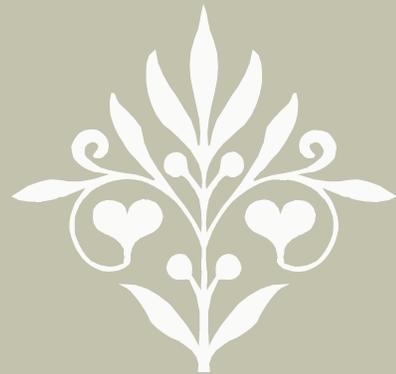
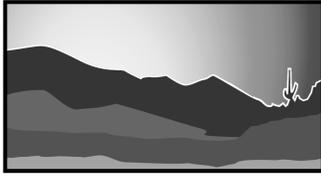




At Cave Creek

Community  
Design  
Guidelines





## **1. INTRODUCTION: PHILOSOPHY OF CONTINENTAL MOUNTAIN ESTATES**

**OUR OBJECTIVE:** To maintain this parcel of land in its most natural condition, to intrude as little as possible with man-made structures, to design and construct those structures carefully to fit the land contours and colors, to preserve desert growth, to alter land and vegetation at the absolute minimum, to foster and maintain the natural habitat, and disturb as little as possible the wildlife that abounds on this land, to keep our homes and lives free from unnecessary noise, dust, outdoor illumination, and unnecessarily intruding structures, to strive to design, build, and live in a manner that is least detrimental to, and most in harmony with, nature.

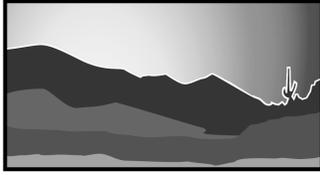
In furtherance of those objectives, we adopt these guidelines:

Each parcel is unique in terms of its natural opportunities and constraints. In order to take full advantage of those attributes, each lot will require different approaches in design and construction. It is the intent of the development philosophy, and the architectural standards and design restrictions set forth in these Design Guidelines, to preserve, protect, and enhance to extent justified, the special environment of Continental Mountain Estates.

It is expected that the design of each residence will be tailored to the unique features of each individual lot in an effort to achieve a synthesis of nature and residence. To preserve the natural features of each lot, such as views, significant existing plant materials, washes, and rock formations, each Residence will need to be sited so as to minimize disruption of the existing environment.

## **2. BUILDING ENVELOPES**

Before any conceptual planning is done, an Owner and his architect should discuss the proposed building with a representative of the Design Review Committee during the Pre-Design Meeting. Since the Building Envelope is a maximum allowable building area, screen walls, berms or other landscape elements will not be permitted to delineate Building Envelope borders without relation to other elements of the residence.



### **3. REVIEW AND APPROVAL PROCESS**

In order to assist each Owner in planning and designing his residence to take full advantage of the unique opportunities of his lot, a comprehensive design review process administrated by the Design Review Committee has been established. This process provides an opportunity for the Owner to draw upon expertise and knowledge which has been acquired during many years of design and construction in this type of terrain by declaration. Under the declaration, the Design Review Committee is charged with the responsibility of maintaining the standards set forth in the Design Guidelines, issuing all formal approvals or disapprovals of projects, and enforcing the Design Guidelines. Each residence must meet the criteria of the Design Guidelines.

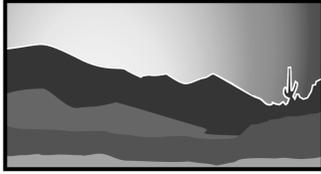
In addition to the requirements administrated the Design Review Committee the Town of Cavecreek has design and building standards which need to be met in order to obtain building permits. The standards of each group closely parallel each other and are subject to change. The Town standards need to be met unless the Town waives, alters or allows for forgiveness for a reason they are willing to accept. The Design Review Committee and the Design Guidelines are in place to guide users to a higher standard suited directly for the homes within Continental Mountain Estates.

In general, the design review process is divided into five phases: the Pre-Design Meeting, the Preliminary Submittal, the Final Submittal, the Construction Permit, and the Final Inspection.

It is strongly recommended that an Owner retain competent professional services for planning and design. The architect must have a thorough understanding of a particular lot and it's Owner's as well as the ability to convey to the Design Review Committee the concept and design of a proposed residence or other improvement, all of which are important elements of the design review process . Therefore it is required that a registered architect and landscape architect be retained to design the home and landscape.

The final decision rests with the Design Review Committee, and each case will be examined on its own merits, not on precedence, which has been found acceptable or unacceptable in another individual case.

The design review process was developed to provide adequate checkpoints along the way, in an effort to minimize time and money spent on designs, which do not adhere to the Design Guidelines, or to the overall philosophy of Continental Mountain Estates. An attempt has been made to streamline this process to eliminate excessive time delays. Nevertheless, each Owner is himself responsible for complying with the Design Guidelines, and all other applicable provisions of the Declaration, as well as all rules and regulations of any



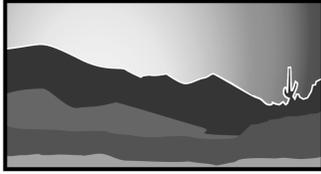
governmental authority having jurisdiction, in order to bring the design review process to a speedy and satisfactory conclusion.

The Design Review Committee will conduct reviews of projects during their regular meetings or at such other times, as they deem appropriate. Owners, architects, or Builders shall have no right to attend any meeting unless specifically requested to do so by such Committee. The Design review Committee will respond in writing no later than 30 days after submittal is completed.

Results of reviews will not normally be discussed over the telephone by Committee members with an Owner or his architect or Builder. Any responses an Owner may wish to make in reference to issues contained in the Design Review Committee's notice following review of submittals should be addressed to the Design Review Committee in writing.

The following is a procedural summary of the Review and Approval Process.

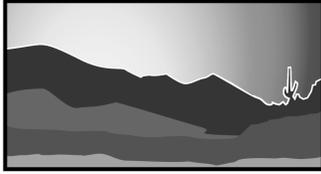




### 3.1 PRE-DESIGN MEETING

To initiate the review and approval process prior to preparing any drawings for a proposed improvement, it is necessary that the Owner and his architect meet with a representative of the Design Review Committee to discuss the proposed residence and to explore and resolve any questions regarding building requirements in the Design Guidelines. This informal review is to offer guidance prior to the initiation of preliminary design. An appointment for the Pre-Design Meeting should be made at least two weeks in advance.





## **3.2 PRELIMINARY SUBMITTAL**

Preliminary drawings, including all of the exhibits outlined below, must be submitted to the Design Review Committee (all in duplicate) after the Pre-Design Meeting. One of each will be returned with the written report.

### **3.2.1 Preliminary Submittals shall include:**

a) A survey, at no less than 1" = 20', prepared by a Registered Land Surveyor, Showing Lot boundaries and dimensions, existing surface contours at minimum two foot intervals, major terrain features such as washes, boulders, and rock outcroppings, and all Protected Plants, highlighting those plant materials that will be removed during construction or that are within 20 feet of the proposed improvements. Each Owner submitting drawings for approval to the Design Review Committee shall be responsible for the accuracy of all information contained therein. The Design Review Committee may call for an aerial photo of Lots with massive boulder outcroppings. Working with overlays on a scaled aerial photograph is the best method of designing in this type of terrain.

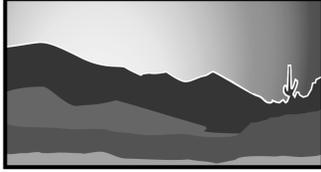
3.2.2 A site plan at the same scale as the survey showing the locations and areas of the Building Envelope (proposed) the residence and all other buildings or major structures, driveway, parking areas, patios, pools, walls, septic tanks, leach beds, proposed utility service facilities and routes, site grading including existing and proposed contours and existing trees and major shrubs to be retained and to be relocated, and elevations of all building floors, patios, and terraces, shown in relation to site contour elevations. At this time a conceptual landscape plan is required. See the landscape documents summary.

b) Roof Plan and Floor Plan (at no less than ¼" = 1'-0"). Roof plans should show degree of pitch of sloped roofs.

c) Exterior elevations of all sides of the residence, at the same scale as the floor plans, with both existing and proposed grade lines shown and all exterior materials and general colors indicated. Include cross sections at a minimum of every 20 feet across the residence showing existing and proposed grades.

d) A Design Review Fee in the amount of \$0.20 per livable enclosed square foot of the residence and the accessory buildings, measured from the outside of the exterior walls.

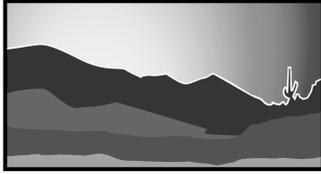
e) Any other drawings, materials, or samples requested by the committee. For



difficult sites the Design Review Committee may insist on scaled model and prospective rendering.

3.2.3 All accessory improvements contemplated on the lot must be shown on the Preliminary Submittal.

3.2.4 To assist the Design Review Committee in its evaluation of the Preliminary Submittal, the Owner shall, if required, provide preliminary staking of all building corners and establish all floor grades at those corners, and shall stake out the centerline of the proposed driveway from the residence to the property line.



### **3.3 PRELIMINARY REVIEW**

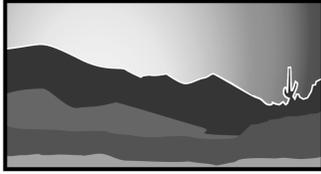
The Design Review Committee will review the submittal for conformance to these Design Guidelines and make its recommendation in a written response to the Owner.

### **3.4 FINAL SUBMITTAL**

After preliminary approval is obtained, the following documents are to be submitted to the Design Review Committee for final approval.

#### **3.4.1 Final Submittals shall include:**

- a. Complete construction documents for the residence including all data noted in Section 3.2.1 paragraphs (b), (c), (d), and (f), building sections as required to illustrate the buildings, show a section at all critical points, excessive and not pointed, accurately showing existing and proposed grades, all utility locations, electric meter and transformer locations, any adjustments to locations or areas of the Building Envelope or the Residence, and locations and manufacturer's catalog cuts of all exterior lighting fixtures.
- b. A list of materials to be used shall be submitted, and a sample may be required. Samples of all exterior materials and colors, and window and glass specifications, will be required. A submittal of additional manufacturer's cut sheets and specifications may be required.
- c. A complete landscape plan at the same scale as the site plan showing: areas to be irrigated, if any; locations and sizes of all existing and proposed plants and any decorative features such as pools or imported rocks, art work, lighting, and a list of all proposed plants. All plants proposed for transplanting shall be tagged.
- d. A Hydrology Report, performed by a competent civil engineer, in a form determined by the Design Review Committee.
- e. An approximate time schedule indicating dates for starting and completion of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date.



### **3.5 FINAL APPROVAL**

Upon receipt of the complete Final Submittal in duplicate, the Design review Committee will review the submittal for conformance to these Design Guidelines, and to any preliminary approval stipulations and make it's recommendation and will provide a written response to the Owner.

### **3.6 CONSTRUCTION PERMIT; BOND**

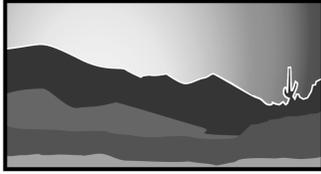
Securing of a building permit is the responsibility of the Owner or the Builder. Construction shall be in accordance with the Final Submittal approved by the Design Committee. Construction shall not begin until the cash bond required under Section 6.0 below has been posted.

### **3.7 ADDITIONAL CONSTRUCTION**

Any changes to the approved drawings before, during, or after the construction of an improvement must first be submitted for review to the Design review Committee.

### **3.8 WORK IN PROGRESS - INSPECTION**

The Design Review Committee may inspect all work in progress and give notice of non-compliance if found. Absence of such inspection and notification during the construction period does not constitute approval by the Design Review Committee of work in progress or of compliance with these Design Guidelines.



### **3.9 FINAL INSPECTION**

Upon completion of any Residence or other Improvement, the Owner shall give written notice of completion to the Design Review Committee.

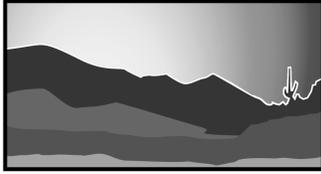
**3.9.1** Within such reasonable time as the Design Review Committee may determine, but in no case exceeding 30 days from receipt of such written notice of completion, it may inspect the Residence and Improvements. If it is found that such work was not done in strict compliance with the approved Final Submittal, it shall notify the Owner in writing of such non-compliance within 30 days of its inspection, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same.

**3.9.2** If, upon the expiration of 30 days from the date of such notification by the Design Review Committee, the Owner shall have failed to remedy such non-compliance, the Design Review Committee shall notify the Owner, and may take such action to remove the non-complying improvements as is provided in these Design Guidelines or the Declaration, including without limitation, injunctive relief or the imposition of a fine. Cash bond will be posted for these purposes by the Builder, as provided in Section 6.0 below.

**3.9.3** If, after receipt of written notice of completion from the Owner, the Design Review Committee fails to inspect the property and all improvements and to notify the Owner of any failure to comply within 15 days thereafter, the Improvements shall be deemed to be in accordance with the approved Final Submittal.

### **3.9.4 RIGHT TO WAIVE**

The Design Review Committee reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown.

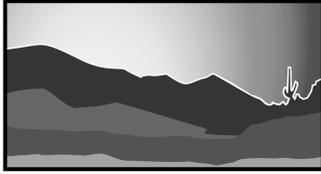


### **3.10 ESTOPPEL CERTIFICATE**

Within 30 days after written demand is delivered to the Design Review Committee by any Owner, and upon payment to the Design Review Committee of a reasonable fee from time to time to be fixed by it, the Design Review Committee shall record an estoppel certification executed by any of its members, certifying with respect to any Lot of that Owner, that as of the date thereof either (a) all improvements and other work made or done upon or within the Lot by the Owner, or otherwise, comply with the Design Guidelines, or (b) such improvements or work do not so comply, in which event the certificate shall also (1) identify the non-complying improvements or work and (2) set forth with particularity the cause or causes for such non-compliance. Any purchaser from the Owner or mortgagee or other encumberer shall be entitled to rely on such certificate with respect to the matters therein set forth, such matters being conclusive as between the Association, Design Review Committee, all Owners and other interested Persons, and such purchaser, mortgagee, or other encumberer.

### **3.11 COMMENCEMENT OF CONSTRUCTION**

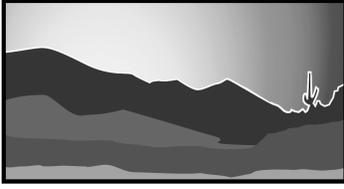
Upon receipt of approval from the Design Committee and the posting of the required bond, the Owner shall satisfy all conditions thereof and commence the construction, reconstruction, refinishing, alteration, or other work pursuant to the approved drawings within six months from the date of such approval. If the Owner shall fail to comply with this paragraph, any approval given shall be deemed revoked unless, upon written request of the Owner made to the Design Review Committee prior to the expiration of the (six month period) and upon finding by the Design Review Committee that there has been no change in circumstances, the time for commencement may be extended in writing by the Design Review Committee. The Owner shall, in any event, complete the construction, reconstruction, refinishing, or alteration of the foundation and all exterior surfaces (including the roof, exterior walls, windows and doors) of any improvement on his Lot within 18 months after commencing construction thereof except when for so long as, such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities. If the Owner fails to comply with this paragraph, the Design Review Committee may notify the Association of such failure and the Association, at its option shall either complete the exterior in accordance with the approved drawings or remove the improvement and the Owner shall reimburse the Association for all expenses incurred in connection therewith.



#### **4 SITE DEVELOPMENT GUIDELINES**

The upper Sonoran Desert landscape at Continental Mountain Estates is fragile and will take decades for nature to mitigate impacts to site or vegetation. Due to these concerns, the Town of Cavecreek has also developed regulations intended to provide protection for the natural desert areas. Although an effort has been made to have these Design Guidelines be consistent with the Town's regulations, each Owner, through his Architect, is responsible for reviewing applicable Town regulations or these Guidelines provide a stricter standard than the other in any instance, the Owner shall conform to the more stringent of the two. As outlined below, each Lot consists of the Natural Area and the Building Envelope, which includes Transitional Area and a Private Area. The following site development standards deal with issues of siting, grading, excavation, and landscaping.



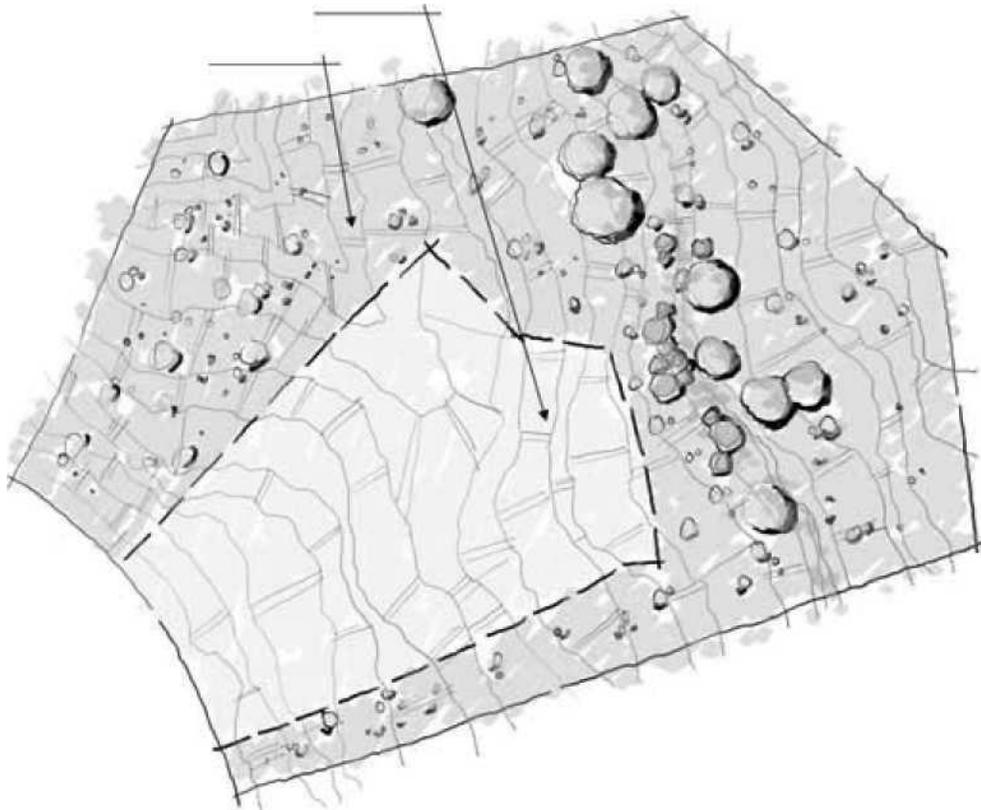


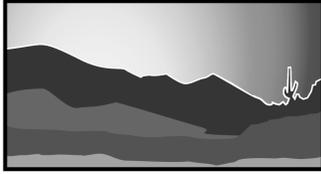
#### 4.1 BUILDING ENVELOPE

The Building Envelope is the portion of each lot within which all improvements must be built and alterations to the existing landscape may occur.

The Building Envelopes shall be an exhibit to the plat. The envelopes will be defined within the plat, square footage of the envelope as well as setbacks will be apart of the plat document.

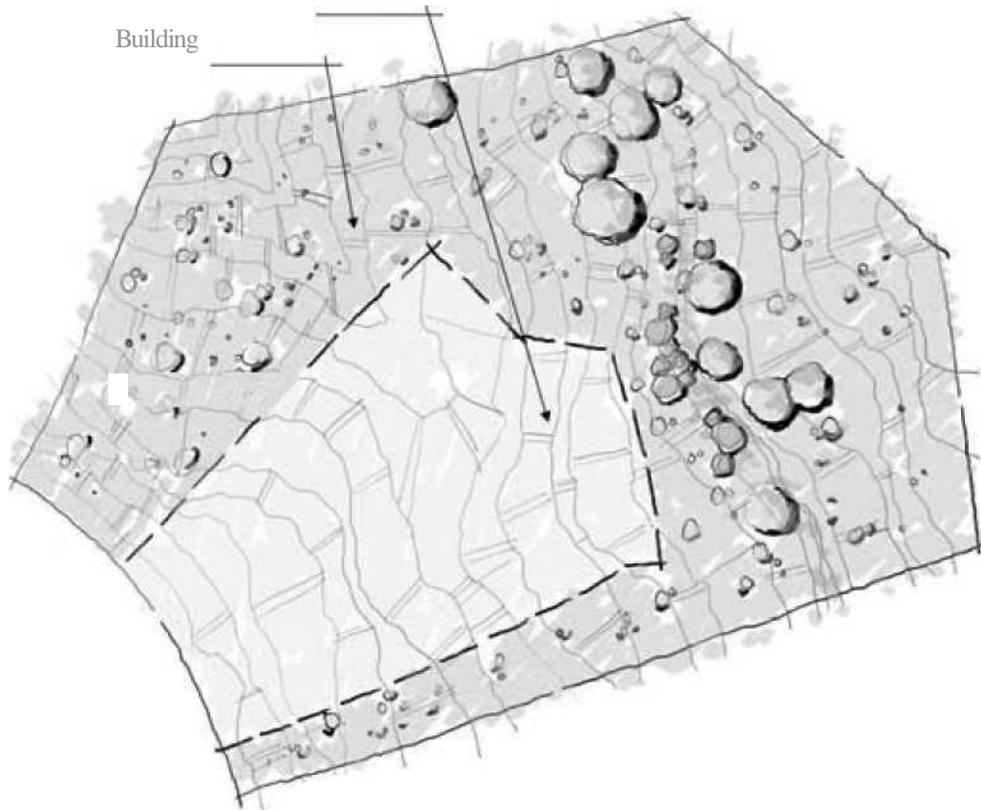
Building Envelope  
Natural Area



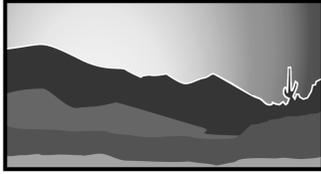


## 4.2 NATURAL AREA

The Natural Area is that portion of the lot, which lies outside of the Building Envelope and must remain untouched as a natural desert. Irrigation of the Natural Area is not permitted since the indigenous vegetation does not require additional water. Irrigation of the Natural Area can lead to disease and death of the native plants, particularly cactus, and aid in the spread of undesirable plant species or weeds.

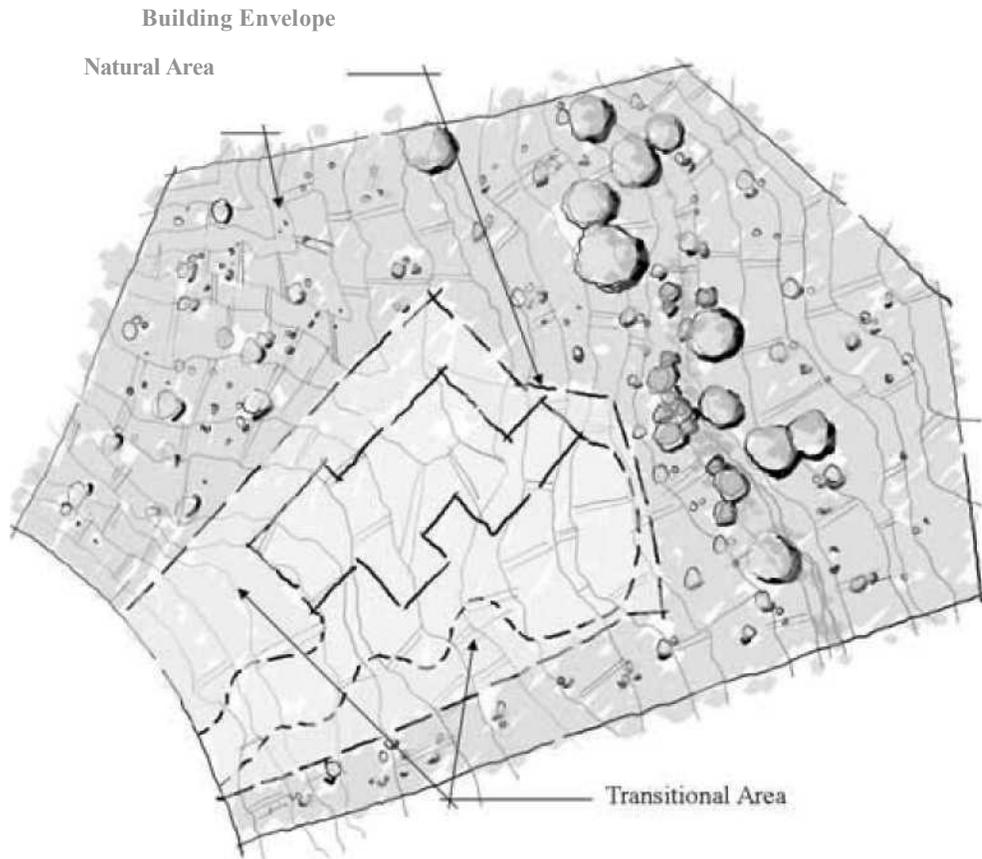


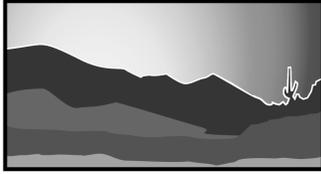
Envelope Natural Area



### 4.3 TRANSITIONAL AREA

The Transitional Area is that part of the Building Envelope which lies between The Natural Area and the wall of a residence or improvement and is visible from the adjacent properties, streets, or public spaces. Upon completion of construction, this area must be replanted to match the adjacent Natural Area in appearance. The natural rock area of the limits of construction shall be scraped off and saved for reapplication to the transitional area.

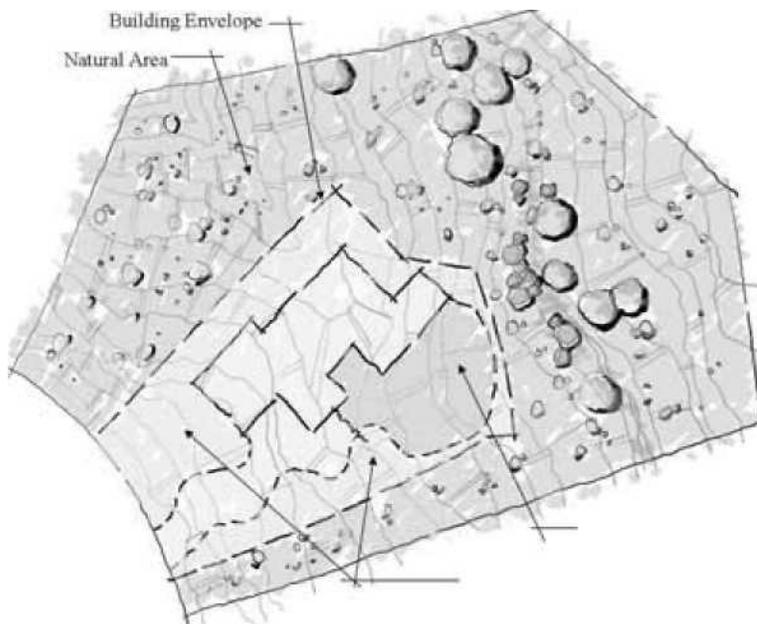


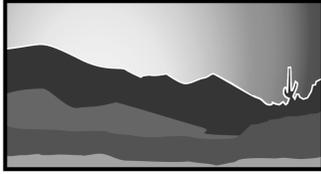


#### 4.4 PRIVATE AREA

The Private Area is that part of the Building Envelope which is not readily visible from adjacent properties, streets, or public spaces because it is hidden behind walls or structures. The Private Area is the least restrictive in terms of what plants, shrubs, and trees can be planted therein. These include those plant materials listed in Appendix D (Approved Plants). The Private Area may include, for example, a courtyard or atrium, or the area behind a wall where non-indigenous plants would be appropriate despite their increased watering needs. The Private Area may be designed as a mini-oasis area, which may be as lush and varied as desired by the Owner; however, all plants which are visible from a street or public area or from another lot must be one of the plants listed in the Appendix D or are approved by the Design Review Committee. The Private Area is the only area that may have grass. However, grass is inappropriate in a desert environment and should be kept to a minimum.

The Prohibited Plant materials set forth in Appendix E include species with characteristics which are potentially destructive to Natural Areas and indigenous plants by reason of profuse and noxious pollen, excessive height, weed-like characteristics of excessive growth, high water demands, and similar traits. Under no circumstances is it permissible to plant the Prohibited Plants. There will be no palms or other non-native vegetation that exceeds 15 feet above grade.





#### **4.5 PROTECTED PLANTS**

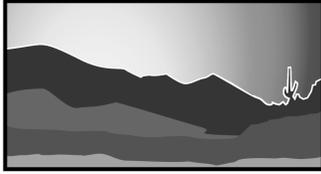
Protected plants are those desert plants, which must be protected pursuant to Town regulations. Improvements should be sited to avoid these protected species if at all possible, or they may be carefully transplanted. It is recommended that competent professionals be consulted prior to transplanting any desert plant materials and the Design Review Committee may require replacement of any plant which dies during transplanting, with a plant of the same species and size.

#### **4.6 SITE WORK**

While the natural topography varies radically from lot to lot, the following general limitations will apply in the absence of special circumstances justifying exceptions as may be approved by the Design Review Committee.

- (a) Cut and fill may not be exposed following completion of construction;
- (b) No change in natural or existing drainage patterns for surface waters shall be made upon any lot that could adversely affect another Owner;
- (c) No protected plants shall be damaged, destroyed, or removed from any lot, although such plants outside the Natural Area may be relocated;
- (d) Retaining walls and other walls not directly supporting a building structure, except screen walls, shall exceed eight feet in height, measured from the lowest natural grade adjacent to the wall. The appearance of such walls over six feet in height must be softened by landscaping with trees or large shrubs. Screen walls may not exceed 4 feet 8 inches in height measured from natural grade in the manner described above for retaining walls.

In the event of any violation of (a) or (b), the Design Review Committee may cause the Lot to be restored to its state existing immediately prior to such violation; or in the event of any violation of (c) above, cause to be replaced any protected plant which has been improperly removed or destroyed with a similar plant in type and size or with such other plant as the Design Review Committee may deem appropriate. Any cost incurred by the Design Review Committee in this regard may be recovered from the cash bond to be provided in accordance with Section 6.0 below.



#### **4.7 PARKING SPACES**

Each resident shall contain parking space within the Lot for at least two automobiles in an enclosed garage whether attached to or detached from the main structure of the Residence. A minimum of two additional parking spaces should be provided to accommodate guest parking. No on-street parking will be permitted for resident vehicles. Views of guest parking areas from adjacent lots, streets, or public spaces must be mitigated and diffused by screen walls or a combination of screen walls and landscaping. Walls shall be between 36" and 48" high. No landscaping berms of any kind will be allowed. No exterior storage of trucks, trailers, motor homes, or other recreational vehicles or boats will be permitted.

#### **4.8 SITE DRAINAGE AND GRADING**

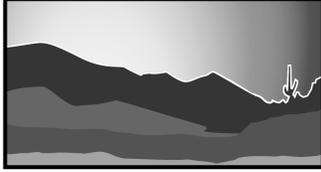
Site drainage and grading must be done with minimum disruption to the lot. Surface drainage shall not drain to adjoining Lots or open spaces except as established by natural drainage patterns. It is the intent of these Guidelines to discourage excessive cut and fill, and no grading may be done outside the Building Envelope except for the driveway. Any alterations to washes carrying 50 cubic feet per second or more resulting from a 100-year storm may require special consideration for approval by the Committee.

#### **4.9 SETBACKS**

Minimum distance between main and accessory buildings on a Lot: 15 feet, unless connected.

#### **4.10 ENTRANCE DRIVEWAYS**

Entrance driveways should be located so as to minimize their visual impact on washes or drainage ways, and to minimize disruption of the existing landscape, all cuts which expose native rock should be treated with an aging agent. Driveways, one per residence, shall be a maximum of 14 feet wide at the property line, then diminished to 12 feet as they enter the property; driveways shall not exceed 18% in grade, and shall not interfere with drainage in the street right of way. For corner lots or in situations where an additional driveway may be required, the Design Review Committee may approve two driveways. Uncolored smooth concrete may not be used, asphalt is discouraged; pavers and/or exposed aggregate is preferred.



Driveways cross sections should not exceed 1/3rd on fill and should be a minimum of 2/3rds on cut. Rural Metro Fire Department will approve all driveways over 150-feet in length.

#### **4.11 WASHES AND DRAINAGE EASEMENTS**

These natural drainage ways occur frequently throughout the Continental Mountain Estates and should not be obstructed. Structures and other improvements should be sited to avoid these washes, although they can be sited at the edge of a wash. Bridging by buildings, and other improvements designed so as not to obstruct 100-year storm flows, are encouraged.

#### **4.12 SWIMMING POOLS**

Swimming pools should be designed as being visibly connected to the Residence through walls or courtyards, and must be screened from view from neighboring lots, street, public spaces, and to be secured to meet pool safety standards for children.

#### **4.13 SPORTS/TENNIS COURTS**

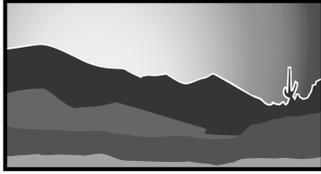
For reasons of noise control and aesthetics, sports/tennis courts or basketball backboards will not be allowed in any Lot.

#### **4.14 PLAYGROUND EQUIPMENT**

Playground equipment and miscellaneous items used for exercise or children's play may be installed on any lot, subject to approval by the Design Review Committee. These items may only be allowed within Private Areas and shall not be visible from any neighboring lots.

#### **4.15 UNIFORM ADDRESS MONUMENTS**

Individual address identification devices for each approved Residence will be installed by the Lot Owner. The Design Review Committee has established uniform criteria for Address Monuments regarding size, lighting and other visual consideration. Such devices must utilize the same materials and colors as the Residence and must reflect its design character. No "unique" identification devices will be permitted, except temporary construction signs or other signs as permitted and approved by the Design Review Committee.

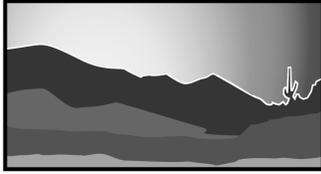


#### **4.16 LIGHTING**

An overall lighting plan for Continental Mountain Estates will be designed with the goal of creating a unified, natural effect, which will not interfere or compete with the dramatic nighttime panorama of views of the desert, surrounding mountains, and the valley below. Any additional exterior lighting on individual lots must be approved by the Design Review Committee and will be approved only if it is limited to a small area within the Building Envelope, is of low intensity, and does not result in glare. No all-night lights or floodlights that illuminate neighboring lots or directed skyward will be approved. No lighting shall reasonably extend past ones Building Envelope.

### **5 ARCHITECTURAL DESIGN STANDARDS**

The following architectural standards have evolved in response to climatic and aesthetic considerations in Continental Mountain Estates. During the summer months the intense sun creates a climate, which should be moderated by various design devices, such as keeping buildings at or below grade, shading window openings and courtyards, and not using reflective exterior materials or colors, which will increase glare.



## **5.1 NO REFLECTIVE FINISHES**

No reflective finishes except glass, which may not be mirrored or opaque, and door hardware shall be used on any exterior surfaces.

## **5.2 BUILDING HEIGHTS AND ROOFS**

The terrain of Continental Mountain Estates is varied and unique, with ridges, valleys, immense boulders and severe changes in elevation, making uniform applicability of height restrictions and roof forms for residences inadvisable. Building heights and roof forms are particularly important in Continental Mountain Estates because many of the proposed residences can be viewed from above by other Continental Mountain Estates lots, then that proposed residence must adapt a roof type and configuration which is attractive from an elevated viewpoint. This consideration in turn impacts and often controls the total building height which will be restricted to 24-feet above the natural grade.

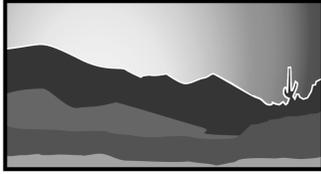
With these considerations in mind the Design Review Committee retains the right to critique and disapprove of roof configurations and heights of buildings on a site by site basis.

An acceptable roof form and height on one lot may be totally unacceptable on an adjacent lot solely due to the elevated angle from which it is viewed.

Mansard roofs and other styles incompatible with this rugged western mountainous land are prohibited. Rooflines should be broken into several informal planes. With rare exception, symmetrical designs are unsatisfactory because the terrain itself follows more organic asymmetrical principles of form. Dominant roof colors such as white, black, red, or reflective surfaces are prohibited. Roofs should be textural, and colors should be similar but darker than the surrounding terrain. No roof-mounted equipment is acceptable if it would be visible from neighboring residences on or off the property.

## **5.3 BUILDING SIZES**

It is expected that Residences will contain at least 4500 square feet in living area; however, smaller residences may be approved by the Design review Committee if, in its opinion, the design would not result in a Residence which would be out of character with other Continental Mountain Estates residences.



## **5.4 COLORS**

Colors must be muted tones chosen to blend with the natural colors of the vegetation and mountains as seen from a distance. Since Residences at Continental Mountain Estates will be seen from above and from great distances, colors should be chosen to blend rather than to contrast with the Residence's surroundings. Colors should be similar to surrounding terrain and slightly darker in hue, with a reflective value of less than 35%. Subdued accent colors may be used subject to Committee approval on an individual case basis. (See Appendix G for Approved Colors).

## **5.5 MATERIAL-EXTERIOR SURFACES**

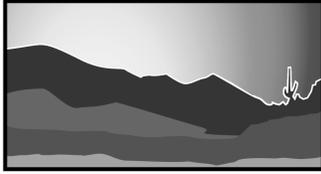
Exterior surfaces must generally be of materials that harmonize with the natural landscape. Stones, masonry, painted slump block, or stucco should be predominant exterior surfaces. They provide an outer surface to withstand the climate extremes. Large expanses of wood will not weather well in desert conditions create shadow patterns, be non-reflecting and continue from roof lines down over house walls and over foundation walls (if exposed) to the final grade line.

## **5.6 BUILDING PROJECTIONS**

All projections from a building including, but not limited to, chimney caps, vents, gutters, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project, unless otherwise approved by the Design Review Committee. All building projections must be contained within the Building Envelope. We encourage textural facia patterns, which create shadow patterns and absorb rather than reflect sunlight.

## **5.7 NO ANTENNAE**

There shall be no antennae of any sort either installed or maintained, which are visible from neighboring property on or off site, except as expressly permitted by the Design Review Committee.



## **5.8 SKYLIGHTS AND WINDOWS**

Skylights must be cautiously used because they are a source of heat gain and undesirable reflections. If used, they must be located so as to minimize their visibility from other lots, particularly those above, and they should not cause any objectionable glare, either day or night. Skylight colors both for frame and light should blend with the roof colors.

Windows should be located and sized so as to limit heat gain to the Residence's interior and not to cause any objectionable glare at any time. All windows should provide a 6" or more minimum recess from the face of the exterior walls, and all shading possible should be provided. Glass should be tinted to reduce glare.

## **5.9 PATIOS AND COURTYARDS**

Patios and courtyards should be designed as an integral part of the residence so they can be shaded and protected from the sun by roofs and building masses. These open areas can take advantage of natural airflows to produce cooler temperature. By orienting these outdoor spaces inward, disturbance of the desert will be minimized.

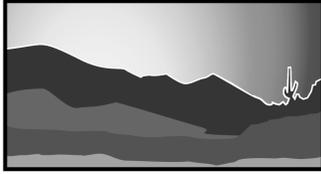
## **5.10 SOLAR APPLICATIONS**

The orientation and design of the residence for maximum sun gain will reduce the winter heating needs, and will be encouraged. Solar collectors can cause excessive glare and reflections, and can only be approved if they are integrated into the structures or landscaping on a Lot and are not visible from neighboring properties.

## **5.11 SCREEN WALLS**

Screen walls should be a visible extension of the architectural design of the residence. They may be used to separate the Private Areas from the rest of the Building Envelope and as a screening for parking and service areas. They may not be used to delineate property lines or to arbitrarily delineate the Building Envelope. The colors of the walls must conform to the same color standards described in Section 5.4 of these Design Guidelines.

Finish materials on all building walls and screen walls must be continued down to finish grade, thereby eliminating unfinished foundation walls, and must be of same material as the main structure.



## **5.12 SERVICE YARD**

All above-ground garbage and trash containers, clotheslines, mechanical equipment, and other outdoor maintenance and service facilities must be screened by walls from other Lots, streets, or public spaces.

## **5.13 GUEST HOUSES ANF GUEST SUITES**

Such structures must be designed as a single visual element with the residence, and should be visually related to it by walls, courtyards, or major landscape elements. The guest house must comply with Town zoning regulations. A Guest House can be constructed on any Lot, with approval from the Design Review Committee.

## **5.14 NO VISIBLE STORAGE TANKS**

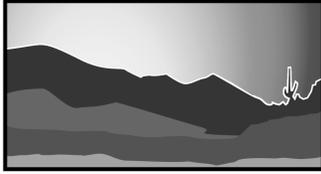
Water tanks, pressure tanks, or similar storage facilities shall either be shielded from view by walls or structures or shall be located underground with all visible projections screened from view. No Fuel tanks will be allowed.

## **5.15 RADON GAS**

Although there is no indication that significant amounts of radon gas are present in the soil of Continental Mountain Estates, the individual lot Owners should follow the pertinent regulations in regard to radon gas.

## **6 CONSTRUCTION REGULATIONS**

In order to assure that all approved plans and specifications have been followed and that the natural desert landscape of Continental Mountain Estates is not unduly damaged during construction, the following construction regulations will be made a part of the construction contract documents for each Residence or other improvements on a lot. All Builders and Owners shall be bound by these Regulations and any violation by a Builder shall be deemed to be a violation by the Owner of the Lot. To guarantee that the regulations are adhered to, the Builder shall post a cash bond in the amount of \$7,000 prior to beginning construction, to be paid to the Design Review Committee trust account. Such bond will be released to the Builder or Owner upon final inspection and approval of construction activities, reduced by any amount necessarily expanded at the direction of the Design Review Committee to cure any violation of the CC&R's or these Guidelines.



## **6.1 PRE-CONSTRUCTION CONFERENCE**

Prior to commencing construction, the Builder will be required to meet with a representative of the Design review Committee to review construction procedures and to coordinate construction activities.

## **6.2 OCCUPATIONAL SAFETY ANF HEALTH COMPLIANCE (OSHA)**

All applicable OSHA regulations and guidelines must be strictly observed at all times.

## **6.3 CONSTRUCTION TRAILERS; PORTABLE FIELD OFFICES**

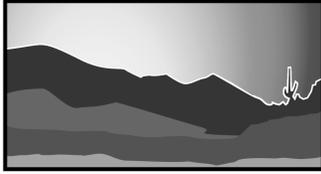
Any Owner or Builder who desires to bring a construction trailer, field office, or like to Continental Mountain Estates shall first apply for a written approval from the Design Review Committee. To obtain such approval he shall submit a copy of the architect's site plan with proposed locations of the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be promptly removed upon completion of the construction. Approval shall be approved by the Design Review Committee and a Temporary Use Permit will need to be obtained from the Town of Cavecreek.

## **6.4 FENCE**

To protect the Natural Area of a lot from damage due to construction operations, a fence at least five feet high shall be installed to completely enclose the Building Envelope. The fence shall follow the alignment of the Natural Area line, shall have a single entrance located at the driveway entrance, shall be maintained intact until completion of construction, and then shall promptly be removed. See the landscape requirements summary for the type offence required.

## **6.5 DEBRIS AND TRASH REMOVAL**

Builders shall clean up all trash and debris on the construction site at the end of each day. Lightweight materials, packaging, and other items shall be covered or weighted down to prevent their being blown off the construction site. Builders are prohibited from dumping, burying, or burying trash anywhere on Continental Mountain Estates. During the construction period, each construction period, each construction site shall be kept neat and clean, and shall be properly policed to prevent if from becoming a public eyesore of affecting other lots or any open space. Unsightly dirt, mud, or debris resulting from



activity on each construction site or on the Continental Mountain Estates roads shall be promptly removed and the general area cleaned up.

## **6.6 SANITARY FACILITIES**

Each Builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilet or similar temporary toilet facilities shall be located only within the Building Envelope or in areas approved by the Design Review Committee.

## **6.7 VEHICLES AND PARKING AREAS**

Construction crews shall not park on, or otherwise use, other lots or open space. Private and construction vehicles and machinery shall be parked only within the areas designated by the Design Review Committee. All vehicles shall be parked so as not to inhibit traffic.

## **6.8 CONSERVATION OF LANDSCAPING MATERIALS**

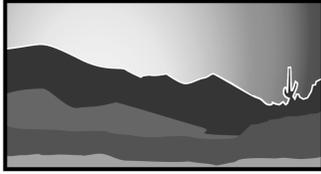
Builders are advised that the lots and open space of Continental Mountain Estates contain valuable native plants and other natural features such as topsoil, rock outcroppings, and boulders that should be absolutely protected during construction. The Continental Mountain Estates philosophy of plant material conservation is based on the Town's "Native Tree Preservation Regulations".

## **6.9 EXCAVATION MATERIALS**

Excess excavation materials must be hauled away from Continental Mountain Estates. None can be disposed of on site.

## **6.10 BLASTING**

No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Design Review Committee and the Town of Cavecreek. Applicable governmental regulations concerning blasting must be observed.



## **6.11 RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGES**

Damage and scarring to other property resulting from construction operations, including, but not limited to, open space, other lots, roads, driveways, or other improvements will not be permitted. If any such damage occurs, it must be repaired or restored promptly at the expense of the Builder, or will be done by the Design Review Committee and deducted from the Builder's or Owner's cash bond.

## **6.12 MISCELLANEOUS AND GENERAL PRACTICES**

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, Builders, contractors, and subcontractors while on the premises of Continental Mountain Estates. The following practices are prohibited:

**6.12.1** Changing oil or maintenance location on any vehicle or equipment on the site.

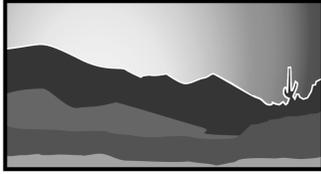
**6.12.2** Allowing concrete suppliers, plasterers, painters, or any other subcontractor to clean their equipment other than at locations, if any, specifically designated for that purpose by the Design review Committee.

**6.12.3** Removing any rocks, plant material, topsoil, or similar items from any property of others within Continental Mountain Estates including other construction sites.

**6.12.4** Using disposal methods or units other than those approved by the Design Review Committee.

**6.12.5** Careless disposition of cigarettes and other flammable material. At least one 10-pound dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.

**6.12.6** Careless treatment or removal of any desert plant materials not previously approved for removal by the Design Review Committee.



### **6.13 CONSTRUCTION ACCESS**

The only permitted construction access during the time a residence or other improvement is under construction will be over the approved driveway for the lot unless the Design review Committee approves an alternative access point. In no event shall more than one construction access be permitted into any lot.

### **6.14 DUST AND NOISE**

The Builder shall be responsible for controlling dust and noise, including without limitation music or loud voices, from the construction site. No radios or stereos are to be played on any construction site at any time.

### **6.15 CONSTRUCTION SIGNAGE**

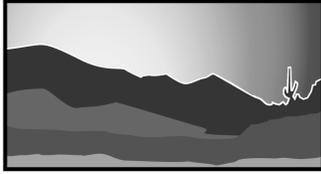
Temporary construction signs shall be limited to one sign per site not to exceed six square feet of total surface area. The sign shall be free standing and its design within the buildings envelope and location shall be subject to approval by the Design review Committee.

### **6.16 DAILY OPERATION**

Daily working hours for each construction site shall be from 6:00 AM to 4:00 PM during the period of April 15 to October 15. For the period beginning October 16, to April 14, the hours shall be 7:00 AM to 5:00 PM. Year round, by Town of Cavecreek code; there will be no activity before 10:00 AM on Sundays and holidays.

### **6.17 FIRE SPRINKLERS**

Each residence shall construct an individual fire sprinkler unit. The system will be designed to meet the requirements of the Rural Metro Fire Department.



## APPENDIX A - DEFINITIONS

Unless the context otherwise specifies or requires, the following words or phrases, when used in these Design Guidelines, shall have the following specific meanings. Terms used herein which are defined in the Declaration shall have the meanings specified therein.

1. "Architect" and "Landscape Architect" means a person appropriately licensed or otherwise qualified to practice architecture or landscape in Arizona.
2. "Association" means the Continental Mountain Estates HomeOwners Association, as defined in the Declaration.
3. "Board" means the Board of Directors of the Association.
4. "Builder" means a person or entity by the Owner for the purpose of constructing any improvement on the Owner's Lot. The term includes any subcontractor. Builders must be licensed, bonded, and insured.
5. "Building Envelope" means that the portion of a Lot, as described in Section 4.1, which encompasses the maximum allowable developable area of the Lot. It does not include the Driveway.
6. "Town" means the Town of Cavecreek, Arizona, a municipal corporation of the State of Arizona.
7. "Declaration" means the Declaration of Covenants, Conditions, and Restrictions, as mentioned from time to time.
8. "Developer" means LS & SS Properties, Inc.
9. "Excavation" means 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 12 inches below the natural surface of the land, or any grading of the surface.
10. "Fill" means any addition of earth, rock, or other materials to be surface of the land, which increases the natural elevation of such surface.

11. "Guest House" means a structure, separate from the main residence, having sleeping and bath facilities for one or more guests.
12. "Guest Suite" means sleeping and bath facilities incorporated into a main residence for the use of one or more guests.
13. "Improvements" means any changes, alterations, or additions to a Lot, including excavation, fill, Residence, or buildings, outbuildings, road, driveways, parking area, walls, retaining walls, stairs, patios, courtyards, hedges, poles, signs, and any structure or other improvement of any type or kind.
14. "Lot" means a subdivided lot or other building site as shown on the plat of record for the various units in Continental Mountain Estates.
15. "Natural Area" means that portion of the natural desert, which must remain undisturbed, lying within a Lot but outside of the Building Envelope.
16. "Owner" means the Owner of the Lot. For the purposes herein, the Owner may act through his designated agent, provided that such agent is authorized in writing or by law to act in such capacity.
17. "Design Guidelines" means the restrictions, procedures, and regulations relating to Continental Mountain Estates only and set forth herein, as adopted and enforced by the Design Review Committee, and as amended from time to time by it.
18. "Design Review Committee" means the Design Review Committee established pursuant to the Declaration.
19. "Residence" means any building or buildings, including any garage or other accessory building used for residential purposes, constructed on a lot, and any Improvements constructed in connection therewith. Unless otherwise defined, "residence" shall mean single-family residence.
20. "Structure" means anything constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.
21. "Visible from Neighboring Properties" means anywhere within Continental Mountain Estates Phase I, II, or III that an object or activity on a Lot which is or would be in any line of sight originating from any point of six feet above any other property, including any other lots within Continental Mountain Estates.

## **APPENDIX B - DESIGN REVIEW COMMITTEE**

### **1. DESIGN REVIEW COMMITTEE MEMBERSHIP**

Initially the Design Review Committee, will consist solely of the Developer, LS & SS Properties, Inc.. After such time, in its sole discretion, but not after all lots are sold, the developers will appoint the Design Review Committee.

The Design Review Committee, herein called the Committee, shall consist of three members appointed by the Board of the Association, which may also remove or replace members at any time.

### **2. DUTIES**

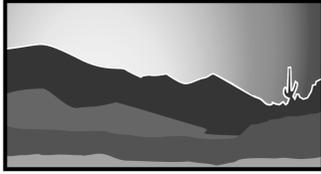
It shall be the duty of the Committee to interpret the Design Guidelines and act upon such proposals or matters as, from time to time, are submitted to it.

### **3. MEETINGS**

The Committee shall meet from time to time as necessary to properly perform its duties here under. 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. The Committee should keep and maintain a record of all action taken by it at such meetings or otherwise. Meetings by telephone are permitted.

### **4. COMPENSATION**

Unless authorized by the Association, members of the Committee shall not receive any compensation for services rendered. All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with performance of any Committee function or duty. Professional consultants retained by the committee shall be paid such compensation as the Committee determines.



## **APPENDIX C - APPROVAL CHECKLIST**

### **Pre-design Meeting**

#### **Preliminary Submittal (3 sets)**

- É Stake out house and boundary of the driveway
- É Site Plan with minimum two-foot contour interval topography by Registered Engineer
- É Survey Lot
- É Roof Plan and Floor Plans
- É Exterior elevations and cross sections showing land contours both existing and proposed minimum 20' intervals
- É Design Review Fee
- É Posting Lot for other Owner inspection of submittals
- É Obtain preliminary approval from Design Review Committee
- É Scaled Aerial Photo, scale model of house and site, perspective renderings if requested by Design Review Committee.
- É Conceptual landscape design

#### **Final Submittal (3 sets)**

- É Complete construction documents
- É Time schedule for construction, utility hook-up, landscaping and estimated completion date
- É Hydrology Report
- É Sample of all exterior materials, colors, and glass specifications as required by the Design Review Committee
- É Landscaping Plan, in combination with the Native Plant Survey
- É Exterior lighting plan and lighting fixture cuts
- É Tagging of any plants proposed for transplanting
- É Obtain final approval by Design review Committee

#### **Town Building Permit**

- É Upon completion of above steps, a copy of working drawings approved by the Design review Committee is one of the required submittals to obtain a building permit from the Town of Cavecreek.

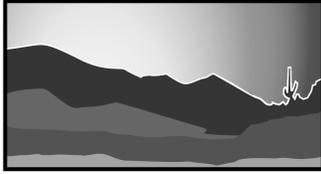
#### **Construction Regulations**

- É Builder must meet with a representative of the Design Review Committee prior to commencement of construction
- É No construction may begin until cash bond is posted

- É Approval from the Design Review Committee must be obtained prior to bringing in any construction trailer, field office, or the like
- É Natural Area must be fenced
- É Obtain final inspection by Design Review Committee

**Final Inspection**

- É Issued by the Town upon completion of construction and all required inspections



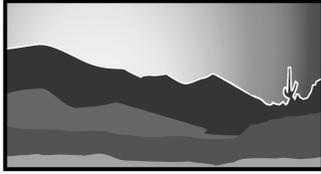
## **LANDSCAPE REQUIREMENTS**

The Building Envelope is the portion of each lot within which all Improvements must be built and alterations to the existing landscape may occur. The Building Envelope acts as a limit beyond which no construction activity may take place or materials can be stored.

The Private Area is that part of the Building Envelope which is not readily visible from adjacent properties, streets, or public spaces because it is hidden behind walls or structures. The Private Area is the least restrictive in terms of what plants, shrubs, and trees can be planted therein. These include those plant materials listed in Appendix D (Approved Plants). The Private Area may include, for example, a courtyard or atrium, or the area behind a wall where non-indigenous plants would be appropriate despite their increased watering needs. The Private Area may be designed as a mini-oasis area, which may be as lush and varied as desired by the Owner; however, all plants which are visible from a street or public area or from another lot must be one of the plants listed in the plant list "A" or be approved by the Design Review Committee. The Private Area is the only area that may have grass.

The Transitional Area is that part of the Building Envelope which lies between the Natural Area and the wall of a residence or improvement and is visible from the adjacent properties, streets, or public spaces. Upon completion of construction, this area must be replanted to match the adjacent Natural Area in appearance. The natural rock area of the limits of construction shall be scraped off and saved for reapplication to the transitional area. This area must only use plants that match the surrounding Natural Area. This can only be accomplished by the landscape architect making a plant survey of the site to see the actual native plants and match them, so this area is a match to the Natural Area.

The Natural Area is that portion of the lot, which lies outside of the Building Envelope and must remain untouched as a natural desert. Irrigation of the Natural Area is not permitted since the indigenous vegetation does not require additional water. Irrigation of the Natural Area can lead to disease and death of the native plants, particularly cactus, and aid in the spread of undesirable plant species or weeds.



### **Private Area summary**

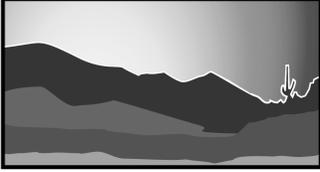
- É All plants on the approved plant list can be used.
- É Turf must be less than 500 square feet.
- É Spray heads are only allowed for the lawn area.
- É No bubblers are permitted.
- É No drainage from pool backflows are to drain from this area into the transition or Natural Areas.
- É Negative edge pools cannot have the negative edge on the transition area boundary line. A minimum of 10' must be maintained.
- É No pool filter, heating or any other ancillary devices for the pool or home can be on the transition area boundary line. These placements will be reviewed on a house by house basis on the landscape conceptual plan.

### **Transitional area summary**

- É The desert rock surface that is in the transitional area must be salvaged, stored, and reapplied and re-blended into the Natural Area.
- É Only plants that are common to the site will be permitted to be planted in this area to blend into the native area.

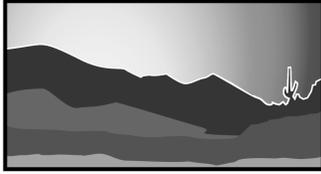
### **Natural Area summary**

- É To remain completely untouched.
- É Crude paths, scenic overlooks, and outdoor furniture are not permitted in this area.



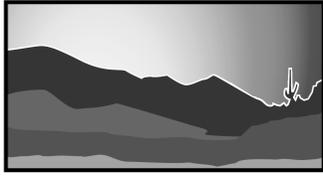
### **Conceptual landscape plan checklist**

- É The plan must be by a Registered Landscape Architect.
- É Digital photos of the site from the center of the lot looking north, east, south, and west.
- É Digital photos typical natural landscape on the site.
- É An AutoCadd drawing and 24"x 36" paper drawing of the entire site with:
  1. All property lines
  2. The home
  3. The existing topography
  4. The Building Envelope, transitional are, and Natural Area limit lines
  5. The Private Area called out
  6. No planting design is required on this drawing, only the home, pool, and other items that are proposed to be built.
  
- É An AutoCAD drawing, color 24" x 36", and a color 11" x 17" drawing at a scale that can show only the transitional/Natural Area as a border. This drawing will be for the conceptual planting plan. Needed on this drawing is:
  1. All planting shown by symbol and quantity, with full botanical and common names in a list.
  2. The area that will be considered private planting
  3. All proposed grading
  4. All protected plants by species that will either "remain in place", "destroy", or "save for replanting".
  
- É An AutoCAD drawing, color 24"x 36" and a color 11" x 17" drawing of all the hardscape materials that will be used on the home. This includes pool deck, low stone walls, and proposed pool color and texture.



### **Construction landscape plan checklist**

- É The plan must be by a Registered Landscape Architect.
- É An AutoCAD drawing and 24"x 36" paper drawing of the entire site with:
  1. All property lines
  2. The home
  3. The existing topography
  4. The Building Envelope, transitional area, and Natural Area limit lines
  5. The Private Area called out
  6. No planting design is required on this drawing, only the home, pool, and other items that are proposed to be built.
  
- É A set of AutoCAD drawings, 24" x 36", and 11" x 17" at a scale that show only the transitional/Natural Area as a border. These drawings will be for the landscape construction set. Needed on these drawings are:
  1. All plantings shown by symbol and quantity, with full botanical and common names in a list.
  2. The area that will be considered private planting
  3. All proposed grading
  4. All protected plants by species that will either "remain in place", "destroy", or "save for replanting".



## Approved plant list A

The Design Review Committee has found the plants included in the following list to be inherently compatible with the natural desert existing at Continental Mountain Estates and encourages their use. Any species not contained herein may not be planted or installed with Continental Mountain Estates without written approval from the Design review Committee. All species of cacti are acceptable for use within Continental Mountain Estates as are any species of trees or shrubs not listed below which have been found to be indigenous to the Continental Mountain Estates area. The plants on list "A" may be used in the Private Area only.

### TREES

Acacia abyssinica Acacia  
 ancuria Acacia cavenia  
 Acacia constricta Acacia  
 eburnia Acacia farnesiana  
 (smallii) Acacia greggii  
 Acacia pennatula Acacia  
 occidentalis Acacia  
 schaffneri Acacia  
 willardiana Caesalpinia  
 cacalaco Caesalpinia  
 mexicana Caesalpinia  
 platyloba Caesalpinia  
 pumila Canotia holacantha  
 Celtis pallida Celtis  
 reticulata

Cercidium floridum  
 Cercidium microphyllum  
 Cercidium praecox

Ghilosis linearis

Juniperus monosperma  
 Lysiloma candida Lysiloma  
 thornberi Nicotiana glauca  
 Onneya tesota  
 Pithecollobium bervefolium  
 Pithecollobium flexicaule  
 Pithecollobium mexicana

Abyssinian Acacia  
 Mulfa

White Thorn Acacia  
 Needle Acacia Sweet  
 Acacia Catclaw Acacia

Shoestring Acacia  
 White Bark Acacia

Mexican Poinciana Bird  
 of Paradise Copper Bird  
 of Paradise Crucifixion  
 Thorn Desert  
 Hackberry Net Leaf  
 Hackberry Palo Blanco  
 Blue Palo Verde  
 Littleleaf Palo Verde  
 Palo Brea Sonoran Palo  
 Brea Desert Willow  
 Desert Catalpa One-  
 seed Juniper Fern of the  
 Desert Tree Tobacco  
 Ironwood Apes Earring  
 Texas Ebony Mexicana  
 Ebony Willow  
 Pittosporum White  
 Mesquite

Pittosporum phylliraeoides  
Prosopis alba

Prosopis chilensis  
Prosopis glandulosa  
Prosopis pubescens  
Prosopis valuntina  
Rhus ovata Zizyphus  
obtusifolius

## SHRUBS

Abutilon incanum Acacia  
angustissima Acacia  
craspedocarpa Acourtia  
wrightii Aloysia lyciodes  
Aloysia wrightii Agave  
Aspecies Ambrosia  
deltoidea Ambrosia  
ambrosioides

Aristolochia watsoni  
Artemesia ludoviviana  
Astragalus praelongus  
Atriplex canescens  
Atriplex hymenelytra  
Atriplex lentiformis  
Atriplex mullaria Atriplex  
Nummularia Artiplex  
polycarpa

Atriplex rhagodiodes  
Atriplex torreyi

Baileya multiradiata  
Baccharis sarathroides

Bebbiajuncea Baccharis  
sarathroides Berberis  
haematocarpa Bricklellia  
coulteri Buddleia  
marrubbifolia Bursera  
microphylla Bursera  
fagaroides Caesalpina  
gilliesii Caesalpina  
pulcherrima Calliandra  
californica Calliandra  
eriophylla Calliandra  
penninsularis Cassia  
artemisioides Cassia biflora  
Cassia candoleana Cassia  
circinnata Cassia  
goldmannii

Argentina Mesquite  
Chilean Mesquite  
Honey Mesquite  
Fremont Screwbean  
Velvet Mesquite  
Mountain Laurel  
Graythorn

Indian Mallow Fern  
Acacia Leather Leaf  
Acacia Perezia White  
Bush

Century Plants  
Bursage  
GainleafBursage  
Spanish Dagers  
Arrow Root  
Wormwood  
Desert Milkweed  
Locoweed  
Four Wing Salt Bush  
Desert Holly  
Quail Bush

Old Man Salt Bush  
Desert Salt Bush Cattle  
Spinach

Nevada Salt Bush  
(Atriplex lentiformis var. Torreyi)  
Desert Marigold  
Desert Broom  
(male plants only)  
Chuckawalla's Delight  
Barberry  
Coulters Bricklebush  
Wooly Butterfly Bush,  
Summer lilac  
Elephant tree  
Fragrant bursera  
Yellow Bird of Paradise  
Mexican Bird of Paradise  
Fairy Duster,  
False Mequite  
Feathery Cassia  
Texas Cassia  
New Zealand Cassia

Cassia leptophylla	Green Feathery Cassia
Cassia nemophylla	Silver Cassia
Cassia philodinea	
Cassia purpussiae	
Cassia sturtii	Sturts Cassia
Cassia wislizenii	Shrubby Cassia
Castilleja chromosa	Indian Paint Brush
Ceanothus greggii	Buckthorn
Cercocarpus montanus	Mountain Mahogany
Cirsium neomeicanum	Thistle
Clianthus formosus	Sturts Desert Pea
Cordia parvifolia bigelovii	
Crossosma bigelovii	Biglow Ragged Flower
Dalea bicolor	Indigo Bush Feather
Dalea Formosa	Dalea Gregg Dalea
Dalea pulchra	Smoke Tree Desert Spoon
Dalea spinosa	Barstemmed Larkspur
Dalea wislizeni	Blue-dick Dysodia Hop
Dasyilirion wheeleri	Bush Brittle Bush
Delphinium scaposum	Mormon tea Turpentine
Dichelostemma pulchellum	Bush Fleabone Daisy
Dysodia porophylloides	Buckwheat
Dodonaea viscoa	Flat-topped Buckwheat
Encelia farinose	Wrights Buckwheat
Ephedra species	Kidney wood Apache
Ericameria laricifolia	Plume Desert Olive
Erigeron species	Ocotillo Bedstraw Snake
Eriogonum fasciculatum	Weed Mock Pennyroyal
Eriogonum inflatum	
Eriogonum wrightii	
Eysenhardia polystachya	Coral Yucca
Fallugia paradox	Crucifixion Thorn
Forestiera neomexicana	Burrobush Desert
Fouquieria splendens	Lavender Alkaline
Galium (Relbunium) microphyllum	Bush Limber Bush
Gutierrezia sarothrae	Jojoba
Hedeoma species	Firecracker Bush
Hesperaloe Funifera	Chuparosa Desert
Hesperaloe parviflora	honeysuckle
Holacantha emoryi	
Hymenoclea monogyra	White Rantany Creosote
Hyptis emoryi	Bush Gold Lead Ball tree
Isocoma acradenia	Texas sage, Texas Ranger
Jatropha cardiophylla	Chihuahuan Sage Desert
Jojoba simmondsia	Rock-pea Anderson
Justicia candicans	Thornbush
Justicia californica	
Justicia ghiesbreghtiana	
Keckiella antirrhinoides	
Krameria grayi	
Larrea tridentata	
Leucaena retusa	
Leucophyllum frutescens	
Leucophyllum laevigatum	
Lotus rigidus	
Lycium Andersonii	

Lycium brevipes Lycium  
fremontii Machaeranthera  
species Marah gilensis  
Maytenus phyllanthiodes  
Melampodium leucanthum  
Mentzelia species Menodora  
scabra Mimosa biuncifera  
Mirabilis bigelovii Mimosa  
dysocarpa Nicotiana  
trigonophylla Nolia bigelowi  
Nolia microcarpa Penstemon  
species Phorandendron  
californiaum Porophyllum  
gracile Psilostrophe cooperu  
(tagentina) Quercus tubinella  
Rhamnus californica Rhamnus  
crocea Rhus trilobata Ruellia  
California Ruellia penninsularis  
Rumex hymenosepalus Salvia  
farinacea Salvia greggii Salvia  
chamyerioides Senna covesii  
Senecio douglasii Senecio  
salignus Sophora arizonica

Sphaerlacea ambigua  
Tecoma stans Tetracoccus  
hallii Trixis californica  
Vauquelinia californica  
Verbena (Glandularia)  
Viguiera deltoidea Yucca  
baccata Yucca elata  
Zauschneria latifolia

Zizyphus obtusifolia

Thornbush Wolfberry,  
Tomatillo Aster Marah  
Gutta Percha Mayten  
Blackfoot Daisy  
Stickleaf Menodora  
Cataclaw Wishbone  
Bush Velvet Pod  
Mimosa Wild Tabacco  
Bigelow Nolina Bear  
Grass Beard Tongue  
Desert Mistletoe Odora  
Paperflower Shrub Oak  
Coffee berry Redberry  
Buckthorn Lemonade  
bush

Canagre, Wild Rhubarb  
Mealy Cup Sage  
Texas Red Salvia  
Blue Sage  
Desert Senna  
Groundsel  
Willow-Leaf Groundsel  
Arizona Sophora  
Mescal Bean  
Texas Muntain Laurel  
Globe Mallow  
Arizona Yellow bells  
Trixis  
Arizona Rosewood  
Vervain  
Golden Eye  
Banana Yucca  
Soap Tree Yucca  
Hummingbird Flower,  
California Fuchsia  
Graythorn

## ANNUALS

Amsinckia intermedia  
Amsinckia tessellate  
Crytantha  
Datura meteloides  
Emmenanthe peduliflora  
Eriogonum deflexum  
Erodium Cicutarium  
Erodium texanum  
Eschscholtzia Mexicana  
Euphorbia species  
Gilia flavocincta  
Lysinius consinnus  
Lysinius sparsiflorus  
Oenothern species  
Phlox tenuifolia  
Plantago species  
Rafinesquia species

Fiddleneck  
Fiddleneck  
Crytantha  
Sacred Datura  
Whipering Bells  
Buckwheat Slettonweed  
Filaree  
Filaree  
Mexican poppy  
Spurge  
Gilia  
Lysine  
Lysine  
Evening Primrose  
Phlox  
Plantain  
Desert Chicory

## **APPENDIX E - PROHIBITED PLANT LIST**

The following may not be planted or maintained anywhere in Continental Mountain Estates;

1. Any species of tree or shrub whose mature height may reasonably be expected to exceed 18 feet, with the exception of those species specifically listed as approved by the Design review Committee.
2. All Palms whose mature height may reasonably be expected to exceed six feet will be prohibited for aesthetic reasons as well as their high maintenance requirements. Dwarf varieties whose mature height may reasonably be expected to be less than six feet will be allowed only within the confines of a private garden.
3. All Pines (Pinus), Cypress (Cupressus, false Cypress (Chamaecyparis), Juniper or Cedar (Juniperus), except those species specifically approved, whose mature height may reasonably be expected to exceed six feet will be prohibited for aesthetic reasons. Dwarf varieties, and those whose mature height may reasonably be expected to be less than six feet, may be used immediately adjacent to dwellings or connecting structures, or within confines of a private garden.
4. Olive trees (Olea Europea) will be prohibited for reasons of their profuse production of allergy-producing pollen, as well as for aesthetic reasons.
5. Oleanders (Nerium Oleander) and thevetia (species), will be prohibited for aesthetic reasons as well as for profuse production of allergy-producing pollen. These poisonous plants will also be prohibited for their high maintenance requirements and excessive height.
6. Fountain Grass (Pennisetum Setaceum) will be prohibited as a defined weed with the potential of spread throughout the development and also a fire hazard.
7. All varieties of citrus will be prohibited for aesthetic reasons and for their profuse production of allergy-production pollen.
8. Common Bermuda Grass (Cynodon Dactylon) will be prohibited as a defined weed.
9. Mexican Palo Verde (Parkinsonia Aculeatra) will be prohibited as a harborer of pets, and because of it's ability to spread throughout the development, thereby altering the present natural desert.

## 10. APPENDIX F-1 - NATURAL AREA PRESERVATION

### APPENDIX F-2 - PROTECTED PLANTS

Any and all healthy and transplantable species of Yucca, Ocotillo (*Fouquieria splendens*), and all members of the cactus family including, but not limited to, Barrel, Saguaro, Staghorn, Cholla, Mammalaria (or Nipple cactus), and Hedgehog, but excluding Teddy Bear (or Jumping), Cholla (*Opuntia Bigelovii*) and Chain Fruit Cholla.

Indigenous trees, which are four (4) inches or greater in caliper measured one foot above ground level, of the following species:

<u>Botanical Name</u>	<u>Common Name</u>
Acacia Constricta	Whitehorn acacia
Acacia greggii	Cataclaw acacia
Canotia holocantha	Crucifixion thorn
Celtis reticulata	Hackberry
Cercidium floridum	Blue palo verde
Cercidium microphyllum	Foothills palo verde
Chilopsis linearis	Desert Willow
Juniperous species	Juniper
Olneya tesota	Ironwood
Populus fremonti	Cottonwood
Prosopis species	Mesquite
Quercus species	Scrub Oak
Rhus ovata	Sugar sumac
Vauquelinea Californica	Arizona rosewood

## AP APPENDIX G

### APPROVED COLOR LIST

The Design Review Committee has found that the colors listed below to be compatible with the natural environment at Continental Mountain Estates and has approved them for used on residences. The colors are identified by color number, color name and light reflection value (LRV), the number in parenthesis.

#### DUNN-EDWARDS COLORS

Q1-19D	"Flint Smoke"	(32)
Q1-20D	"Walrus"	(23)
Q1-39D	"Grand Mariner"	(31)
Q1-59D	"Risa"	(21)
Q2-60D	"Zebra Agate"	(21)
Q3-19D	"Dry Earth"	(32)
Q5-20D	"Moonlily"	(24)
Q8-19D	"Flinstone"	(31)
Q8-39D	"Beaverwood"	(34)
Q8-40D	"Antler Brown"	(38)

#### FRAZEE COLORS

5354D	"Potato Skin"
5343M	"Log Cabin"
	"Boulders Beige"