have the duty to consider and to act upon such proposals or matters as from time to time are submitted to it pursuant to the Design Guidelines, to perform such other duties as from time to time are delegated to it by the Declarant or the Association, as defined in the Declaration, and to amend the Design Guidelines when, and in the manner, deemed appropriate or necessary by the Declarant or the Association to further the philosophy of The Enclaves or the practical necessities of making The Enclaves an outstanding and successful community.

### 6.1.3. Meetings

The Committee shall meet from time to time as necessary to properly perform its duties. The vote or written consent of a majority of the members shall constitute an act by the Committee unless the unanimous decision of its members is otherwise required or unless the committee has previously acted to delegate certain powers to one or more of the committee members. The ARC shall keep and maintain a record of all action taken by it at such meetings.

### 6.1.4. Compensation

Unless authorized by the Declarant or the Association, the members of the ARC shall receive a predetermined compensation for services rendered. All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with the performance of any ARC function or duty. Professional consultants retained by the ARC shall be paid such compensation as the Committee determines.



**6.1.5. Amendment to Guidelines**

These Design Guidelines are subject to revision by amendment as follows:

- At such time as the ARC determines that any portion of these Design Guidelines should be revised, the Committee shall send to the Declarant in Written form a proposed amendment outlining the changes and the reasons therefore.
- The Declarant shall either approve or disapprove the proposed amendment in writing. Failure of the Declarant to disapprove the proposed amendment shall in no way be deemed to be approval of same.
- The Declarant may also amend the Design Guidelines independently.

**6.1.6. Enforcement**

These Design Guidelines and the plans as approved by the ARC may be enforced by the ARC, the Association, or the Declarant as provided herein or in the Declaration.

The foregoing description of the process, composition, and duties of the ARC is intended to provide general information to the applicant. The Declaration, as the empowering document which may be amended from time to time, should be consulted by the applicant for additional information and requirements.

**6.2. Design Review Procedures and Form Guidance**

Proper standards of development will be assured to every resident in The Enclaves by the practice of Design Review as established by the ARC. The ARC is responsible for reviewing and approving all improvements and any revision or alteration to those improvements. The goal of the ARC is to process each submittal fairly, consistently, in a timely manner, and in accordance with sound professional judgment and the requirements of these Design Guidelines and the Declaration. The ARC has established reasonable procedural rules and may access a reasonable fee in connection with review of plans and specifications; however, the ARC may delegate plan review responsibilities to one or more members of the ARC.

Application Form	Project Description	Construction Costs
Form 1	New Home Construction / Major Remodeling or addition.	\$150,000.00 or more
Form 2	Exterior Architectural change or addition.	\$15,000.00 - \$149,999.00
Form 3	Exterior Architectural change or addition.	\$5,000.00 - \$14,999.00

Form 4 *	Exterior Architectural change or addition.	\$4,999.00 or less
Form 5A*	Exterior Paint	N/A
Form 5B*	Flat Roof Resurfacing	\$5,000.00 or more and to include any lighting project.
Form 6	Major Landscaping Project to Include Lighting	N/A
Form 7	Solar energy devices	N/A
Form 8	Satellite Dish or Exterior Devises	N/A
Form 9	Construction dumpster**	N/A

\*Indicates fast track review item.

\*\*While a project that involves solely interior renovations generally does not require prior written approval from the ARC, placing a dumpster on the Lot to hold construction debris from such a project does require ARC approval. Form 9 further describes the permissible location of such dumpsters, as well as the terms and conditions that must be followed for the dumpster to remain in place during the project.

### 6.2.1. Process for Obtaining Approval

- 1) Owner receives Design Guidelines/purchases lot.
- 2) Owner and design team may contact the ARC chairman or representative for optional orientation sessions prior to commencing any design.
- 3) Schematic Design Submittal (Application and fees) (Preliminary Review)
- 4) Committee Review and Approval
- 5) Submit Working Drawings to Committee (Final Submittal)
- 6) Committee Review and Approval (Final)
- 7) Submit approved Working Drawings to City of Lake Havasu for building permit.

Note: This process may be subject to change by the Declarant, the ARC or the Association.

**INCOMPLETE SUBMITTALS WILL NOT BE REVIEWED.**

### 6.2.2. Professional Consultant Requirements

- The Owner must use competent consultants (Architect, Designer, Landscape Architect, Landscape Designer, Civil Engineer and Land Surveyor) as applicable. It is highly recommended that building design be prepared by a registered Architect. Grading and drainage plans by a licensed civil engineer. Landscape plans by a licensed Landscape Architect or designer. Names, addresses, telephone numbers and license numbers of all consultants shall be placed on all submittals.
- The Owner is solely responsible for ensuring that the Owner's professionals process through the Committee and exterior architectural and landscape revisions to Improvements under construction.
- The Owner is solely responsible for ensuring that the Owner's licensed. professionals and contractors construct the Improvements in conformance with approved plans, revisions and timetable.
- The Owner shall provide copies of the Design Guidelines to the design team members.

### 6.2.3. Submittals

The address of the Committee shall be the principal office of the Association as designated by the Board of the Directors of the Association (Association) pursuant to the Bylaws. Such address shall be the place for the submittal of plans and specifications and the place where the current Design Guidelines shall be kept. The initial address for submissions shall be:

The Enclaves Community Association, Inc.  
2563 N. Kiowa Boulevard  
Lake Havasu City, Arizona 86403

Application for construction of Improvements may be obtained at the above address. Obtaining the required ARC approval is a prerequisite to constructing any Improvements.

The ARC, before giving such approval, may require that changes be made to comply with the requirements of the Declaration, these Design Guidelines and such additional requirements as the ARC may, in its discretion, impose as to structural features of any proposed Improvements, the type of material used, or other features or characteristics thereof not expressly covered by any provisions of this document, including, without limitation, the siting or location of any proposed Improvements with respect to the topography and finished ground elevations. The ARC may also require or specify, in its discretion, the exterior finish and color, and the architectural style or character of any proposed Improvement in view of the general architectural style and character of existing Improvements within The Enclaves.

The ARC, before giving its approval, may impose conditions, including without limitations, time limitations for the completion of Improvements, or require changes to be made which in its discretion are required to ensure that the proposed Improvement will not detract from the appearance of the Project, or otherwise create any condition unreasonably disadvantageous to other Owners or detrimental to The Enclaves as a

whole. Until all plans and specifications required for each submittal are determined by the ARC to be complete, the ARC shall have no obligation to review any partial submittal. All completed submittals will be acted upon promptly by the ARC.

The amount of time taken by the ARC for the approval process will vary with the adequacy and complexity of the design information and the completion of the submitted plans. A decision of the Committee to approve, or to disapprove a submittal, together with an explanation of further conditions to be satisfied by the applicant, shall be made within thirty (30) days after receipt of a completed submittal.

The approval of the Committee of any submissions for any work done, or proposed to be done, or in connection with any other matter requiring the approval or consent of the Committee, shall not be deemed to constitute a waiver by the Committee of its right to approve, disapprove, object or consent to any of the features or elements embodied therein when the same features or elements are embodied in other plans, specifications, drawings or other matters submitted to the Committee.

An applicant may request reconsideration of a ruling of the Committee by submitting to the Committee, in duplicate, written arguments for such reconsideration within thirty (30) days of the date of receipt of the Committee's ruling. The Committee will give its final ruling by answering the arguments and by confirming or modifying its ruling within thirty (30) days of the date of submittal of the written argument to the Committee shall be deemed approval of the submittal.

Final approvals by the Committee are valid for one (1) year: from the date of final approval and must be obtained prior to submitting formally to the City of Lake Havasu for a building permit. If a building permit is not issued within one (1) year after an Owner obtains an approval: from the ARC, the previous approval is void and an application for proposed Improvements (s) must be resubmitted and reapproved by the Committee. Verbal approvals are not effective approvals under any circumstances. The applicant shall not rely on and shall not place any value whatsoever on a verbal approval by anyone, including a Committee member(s). The Committee shall not be bound in any respect by a verbal approval.

Neither the Declarant, the Association, the Board, the Committee, the members, or the designated representatives therefore shall be liable for damages to any Owners or Owner's representative submitting plans or specifications to the Committee or any of the entities named above for approval, or to any Owner or Owner's representative affected by the Declaration or these Design Guidelines by reason of mistake of judgment, omission, or negligence unless due to willful misconduct or bad faith of the Committee. Each Owner, as a condition to obtaining any approval under these Design Guidelines, agrees to fully indemnify, protect, defend and hold harmless, the Declarant, the Association and the Committee against and from any and all claims, liabilities, lawsuits and disputes related in any way to any approval and/or approved or disapproved Improvements.

#### **6.2.4. Compliance Deposit**

A compliance deposit must be submitted along with any and all design review fees at the time of the Schematic Design Submittal. This deposit shall be held pending the satisfactory inspections of all improvements including landscape installation.

In the event that the Owner, Prime Contractor, subcontractor, or any of their representatives, cause any damage, fail to construct the proposed improvements in accordance with approved plans, or fail to comply with these Design Guidelines or the Declaration, the Association may use the Compliance Deposit to take the necessary action to repair or correct the damage or enforce these Guidelines created by said noncompliance.

In the event that the Association is forced to use any portion of the Compliance Deposit, the Owner shall immediately replace the amount of the deposit used. Failure to replenish the Compliance Deposit within thirty (30) days following the Association's written notice and request shall be deemed a material breach of the Design Guidelines and the Declaration and shall entitle the Association to deny contractor and subcontractor access to the job site. Finally, the Association may take legal action, if necessary, including placing a lien on the property in the amount equal to the Compliance Deposit deficiency.

### **6.2.5. Design Review Fees**

Review fees, which are subject to change, are required to be submitted to the Committee with the Schematic Design submittal. These fees are a pre-condition to consideration of any plans and specifications by the Committee:

SEE FORMS FOR FEES

These fees may be increased for any proposed Improvements based on the number of submissions to the Committee prior to final approval or the nature and complexity of the design of the proposed Improvements.

Submittals will not be reviewed by the Association or Design Review Committee unless accompanied by an application form and all necessary fees including, but not limited to, Design Review Fees and the Compliance Deposit.

### **6.2.6. Approvals by the Committee**

Following the approval of the plans by the Committee, a written certificate (either by stamp on the approved plans or separate document) shall be provided to the Owner evidencing such approval. All plans submitted shall be in triplicate. Upon the completion of review, one (1) set of plans will be retained by the Committee, and the remaining two (2) sets will be returned to the Owner. Approved plans shall be endorsed with the Committee's consent. Plans shall not be submitted to the City of Lake Havasu for a formal review of plans and specifications until the written certification has been issued and all plans have been endorsed with the Committee's consent.

### **6.2.7. Other Approvals**

Approvals of any Improvement by the Committee do not waive the necessity of obtaining the required City and any other public agency permits and approvals. Obtaining a city permit does not waive the need for

Committee approval. The Committee will not knowingly approve an Improvement which is in violation of the applicable government codes.

Any plan or specification approval as given by the committee refers only to its conformity with these Design Guidelines, the Declaration and such other rules, regulations and conditions as may be promulgated by the Committee. The Committee takes no responsibility for and makes no representations with respect to plan conformance with governmental codes or any other criteria. The Committee, by its submissions of these standards and approval of plans and specification, assumes no liability or responsibility for engineering or structure design, or for any defect in any Improvements made pursuant thereto, and its approval shall not be deemed approval of any plans or design for structural safety and conformance with building of other codes.

### 6.2.8. Committee Inspection of Improvements

In accordance with the Declaration, any member of the Committee, or any other representative, agent, or employee of the Board, may, at any reasonable hour enter a Lot/s and inspect any Improvements being built thereon, for the purposes of inspection for compliance with approved plans, . these Guidelines and the Declaration.

Upon the completion of any Improvements the Owner shall give written notice thereof to the Committee. The Committee, or its duly authorized representative, may inspect the completed Improvements in order to determine whether it was constructed, erected or installed in substantial compliance with the approved planes. If the Committee or its representative finds that such work was not done in substantial compliance with the approved plans and specifications, it shall so notify the Owner in writing after the inspection. The notice shall specify the particulars of noncompliance. In the event the Owner fails to remedy the noncompliance within thirty (30) days from the date the Owner is notified, the Committee shall so advise the Board. Upon receipt by the Board of notification of noncompliance from the Committee, the Board, in addition to any other remedies it may have pursuant to these Guidelines, the Declarations and applicable law, shall have legal standings to commence to and prosecute, legal proceedings against any Owner in order to correct such noncompliance.

Upon final inspection and acceptance of all improvements by the Design Review Committee, the Association will return to Owner the Compliance Deposit.

## 6.3. Required Submittals

### 6.3.1. Schematic Design

A Preliminary Submittal, including the submittal form and all of the exhibits outlined below, must be submitted to the ARC for review. To assist the ARC in its evaluation of the Preliminary Submittal, the Owner shall, if requested, provide preliminary staking of the corners of the Lot and Residence or major Improvements and at such other locations as the ARC may request.

The Preliminary Submittals shall include:

1. **Preliminary Grading and Drainage Site Plan**

Preliminary Grading and Drainage site plan prepared by an Arizona licensed civil engineer should show the locations and areas of the entire Development Envelope including the Residence, other accessory buildings, driveways, parking areas, patios, pools, courtyards, rear yard walls and retaining walls and fences. The Grading and Drainage Plan should show all grading including existing and proposed contours and topographic features such as washes, rock outcroppings, and elevations of all buildings, floors, patios, and terraces, top of wall elevations, etc. shown in relation to site contour elevations. Indicate on the plan the locations of any above ground mechanical equipment such as air conditioner units and pool equipment.

2. **Architectural Plans Including Floorplan, Roof Plan and All Exterior Elevations**

- Site Plan showing proposed structures, walls and driveways.
- Provide floor plan showing both existing and proposed grades.
- Provide a preliminary roof plan overlaid on the existing topography with all ridge and parapet heights annotated.
- Provided elevations of all sides of the home with all exterior materials noted on the elevations.
- Preliminary Color and Materials Board.

3. **Check**

A non-refundable Design Review fee made payable to *The Enclaves Community Association, Inc.*

- a. (see application form for review fee).

4. **Architectural Review Request Form 1**

### 6.3.2. Working Drawing Submittal

After Schematic Design approval, working drawings are to be submitted. These drawings will be reviewed for compliance with Committee requirements made during previous design submittals, the requirements which the Committee states are necessary in its sole judgment and all Design Guideline requirements. Prior to formally submitting for a Building Permit from the City of Lake Havasu, the Owner is responsible for securing Working Drawings approval in writing from the Committee.

Any change of the approved plans must be submitted by the Owner to the Committee for Further review and approval prior to further construction of the Improvements.

Outcomes of the Preliminary Review may be:

- I. Approved as Submitted
- II. Approved as Noted, where required revisions, corrections or comments made by the Committee are incorporated into the drawings for the Homeowner to incorporate into the Final Submittal.

- III. Disapproved, in which case the original Preliminary Submittal will need to be resubmitted before proceeding to the Final Submittal.

### 6.3.3. Other Submittals

Optional Conceptual Design Submittal:

This submittal is available for the Owner and/or Designer to present challenges and original concepts for the proposed improvements.

Owner/Design Team Orientation:

When an Owner plans to build on their lot/s, the Owner or design consultant may contact the Committee Chairman or Committee chairman's representative to arrange for an orientation session. The orientation session provides the Owner with an opportunity to:

- Review the entire process of designing and building Improvements at The Enclaves and understand the Owner's role in that process.
- Review professional consultant requirements.
- Review The Enclaves architectural and landscape approach and philosophy.
- Answer any questions about the review and building process and have the option to take a site tour with the Committee chairman or the Committee chairman's representative.
- Review any potential constraints regarding easements, setbacks, natural open space corridors and other site constraints.
- Opportunity to request or discuss possible variances or alternative options for dealing with constraints.

An orientation session provides the Committee or its representative an opportunity to meet each Owner and member of the design team and understand each Owner's thoughts and desires about the kind of Improvements the Owner contemplates building.

An integral part of the success of the Design Process is the active involvement by the Owner. The Owner is responsible for understanding and complying with the provisions of the Design Guidelines, and assuring that all Owners' consultants also understand and comply with the Committee's requirements and the Design Guidelines.

### 6.3.4. Plan Submittal Requirements

As a general requirement, each consultant shall include an information block on all submittal sheets containing:

- North Arrow



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- Street Names
- Submittal Date
- Plan or Revision Date(s)
- Name, Address and Phone Number of Property Owner
- Name, Address, Office Phone Numbers of the Project Architects, Engineers and Other Consultants.
- Sheet Number and Description.

### 6.3.4.1. Schematic Design Submittal Requirements

The Schematic Plans give the Committee its first look at the design of the Owner's proposed Improvement(s). At this stage, the Committee will focus on architectural form and fundamental relationships between the owner's proposed Improvements and the surrounding environment of neighboring residences and landscape. The Committee does not focus on detail at this point, but the choice of basic materials and their relationship to one another is required. In general, the Committee is looking to see what substance the plan has and to insure one which is consistent with the spirit of The Enclaves, the professional judgment of the Committee members and the Design Guidelines.

The Committee requires three (3) sets of the following Schematic Design Drawings for the review process:

- i. Lot/s Diagram I Survey (Provided by the Association for each Lot/s).
- ii. Schematic Site, Grading and Floor Plan (1/8" scale).
- iii. Schematic elevations (1/8" or 1/4").
- iv. Roof Plan (1/8" or ¼ "scale).
- v. Conceptual Landscape Plan

In addition, the above plans must be accompanied by a Design Review Application (See Appendix A for Application forms) and the applicable review fee and compliance deposit.

Details and requirements on the above listed plans required for the Schematic Design Submittal are outlined below:

#### i. Homesite Diagram I Survey

This plan is provided to each Owner by the Association and/or Developer at the time of Lot purchase. This lot Diagram must be submitted with the Schematic Design Drawings so that the Committee can become familiar with the property at hand and understand the existing site conditions, relationship to neighboring properties, and the existence of any unusual conditions or restrictions.

#### ii. Schematic Site, Grading and Floor Plan (1/8" scale)

This plan should use the information from the topographic survey and must include:

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- Proposed floor plan of building(s) (rooms designated by name) and outline of the roof overhang, including hip, ridge and valley lines (shown dotted).
- Schematic site design concepts for the Homesite, including driveways, walkways, patios, pools, spas, garden walls.
- Where site grade changes are proposed, show existing grades on Homesite in dashed lines and proposed grades on Homesite in solid lines (2' contour intervals).
- Please note that the pad elevation shown on the Homesite Diagram may not be exceeded without the approval of the Committee and Lake Havasu City Planning and Zoning Department.
- Utility locations including electric transformers, electric pull box, water meter box or stub out, telephone and television pull box or stub out, gas and sewer laterals serving the Lot.
- Property lines, building and pool setback lines, and any easements.
- Approved pad elevations, top and toe of slope line locations, changes in slopes (with elevations), method of surfaces and/ or subterranean drainage provisions (with line elevations).
- Adjacent Lot/s and streets within twenty-five feet (25') of Lot/s. When a house exists or proposed on adjacent Lot/s, show all architectural and landscape information as provided by the Committee.

### iii. Schematic Elevations (1/8" or 1/4" scale)

This drawing must show the following:

- At least four (4) exterior elevations of proposed building(s) identified as north, south, east, west, and/or front, rear, left and right sides. Front and rear elevations must extend twenty-five feet (25') beyond lot line. Show existing or proposed Improvements and grades in those areas.
- All proposed exterior material and colors description on elevations.

### iv. Roof Plan (1/8" scale)

If the proposed improvement(s) consists of construction of a new Residence or Substantial reconstruction of an existing Residence, the following information must be included in the roof plan:

- Flat and sloped roof areas and how they are drained.
- Trellis areas, skylights, and chimney.
- Location of exterior walls and columns in relationship to roof edge.

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### v. Conceptual Landscape Plan

A conceptual landscape plan must be submitted to show the relationship of the proposed structure with the existing natural landscape and proposed landscape improvements. The landscape zones must be clearly illustrated (Private, Transition, and Native) along with proposed plant lists for each Zone. The following should be clearly defined on the master plan:

- Scaled drawing showing all easements, property lines, setback, and landscape zones.
- Proposed plant materials and locations.
- Proposed hardscape elements (along with description of size, scale, and proposed materials).
- Location of all walls, fences, and hardscape elements along with their type, size, method of construction, and type of materials.
- Boulder and gravel specifications and locations.

### 6.3.4.2. Working Drawing Submittal Requirements

Owner or Owner's professional consultants may submit the Working Drawing of the proposed design when in receipt of the Committee's written approval of the Schematic Design plans.

When the Owner and Owner's design professionals receive the Committee's written approval of the Working Drawings, copies of the approved drawings will need to be submitted to the City with whatever information and fees the City requires for review and approval of the Working Drawings.

If the Committee does not approve the Working Drawings, it will return them with a written request for corrections and resubmission. The Architect and/or Landscape Architect must provide all Additional drawings and details the Committee requires to understand the design fully.

The working Drawings format shall be "Auto Cad" or other industry recognized format: however, the Committee does have certain requirements which should be included. They are as follows:

- No specifications should appear on the Working Drawings; they must be grouped in a separate specification book
- A soil report specifying the design requirements of the structure must be included in the specification book.
- Working Drawings must have complete symbol and abbreviation legends.

The Committee requires three (3) sets of the following Minimum Working Drawings for review (Sheets may be combined as long as they are clearly legible):

- i. Cover Sheet
- ii. Site Plan (1/8" scale)
- iii. Grading and Drainage Plan (1/8" scale)

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- iv. Foundation and Details relating to and referencing soil reports)
- v. Floor Plan and Details (1/4" scale)
- vi. Exterior Elevations (1/8" scale or 1/4" scale)
- vii. Sections (1/4" scale or larger)
- viii. Framing Plan and Details
- ix. Roof Plan (1/8" scale)
- x. Electrical Plan
- xi. Plumbing Plan
- xii. Glazing, Door and Finish Schedules
- xiii. Details
- xiv. Landscape Plan
- xv. Irrigation Plan
- xvi. Lighting Plan
- xvii. Pool, Spa, Fountain Plans and Details

In addition, the above plans must be accompanied by a Design Form.

Details and requirements on the above listed plans required for the Working Drawing Submittal are outlined below:

**i. Cover Sheet**

Site or Vicinity Map along with all relevant project information.

**ii. Site Plan (1/8" scale)**

- Adjacent lot/s numbers and names. of the adjacent Lots Owners, their architects and their design of construction status (to be provided by the Committee).
- All proposed and existing architectural and landscape Improvements fifteen feet (15 ') into adjacent Lot · or common areas.
- Easements on the Lot
- Dimensional building and pool setback lines from Lot lines. Roof overhang line and dimension from Lot.
- All services yards, trash areas, pool, air conditioning, irrigation and other equipment location and location of gates.

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- Utility services locations from the Homesite, and all utility service entrance locations at the Residence.
- Location and description of all control and expansion joints on exterior hardscape.
- Lot Area.
- Square footage for enclosed air-conditioned space.
- Garage and mechanical room square footage.
- Covered patio area.

### iii. Grading and Drainage Plan (1/8" scale)

- All existing grade contours (taken from the existing topographic survey), on the Lot and adjacent Lot, common area and streets, within twenty-five feet (25') of lot, with dashed lines and all proposed grades on Lot with solid lines, both at one foot (1') contour intervals. Should also show top and toe of slope line locations and changes in slopes (with elevations).
- Location of all bubbler boxes, roof drains, area drains and dry wells and the connection to underground drainage system including termination in dry wells where required.
- Indication of positive drainage away from all structures with flow arrows to Lot line.
- Spot elevations on drain inlets and outlets, top of wall elevations, hardscape elevations.
- Location, typical details, and specification of drainage facilities, including drainage inlet and outlet structures, dry wells and area drains.

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### iv. Foundation and Details

This plan should show all slab elevations. Reference and include all details required for the construction of the foundation system. The installation of all the concrete including any raised floor construction shall also be indicated.

### v. Floor Plan and Details

This plan to show all walls, partitions, defined spaces and uses. Reference and include all details required for the construction of concrete, masonry and framed walls. Door sizes, cabinets, wall fixtures, etc. must be shown.

### vi. Exterior Elevations (1/8" scale or 1/4" scale)

These elevations to show:

- All exterior material and finishes.

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- Main entry door, garage overhead door, gates, columns, ornamental iron work, exterior trim and special architectural featured such as skylights and solar panels as permitted.
- Items that will be evident on the exterior of the finished building including louvers, vents, roof drain and gutter outlets, access openings, meter boxes, electrical fixtures, expansion joints, flashing, tile or masonry feature strips, etc.
- Roof pitch and maximum height of the finished structure.

### vii. Sections (1/4" scale or larger)

These sections to show detailed composition of all types of walls, floors and roof elements and materials used including wall heights and roof pitches.

### viii. Framing Plan and Details

This plan to show overhangs and exterior trim including fascia, soffits, frieze boards, columns and trellises.

### ix. Roof Plan (1/8" scale)

This plan to show:

- Roof penetrations including plumbing and HV AC vents, fireplace and miscellaneous equipment flues, skylights, and roof access doors.
- Roof-mounted equipment and accessories as permitted including solar panels and HVAC fans.
- Gutter, roof drains, scuppers, flashing and related sheet metal.
- Roof slopes and water flow to drains or gutters or both with directional arrows.
- Roofing materials including manufacturers' names and methods of installation.
- Roofing plan details, including but not limited to, roofing installation sections, equipment or accessories mounted on the roof, metal flashing and counter flashing,

### x. Electrical Plan

This plan to show:

- All exterior and interior lighting and fixture schedule including cut sheets for exterior fixtures visible from other properties or public areas.
- Location and specification of security system (see Security System Section of Architectural Standards).

### xi. Plumbing Plan (1/8" scale or larger)

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This plan to provide locations, types dimensions of all potable water piping, valves, and fixture as well as all sanitary drains, pipes, and fixtures (including roof drain system) may be included on floor plan

### **xii. Glazing, Door and Finish Schedules**

This plan to provide all details necessary for the Committee's understanding of the design, all other details necessary to describe the design and construction elements to the Owner, builder, contractors, subcontractors and trades people. It must include type of glazing, color and finish.

### **xiii. Details**

Show details necessary to supplement information of all plans for a comprehensive understanding of the construction of the building.

### **xiv. Landscape Plans**

This plan to show:

- Show location of all plant material, any trained plants, i.e., espaliered, turf, boulders, and toppings.
- Plant legend with botanical names, common names, size and remarks.
- Provide complete details and specification for all landscape items shown on the plan including site amenities such as fountains of art objects.

### **xv. Irrigation Plan**

This plan to shows:

- Provide complete irrigation working drawing showing the location of all lines, emitters and spray head, valves, the backflow prevention device, and the controller.
- Provides complete details and specifications for all irrigation items shown on the plan.
- Provide details showing proposed reconnection of the subdivision streetscape irrigation system to continue irrigation of adjacent undeveloped homesite.

### **xvi. Lighting Plan (1/8" scale)**

This plan to show:

- Show the location of all light fixtures.
- Provide complete information on the lamp, lens, and wattage to be used for all fixtures.
- Provide complete details and specifications for all lighting items shown on the plan.

- Show lighting (foot candle) curves · in relationship to all property lines.
- Cut sheets of fixtures with mounting details.

### **xvii. Pool, Spa, Fountain Plans & Details**

This plan to show:

- Plans, sections and details for pools, spas, fountains and all other water treatments (including related drains) to be located on the Homesite.
- At least two (2) cross-sections of swimming pool/spas/fountains and adjacent hardscape showing their relationship to the adjacent property where applicable.

### **Final Design and Approval**

Upon receipt of the complete Final Submittal package, the ARC will review the submittal for conformance to these Architectural Standards and Procedures and to any preliminary approval stipulations. The ARC will hold a Final Design Approval meeting for the purpose of issuing approval of the plans. If the plans are approved, the ARC will provide a written Final Review to the Owner stating that the plans are in compliance with all the current rules and guidelines. If the plans are not approved, the Owner will receive a written review detailing the items that are out of compliance.

**Re-submittal of Drawings** - In the event of disapproval by the ARC of the Final Submittal, any resubmissions of drawings must follow the same procedure as the original submittal. If final drawings need to be resubmitted, additional review fees may be required

**Construction Permit and Building Codes** - Securing the building permit is the responsibility of the Owner and/or Builder. Construction shall be in accordance with the Final Submittal approved by the ARC and all County Codes. In the event that a design guideline and a code issue do not correlate, the more restrictive of the two shall take precedence. NOTE THAT ALL PERMITS AND FEES ARE THE RESPONSIBILITY OF THE APPLICANT.

**Additional Construction and/or Exterior Changes** - Any design changes to the approved drawings must first be submitted for review and approval by the ARC. Any changes, deletions or additions to the Final Submittal must be approved by the ARC before incorporating these changes into the construction project. Minor design change documents may be attached to the Final Submittal and reviewed under the original review fee. Substantial or major changes may require a separate review and fee, as determined by the ARC. Any and all additional Improvements made on an Owner's Lot after the Final inspection will be required to be submitted separately and will require a separate review and fee. Please note that failing to submit for ARC approval before undertaking a change, deletion, or addition or failing to construct pursuant to plans approved by the ARC may subject you to enforcement action by the Association, which may include, but is not limited to, levying of fines, the issuance of a stop work order by the ARC until such time as the changes are submitted and approved by the ARC, or legal action by the Association.



### 6.3.4.3 Verifications

#### Setback Verifications Survey

Upon completion of staking and before proceeding further with any construction activity, the Owner shall submit to the ARC a Setback Verification Survey prepared by a licensed civil engineer showing the Improvement is within and complies with all required setback requirements as shown in the approved plans.

*Any Owner failing to provide the required Setback Verification Survey may be subject to enforcement action by the Association, which may include, but is not limited to, levying of fines, the issuance of a stop work order by the ARC until such time as the Setback Verification Survey is submitted and approved by the ARC, or legal action by the Association.*

## 7. CONSTRUCTION STANDARDS

### 7.1. Building Process

The Improvement Building Process at The Enclaves is actually three processes in one:

- a. The Pre-Construction Process
- b. The Construction Process
- c. The Committee Inspection Process

These processes and their accompanying regulations are described below. The process and regulations do not apply to land development actions taken by the Declarant or its assigns during the community development of Havasu Foothills Estates.

The general, or basic, step-by-step procedures for building Improvements at The Enclaves are sequentially described in the following flow process:

#### Construction Flow Process

- 1 Committee approves working drawings and City of Lake Havasu issues building permit.
- 2 Submit preconstruction submittals to Committee (see below)
- 3 Start construction
- 4 Complete Construction

- 5 Committee plan conformance inspection and compliance deposit return.

## 7.2. Owner/Contractor Responsibilities and Requirements

The Owner and/or Owner's general contractor or superintendent is required to provide someone on-site with adequate authority to receive deliveries and direct suppliers and sub-contractors.

All equipment operators must possess an appropriate driver's license.

The Owner is responsible for making certain that all construction personnel are familiar with and obey the rules governing their activities at the Enclaves.

Each general contractor or superintendent is responsible for familiarizing their employees, subcontractors and suppliers with all relevant construction requirements and provisions in these Design guidelines, and enforcing them. Each general contractor or superintendent is responsible for controlling employee work hours, and controlling any activities of employees that may be deemed as an annoyance or nuisance to Lot Owners (e.g., radio volume).

The Owner and/or Owner's general contractor or superintendent are required to construct the Residence and surrounding Improvement according to the plans, specifications and revisions approved in writing by the Committee.

Each Owner and Owner's contractors shall be responsible for providing adequate sanitary facilities for their construction personnel.

Upon completion of any Improvement, the Owner shall give written notice thereof to the Committee.

## 7.3. Preconstruction Deposit and On-Site Construction Reviews

Before construction commences, the following items will need to be submitted to the Committee for their permanent files:

- 1 Construction Deposit - With the final submittal, the Owner or the Owner's Builder or Representative must deliver a cash Construction Deposit (Security Deposit or Modification Deposit, depending on the type of project) in the amounts specified below.
- 2 For new builds or rebuilds of the main Residence, the Security Deposit See Form 1 For all other additions, expansion, or other Improvements where the Committee (or the Committee's Chairperson) determines that a deposit shall be required (hereinafter referred to as a "Modification"), the Modification Deposit shall be based on the proper form.

The following procedures shall apply to all Construction Deposits:

- 3 For new builds or rebuilds of the main Residence, the Construction Deposit shall be referred

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to as a Security Deposit, pursuant to A.R.S. 33-1817. The Security Deposit shall be placed in a trust account whose cost shall be shared equally between the Association and the Owner. Any interest earned on the Security Deposit shall become part of the Security Deposit.

- 4 For all Modifications, the Construction Deposit shall be referred to as a Modification Deposit
- 5 One (1) full set of Working Drawings approved and stamped by the City of Lake Havasu and the Committee.
- 6 One (1) copy of the Temporary Construction Facilities' Plan. This Plan shows the location of the facilities placed on the Homesite prior to construction, and is described below.

### FIRST COMMITTEE REVIEW FOR CONFORMANCE

- a) The Committee or its designee shall perform a formal review of the work in progress at any time during the construction for the purpose of confirming compliance with the approved plans. The Committee shall provide the Owner and/or his agent with reasonable notice of the date and time of the inspection, and the Owner and/or his agent shall have the opportunity to attend the inspection.
- b) For all new builds or rebuilds of the main Residence, the Committee shall issue a formal report of this first review within five (5) business days after the inspection, noting any deficiencies, violations or unapproved variations from the approved plans. For all Modifications, a report of the review will be issued within thirty (30) calendar days after the inspection.
- c) Absence of such review and notification during the construction period does not constitute approval by the Committee of work in progress or of compliance with these Guidelines or the Association's other governing documents.

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### SECOND (FINAL) COMMITTEE REVIEW FOR CONFORMANCE

- a) Upon substantial completion of any Residence or other Modification for which approval of the Final Design Submittal was given by the Committee, a second (final) review will be scheduled prior to occupancy.
- b) The Committee shall provide the Owner and/or his agent with reasonable notice of the date and time of the inspection, and the Owner and/or his agent
- c) For all new builds or rebuilds of the main Residence, a formal report of this second review will be issued within five (5) business days after the inspection, noting any deficiencies, violations or unapproved variations from the approved Final Design Submittal. If the Association's final inspection report does not indicate any deficiencies, violations, or unapproved variations from the approved plans, the Association shall release the Security Deposit to the Owner within thirty (30) calendar days of issuing the final inspection report. If the final inspection report identifies any deficiencies, violations or unapproved variation from the approved plans, the Owner shall have 180 days to bring the deficiencies noted in the report into compliance with the approved plans and these Guidelines. If the deficiencies noted in the final inspection report are corrected before the 180-day period expires, the Association shall release the Security Deposit to the Owner within thirty (30) days of the Committee's verification of the Owner's compliance. At the end of the 180-

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day period, if the deficiencies are not corrected, the Security Deposit shall be released to the Association for use as the Board directs.

- d) For all Modifications, a report of the review will be issued within thirty (30) calendar days after the inspection. If the Association's final inspection report does not indicate any deficiencies, violations, or unapproved variations from the approved plans, the Association shall release the Modification Deposit to the Owner within thirty (30) calendar days of issuing the final inspection report. If the Committee's final inspection report identifies any deficiencies, violations or unapproved variation from the approved plans, the Owner shall have thirty (30) calendar days to bring the deficiencies noted in the report into compliance with the approved plans and these Guidelines. If the deficiencies are corrected before the thirty (30) day period expires, the Association shall refund the Modification Deposit to the Owner within thirty (30) calendar days of the Committee's verification of the Owner's compliance. At the end of the thirty (30) day period, if the deficiencies noted in the final inspection report are not corrected, the Modification Deposit shall be released to the Association for use as the Board directs.

These Construction Deposit Guidelines do not preclude the use of any other remedy available to the Association by law or under its governing documents to address violations related to construction and unapproved variations from the approved plans.

### 7.4. Temporary Construction Facilities

The following temporary construction facilities are required to be placed on the Homesite. No construction trailers or other temporary construction facilities will be allowed without Committee approval. In any case, no shacks, trailer or temporary construction facilities may be used as living quarters.

- 1 Temporary Water:

A temporary water riser together with 150' (minimum) of 3/4" heavy duty rubber water hose irrigation facilities for dust and a hose stand shall be provided and installed in accordance with Committee requirements.

- 2 Temporary Electric:

A metered power outlet shall be provided and installed in accordance with the requirements of Arizona, the City of Lake Havasu and the Committee. No signage is permitted on the temporary power poles. Generators will be permitted until power is available to the property.

- 3 Temporary Toilet:

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A temporary portable toilet in good conditions shall be provided with chemical maintenance program. These units shall be maintained in a clean, sanitary and odorless condition. Temporary toilet facilities shall be located only on the building site itself or in other areas approved by the Committee.

4 Responsibility of Contractors:

It is the responsibility of the contractor to ensure continuation of water flow to adjacent lot so that damage is not done to other properties' landscaping, etc.

5 Temporary Construction Fence:

Owner or Owner's contractor must submit to the Committee for the Committee's review and subject to the Committee's approval a construction fence or other screening material which shall be installed along all common property frontages and along the side yard lot lines, as approved and/or directed by the Committee. Such fence or screening material shall be maintained in good condition during the course of construction of the residence and related improvements.

6 Dumpster or Trash Pickup service:

A minimum three (3) yard steel roll-off dumpster shall be maintained in clean exterior condition, free of graffiti on the Lot during the duration of the construction phase for adequate containment of all construction waste. A regular dumping service shall be maintained so that overflow and unpleasant odors do not occur.

7 Job Site Telephone:

A job site telephone shall be installed in an enclosure or in a trailer in accordance with Committee standards. Cellular phones are an acceptable substitute. The phone number shall be presented to the Committee.

8 Plan Box and Homesite Sign:

A plan box and accompanying Lot sign shall be installed in accordance with Committee standards. A complete set of approved plans and permits shall be maintained in the plan box while the Residence is under construction. The Committee must be provided with a key or combination if the plan box is located.

## 7.5. Preconstruction Submittals and Inspections

After the Temporary Construction Facilities Plan has been approved and the actual facilities installed on the Homesite, the Committee Chairman or the Committee Chairman's representative may make a site inspection of the facilities.

### 7.6. Use of Adjacent Property

The use of property adjacent to Lot/s under construction for vehicular access purposes parking or equipment and material storage will not be permitted without the written permission of the adjacent Lot/s Owner. Written permission must be on file with the Committee prior to use of the adjacent property for any purpose. General contractors, employees, subcontractors and suppliers shall not enter common areas for any reason at any time unless granted permission by the Committee. All adjacent property must be returned to its original condition at the end of construction.

### 7.7. Entrance Regulations

All contractors, subcontractors and employees must be signed in and out of the Main Gate, advising the guard of their names and location of the job site.

### 7.8. Restricted Access

All site passes and employees list will be identified by Lot/s numbers and these individuals will be restricted to the Lot or Lots on which they are employed. This also will apply to their delivery drivers and those with whom they have appointments. Access will be permitted only during normal working hours (see below). Access will not be allowed after hours or on weekends when no work is being done. No one will be permitted to bring with them friends, guest, relatives or anyone else who has not been cleared through the Committee office. No construction personnel may bring sports equipment or pets into The Enclaves.

### 7.9. Speed Limit

The speed limit within the boundaries of The Enclaves shall not exceed ten (10) miles per hour. Due to the number of vehicles operating on the site, the speed limit must be observed.

### 7.10. Parking

Parking will be confined to the Lot under construction or as approved in writing by the Committee. No parking is permitted in front of a finished residence unless permission is granted in writing prior to parking. NO PARKING IS ALLOWED ON STREET AT ANYTIME.

### 7.11. Construction Hours

Construction shall be limited to:

October 1- April 30

Monday through Friday

7:00 a.m. - 5:30 p.m.

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Saturday  
8:00 a.m. -4:00 p.m.

May 1 - September 30  
Monday through Friday  
5:30 a.m. - 7:00 p.m.  
Saturday  
8:00a.m. - 5:00 p.m.

Note: Further restrictions on power tools are found in the Declaration of Covenants, Conditions and Restrictions.

No construction-related activities shall be permitted during Sundays or official The Enclaves holidays.

Official Havasu Foothills Estates holidays are as follows:

*New Year's Day, Labor Day, Good Friday, Thanksgiving Day and day after, Memorial Day, Christmas Day and Independence Day.*

**7.12. Committee and Association Access to the Homesite**

Representative of the Committee and the Association shall have full access to the Lot/s and buildings while under construction to:

- 1 Inspect the Lot/s or Improvements at any time.
- 2 Remove security, health or safety risk or hazards.
- 3 Clean or maintain the Lot/s or Improvements.
- 4 Enforce any provisions of the Declaration or these Design Guidelines.

**7.13. Site Signage**

**Construction Signs**

- a. Metal or wood signs no larger than 18" by 24" are permitted. Only one (1) sign per lot
- b. Sign is to be mounted on a single 4" by 4" post
- c. Installation is to be no higher than 36" to the top and must be parallel to the curb, and no closer than 3' to the curb.
- d. Only one (1) rider sign is permitted and be no more than 6" high and no wider than the main sign.
- e. Construction signs are limited to the primary contractor.

No signs other than an approved address sign located on the plan box or standard committee Lot/s identification signs will be permitted on Lot under construction.

### 7.14. Site Conduct and Safety Precautions

The general contractor, job superintendent, and their employees, sub-contractors and suppliers shall:

- 1 Comply with all if the construction provisions established in these Design Guidelines and the Declaration.
- 2 Follow the directives of The Enclaves security staff and the Committee.
- 3 Not consume alcoholic beverages or non-prescription drugs on the site.
- 4 Not damage or disturb the work of others.
- 5 Take all necessary precautions for the safety of all persons, materials, and equipment on or adjacent to the site.
- 6 Furnish, erect and maintain approved barriers, lights, sign and other safeguards to give adequate warning to everyone on or near the site of dangerous conditions during the work.
- 7 Not disturb residents or guest of The Enclaves.

### 7.15. Site Maintenance

The general contractor, job superintendent, and their employees, sub-contractors, and suppliers shall comply with - the following rules established for the maintenance and cleanliness of the site.

The general contractors or job superintendent shall:

- 1 Maintain the site in a neat and clean condition, neatly stockpiling all materials delivered for or generated by, the work and immediately remove any waste material or debris generated by the work.
- 2 Contain all blowable trash and bottles, cans and lunch debris.
- 3 Remove all equipment, materials, supplies and temporary structure when any phase of the work is complete, leaving the area neat and clean. Equipment not in daily use must be removed from the job site.
- 4 Keep the streets, gutters and adjacent property clean and free of dirt, trash, debris or other material related to or caused by the work, and clean up all street spills. (Damage to street pavers or asphalt may require replacement of pavers or asphalt.)
- 5 Maintain dust control on the Homesite.

Note: The Owners and builders are prohibited from dumping, burying or burning trash anywhere at Havasu Foothills Estates.



### 7.16. Disposal of Site Spoils

Any spoils generated from the site grading must be placed on the Lot/s. No material may be placed on the street or common areas.

Storage of spoils on adjacent property will not be permitted without the written permission of the adjacent Lot Owner. Written permission must be on file with the Committee prior to placement.

### 7.17. Compliance

The Committee and the Association reserves the right to deny site access to any general contractor, job superintendent, sub-contractors, supplier or their employees who are in violation of the construction regulations.

The Committee and the Association reserve the right to stop construction on a Lot where:

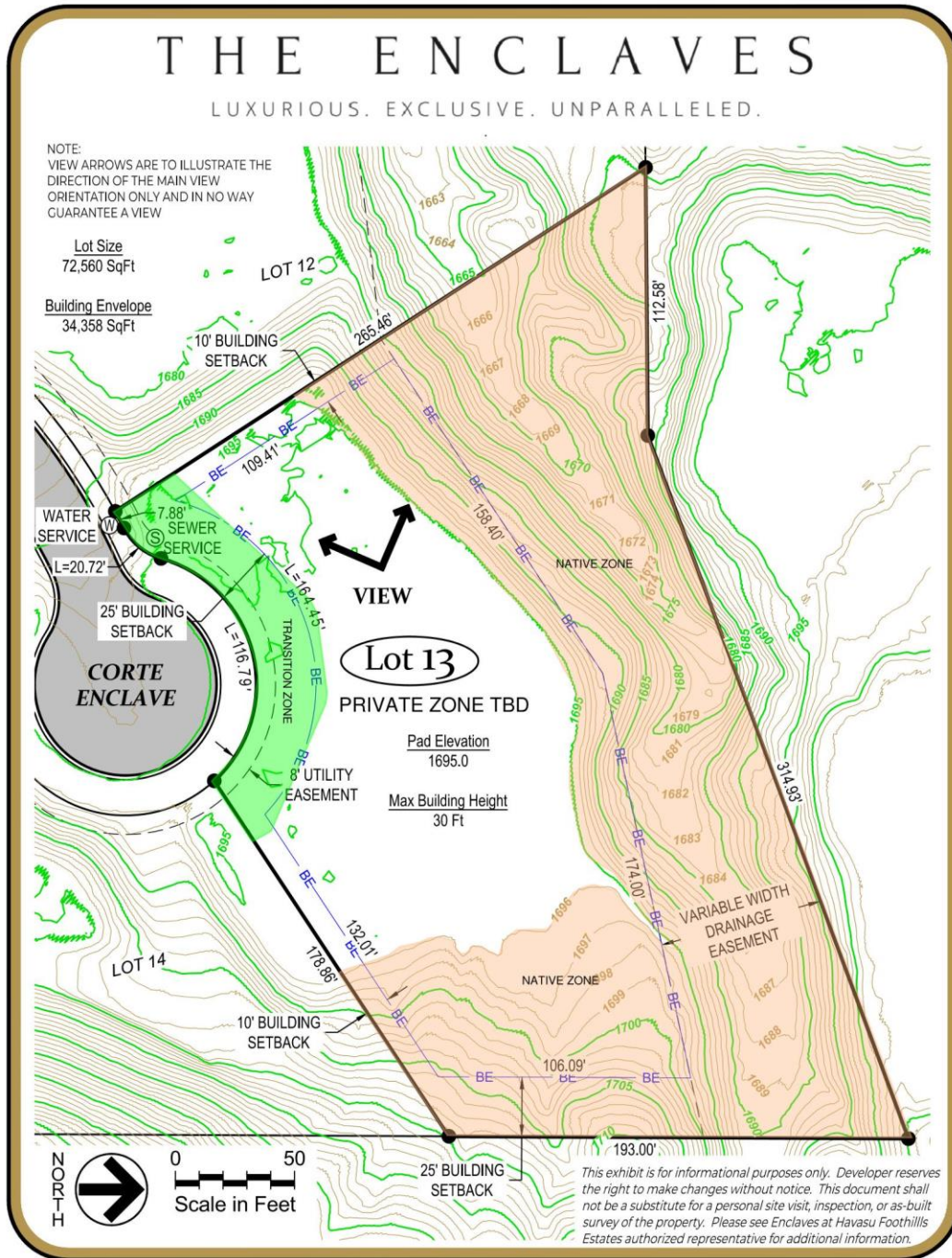
- 1 Improvements are being built or the Lot is being landscaped against approved plans.
- 2 These Design Guidelines, approved plans, the Declaration and/or The Enclaves security regulations are not being complied with fully.
- 3 The Committee inspector will inspect the Site periodically. An offense may result in a stop-work order and contractor entry restrictions. Any cost whatsoever incurred by the Association in enforcing these rules or remedying a violation will be billed to the Owner. Exercise by the Committee or the Association of the rights delineated under this provision shall not be deemed a waiver by the Committee or the Association and shall not preclude the Committee or Association from initiating any legal action against the violators (including Owner) of the Declaration, construction regulations or Design Guidelines.

### 7.18. Revisions to Approved Plans During Construction

Revisions to approved architectural and/or landscape plans during construction must be approved by the Project Architect or Landscape Architect or Designer before the Committee reviews them.

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**FIGURE 1 - Homesite Diagram**



Note: Approval and compliance with all conditions of the Design Guidelines is a pre-condition to filing an application for Final Submittal.

### APPENDIX – B APPROVED PLANT MATERIALS

Trees				
Scientific Name	Common Name	Private	Transition	Natural
<i>Acacia Aneura</i>	Mulga Acacia	X	X	
<i>Acacia greggii</i>	Catclaw Acacia	X	X	X
<i>Acacia pendula</i>	Weeping Acacia	X	X	
<i>Acacia salicina</i>	Willow Acacia	X		
<i>Acacia smallii</i>	Desert sweet Acacia	X	X	
<i>Acacia willardiana</i>	Palo Blanco	X	X	
<i>Brachychiton populneus</i>	Bottle Tree	X		
<i>Caesalpinia cacalaco</i>	Cascalote	X	X	X
<i>Cercidium (hybrid)</i>	Desert Museum Palo Verde	X	X	X
<i>Cercidium floridum</i>	Blue Palo Verde	X	X	X
<i>Cercidium microphyllum</i>	Littleleaf I Yellow Palo Verde	X	X	X
<i>Cercidium praecox</i>	Palo Brea	X	X	X
<i>Chilopsis linearis</i>	Desert Willow	X	X	X
<i>Dalea spinosa</i>	Smoke Tree	X	X	X
<i>Fouquieria splendens</i>	Ocotillo	X	X	X
<i>Gerjera peroiflora</i>	Australian Willow	X		
<i>Lagerstroemia indica</i>	Crape Myrtle	X		
<i>Lysiloma thronberi</i>	Feather Tree	X		
<i>Olneya tesota</i>	Desert Ironwood	X	X	X
<i>Olea europea</i>	Fruitless Olive	X		
<i>Parkinsonia florida</i>	Blue Palo Verde	X	X	
<i>Pithecellobium flexicaule</i>	Texas Ebony	X	X	
<i>Pithercellobium mixicanera</i>	Mexican Ebony	X	X	X
<i>Prosopis alba</i>	Argentine Mesquite	X	X	X
<i>Prosopis chiensis</i>	Chilean Mesquite	X	X	X
<i>Prosopis glandulosa</i>	Western Honey Mesquite	X	X	X
<i>Prosopis juliflora</i>	Mesquite	X	X	X
<i>Prosopis pubescens</i>	Screwbean Mesquite	X	X	X
<i>Prosopis velutina</i>	Velvet Mesquite	X	X	
<i>Rhus lancea</i>	African Sumac	X		
<i>Sophora secundiflora</i>	Texas Mountain Laurel	X		
<i>Vitex agnus-castus</i>	Chaste Tree	X	X	

### Palms

Scientific Name	Common Name	Private	Transition	Natural
<i>Arecastrum romanzoffianum</i>	Queen Palm	X		
<i>Brahea armata</i>	Mexican Blue Palm	X		
<i>Chamaerops humilis</i>	Mediterranean Fan Palm	X		
<i>Phoenix canariensis 'Male'</i>	Canary Island Date Palm	X		
<i>Phoenix dactylifera 'medjool'</i>	Date Palm	x		
<i>Phoenix roebelenii</i>	Pigmy Date Palm	X		
<i>Cycas revoluta</i>	Sego Palm	X		

### Shrubs

Scientific Name	Common Name	Private	Transition	Natural
<i>Anisacanthus quadrifidus</i>	Mexican Flame	X	X	
<i>Anisacanthus thurberi</i>	Desert Honeysuckle	X	X	
<i>Atriplex canescens</i>	Chamiso I Four-Wing Saltbush		X	X
<i>Atriplex lentiformis</i>	Quail Brush		X	X
<i>Atriplex polycarpa</i>	Desert Saltbush		X	X
<i>Baccharis sarathroides</i>	Desert Broom (Male Only)	X	X	X
<i>Beloperone californica</i>	Chuparosa	X	X	X
<i>Caesalpinia gilliesii</i>	Desert Bird of Paradise	X	X	
<i>Caesalpinia mexicana</i>	Mexican Bird of Paradise	X	X	
<i>Callandra californica</i>	Baja Fairy Duster	X	X	X
<i>Callandra eriophylla</i>	Fairy Duster	X	X	X
<i>Cassia artemisioides</i>	Feathery Cassia	X	X	
<i>Cassia nemophila</i>	Desert Cassia	X	X	
<i>Cassia phyllodinea</i>	Silver Leaf Cassia	X	X	
<i>Cassia wishzeni</i>	Shrubby Cassia	X	X	
<i>Chrysactinia mexicana</i>	Damianita	X	X	
<i>Cordia Parvifolia</i>	Littleleaf Cordia	X	X	X
<i>Cylindropuntia versicolor</i>	Staghorn Cholla	X	X	
<i>Dalea pulchra</i>	Indigo Bush	X	X	X
<i>Dalea trutescens</i>	Black Dalea	X	X	X
<i>Dasyllirion wheeleri</i>	Desert Spoon	X	X	
<i>Dodonaea viscosa</i>	Hop Bush	X	X	
<i>Dodonaea viscosa 'Purpurea'</i>	Purple Hop Bush	X	X	
<i>Encelia farinosa</i>	Brittle Bush	X	X	X
<i>Ephedra trifurca</i>	Mormon tea	X	X	
<i>Ericameria laricifolia</i>	Turpentine Bush	X	X	
<i>Hymenoclea salsola</i>	Cheese Bush (Burro Brush)		X	X
<i>Hyptis emoryi</i>	Desert Lavender	X	X	X

## STANDARD FOR HOMES

<i>Justica californica</i>	Chuparosa	X	X	X
<i>Justica thurberi</i>	Mexican Honeysuckle	X		
<i>Lantana camara 'Radiation'</i>	Radiation' Bush Lantana	X		
<i>Larrea divaricata</i>	Creosote Bush	X	X	X
<i>Leucophyllum candidum 'S. C.'</i>	Silver Cloud Sage	X	X	
<i>Leucophyllum candidum 7.C.'</i>	Thunder Cloud Sage	X	X	
<i>Leucophyllum f. candidum</i>	Compact Texas Sage	X	X	
<i>Leucophyllum frutescens</i>	Texas Sage, Texas Ranger	X	X	
<i>Leucophyllum laevigatum</i>	Chihuahuan Sage	X	X	
<i>Nandiana spp.</i>	Heavenly Bamboo	X		
<i>Opuntia violacea. Santa rita</i>	Purple Prickly Pear	X	X	
<i>Pittosporum tobira</i>	Dwarf Pittosporum	X		
<i>Raphiolepis indica</i>	Indian Hawthorn	X		
<i>Rosa van"eties</i>	Rose	X		
<i>Ruellia brittoniana 'Katie'</i>	DwarfRuellia	X		
<i>Ruellia peninsularis</i>	Desert Ruellia	X		
<i>Salvia clevelandii</i>	Chaparral Sage	X		
<i>Salvia greggii</i>	Autumn Sage	X		
<i>Salvia leucantha</i>	Mexican Sage	X	X	
<i>Simmondsia chinensis</i>	Jojoba	X		
<i>Sphaeralcea ambigua</i>	Globe Mallow	X	X	X
<i>Tacoma stans</i>	Yellow Bells	X		
<i>Thymophylla pentachaeta</i>	Golden Dysodia	X	X	
<i>Viguiera stenollia</i>	Skelton Leaf Goldeneye	X		

### Accent Grasses

Scientific Name	Common Name	Private	Transition	Natural
<i>Bouteloua gracilis</i>	BlueGrama	X	X	
<i>Equisetail hyemale</i>	Horsetail Reed	X	X	
<i>Festuca ovina</i>	Sheep Fescue	X		
<i>Muhlenbergia capiUaris</i>	GulfMuhly	X		
<i>Muhlenbergia emersleyi</i>	Bull Grass	X		
<i>Muhlenbergia parleri</i>	Hoe Grass	X		
<i>Muhlenbergia rigens</i>	Deer Grass	X		
<i>Muhlenbergia rigida 'Nashville'</i>	Nashville	X		
<i>Nolina parryi</i>	Bear Grass	X		

### Turf

Scientific Name	Common Name	Private	Transition	Natural
<i>Cynodon spp. Hybrid</i>	Hybrid Bermuda Grass	X	X	
<i>Paspalum spp.</i>	Hybrid Paspalum Grass	X	X	

### Groundcover

Scientific Name	Common Name	Private	Transition	Natural
<i>Acacia redolens</i>	Prostrate Acacia	X	X	
<i>Asparagus sprengerl</i>	Asparagus Fern	X		
<i>Ambrosia deltoidea</i>	Bursage	X	X	X
<i>Dales greggii</i>	Trailing Indigo Bush	X	X	
<i>Gazania rigens</i>	Gazania	X		
<i>Lantana (Gold or Purple)</i>	Gold or Purple Lantana	X		
<i>Lantana (Trailing Gold or Purple)</i>	Gold or Purple Trailing Lantana	X		
<i>Myoporum parvifolium</i>	Prostrate Myoporum	X		
<i>Oenothera spp.</i>	Primrose	X	X	X
<i>Rosmarinus officinalis</i>	Rosemary	X		
<i>Verbena spp.</i>	Verbena	X	X	X

### Vines

Scientific Name	Common Name	Private	Transition	Natural
<i>Bignonia violacea</i>	Lavender Trumpet Vine	X		
<i>Bougainvillea brasiliensis</i>	Bougainvillea	X		
<i>Ficus pumila</i>	Creeping Fig	X		
<i>Gelsemium sempervirens</i>	Carolina Jasmine	X		
<i>Lonicera japonica 'Halls'</i>	Halls Honeysuckle	X		
<i>Macfadyen unguiscati</i>	Cat's Claw Vine	X		
<i>Pyracantha coccinea</i>	Pyracantha	X		
<i>Rosa banksiae</i>	Lady Bank's Rose	X		
<i>Tecomaria capensis</i>	Cape Honeysuckle	X		
<i>Trachelospermum jasminooides</i>	Star Jasmine	X		

### Wildflowers & Perennials

Scientific Name	Common Name	Private	Transition	Natural
<i>Baileya multiradiata</i>	Desert Marigold	X	X	X
<i>Lupinus arizonicus</i>	Arizona Lupine	X	X	X
<i>Penstemon parryii</i>	Parry Penstemon	X	X	X
<i>Eschscholtzia mexicana</i>	Mexican Gold Poppy	X	X	X
<i>Phacelia campanularia</i>	California Bluebells	X	X	X

## STANDARD FOR HOMES

<i>Glandularia pulchella</i>	Purple Verbena	X	X	X
<i>Glandularia gooddingii</i>	Gooding Verbena	X	X	X
<i>Sphaeralcea ambigua</i>	Desert Globemallow	X	X	X

### Succulents & Cactus

Scientific Name	Common Name	Private	Transition	Natural
<i>Agave palmeri</i>	Palmer's Agave	X	X	X
<i>Aloe barbadensis</i>	Edible Aloe Vera	X	X	X
<i>Dasyllirion spp.</i>	Desert Spoon	X	X	
<i>Echinocereus spp.</i>	Hedgehog Cactus	X	X	X
<i>Ferocactus spp.</i>	Golden Barrel Cactus	X	X	X
<i>Hesperaloe parviflora</i>	Red & Yellow Hesperaloe	X	X	
<i>Nolina spp.</i>	Bear Grass	X	X	
<i>Opuntia spp.</i>	Cholla	X	X	X
<i>Pachyereus Pringlei</i>	Mexican Giant Cardon	X	X	
<i>Carnegia gigantea</i>	Saguaro	X	X	X
<i>Stenocereus thurberi</i>	Organ-pipe Cactus	X	X	
<i>Yucca baccata</i>	Banana Yucca	X	X	X
<i>Yucca elata</i>	Soaptree Yucca	X	X	X
<i>Yucca pendula</i>	Pendulous Yucca	X	X	X
<i>Yucca rigida</i>	Blue Yucca	X	X	X
<i>Yucca rostrata</i>	Beaked Yucca	X	X	X
<i>Yucca thompsoniana</i>	Thompson Yucca	X	X	

### Prohibited or Quantified Plant Material Notes

- 1) Palm Tree/s that exceed maximum building height will be required to be removed.
- 2) Dwarf varieties, with a mature height of less than eighteen feet (18'): may be allowed within the private zones so long as they are on the approved plant list
- 3) All Pines, Cypress, False Cypress, Juniper or Cedar for aesthetic reasons.
- 4) Olive and Mulberry trees for aesthetic reasons and due to pollen producing concerns. **Fruitless Olive will be allowed within private zones.**
- 5) Oleanders and Thevetia for aesthetic reasons and due to pollen and poison concerns.
- 6) Fountain Grass (*Pennisetum setaceum*) due to invasive weed like growth habit and fire concerns.

**STANDARD FOR HOMES**

- 7) Citrus species due to pollen producing concerns. Dwarf varieties may be used within the private zones.
- 8) Common Bermuda (Cynodon dactylon) due to its invasive weed like growth habits.
- 9) Brazilian Pepper, Eucalyptus and Bottle Trees for aesthetic and scale reasons.

**APPENDIX C - DEFINITIONS**

Unless the context otherwise specifies or requires, the following words or phrases when used in these Design Guidelines shall have the following meanings.

**ACCESSORY STRUCTURE**

Any structure detached from the main residence a minimum of ten (10'). Maximum height for an Accessory Structure or Detached Garage is twenty (20) feet

**ARCHITECT/LANDSCAPE ARCHITECT**

A person licensed to practice architecture or landscape architecture in any of the States of the United States of America.

**ARCHITECTURAL AND LANDSCAPING CONTROL COMMITTEE (THE COMMITTEE)**

The Committee appointed by the Declarant or the Board as provided in the Declaration of Covenants, Conditions and Restrictions for The Enclaves to review and either approve or disapprove proposals and/or plans and specifications for the construction, exterior additions, landscaping, or changes and alterations within Havasu Foothills Estates.

**ARCHITECTURAL AND LANDSCAPING DESIGN GUIDELINES (DESIGN GUIDELINES)**

The restrictions, review procedures, and construction regulations adopted and enforced by the Committee as set forth in this document and as amended from time to time by the Committee.

**ASSOCIATION**

The Enclaves Association, Inc. ("Association), an Arizona non-profit mutual benefit corporation.

**BOARD** The Term "Board" shall mean the Board of Directors of The Enclaves Community Association, Inc., its governing body.

**BUILDERS** A person or entity engaged by an Owner for the purpose of constructing any improvement within Havasu Foothills Estates. The Builder and Owner may be the same person or entity.

**BUILDING ENVELOPE** That portion of any Homesite, designated as a Building Envelope on the Homesite Diagram, and within which the construction of buildings and accessory and appurtenant structures and improvements is permitted.



## STANDARD FOR HOMES

**CONSTRUCTION ACTIVITY** Any site disturbance, construction, addition or alteration of any building, landscaping, or any other improvement on any Construction Site.

**CONSTRUCTION SITE** A site upon which Construction Activity takes place.

**CONSTRUCTION VEHICLE** Any car, truck, tractor, trailer or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to Construction Site.

**DECLARANT** *Enclaves Development LLC, an Arizona Limited Liability Company, its successors and/or assigns, if such successors and assigns are designated by Declarant as the Declarant for any purpose(s) hereof.*

**EXCAVATION** Any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching which results in the removal of earth, rock, or other substance from a depth of more than twelve (12") inches below the natural surface of the land or any grading of the surface.

**FILL** Any addition of earth, rock, or other materials to the surface of the land, which increases the natural elevation of such surface.

**FINAL MAP** The recorded final Subdivision map or lot map for any portion of The Enclaves.

**IMPROVEMENTS** Any changes, alterations, or additions to a Lot including any Excavation, Fill Residence or building, outbuildings, road, driveways, parking area, walls, retaining walls, stairs, patios, courtyards, hedges, posts, fences, signs, and any structure or other improvements of any type or kind.

**LOT DIAGRAM** The term Homesite Diagram shall refer to the individual site plans for each Lot provided to the Owner by the Committee at the commencement of the Design Review Process. Each Homesite Diagram specifies setbacks, Building Height and any special restriction pertinent to the Lot's development, together with any additional factors that the Committee may consider to be pertinent.

**NATIVE ZONE** That portion of the Homesite which lie inside and outside of the Building Envelope and is to remain and or be replanted to blend in an essentially natural condition.

**OWNER** The term Owner shall mean the record Owner of any Lot or Lots as shown on the official records of the Mohave County, Arizona Recorder. The Owner may act through an agent provided that such agent is authorized in writing to act in such capacity.

**PRIVATE AREA** That portion of the Building Envelope which is not visible from neighboring Homesite or street because it is screened by privacy walls, buildings and/or other landscape elements.

**RESIDENCE** The building or buildings, including any garage, or other accessory building, used for residential purposes constructed on a Homesite, and any improvements constructed in connection therewith.

**ROOF HEIGHT** The elevation of the highest point of the roof structure as measured from finished grade at that point.

# THE ENCLAVES ARC *Aesthetic review Committee*

## STANDARD FOR HOMES

**STORY** That portion of any building (including garage) included between the surface of any floor and the surface of the floor above it, or if there is no floor above, then the space between the floor and the ceiling next above it.

**SUBDIVISION PUBLIC REPORT** The final subdivision public report and amendments thereof issued by the Arizona Department of Real Estate.

**TRANSITION AREA** That portion of the Building Envelope which is visible from the streets and neighboring Homesites and is adjacent to the **Natural Area**.