

VENTANA LAKES RULES FOR HOMEOWNERS

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Rule 2. Gardens Landscaping Requirements

Formerly Gardens Landscaping Guidelines 12-12-2007 Amended 6-20-2009

1. Purpose and Limitations

- A. The Gardens Landscaping Requirements are intended to control costs for the Gardens, as all private property is maintained by contractors hired by the Board of Directors, and paid for by a second assessment charged to the homeowners of The Gardens.
- B. The Community Manager supervises the landscape maintenance Contractor, and only the Community Manager may assign or change the work of the landscape maintenance Contractor.
- C. Common areas in the Gardens are maintained under the sole discretion of the Board of Directors.
- D. The Gardens Landscaping Committee may make recommendations for change of these Rules and for maintenance of common areas in the Gardens to the Board of Directors. Gardens Homeowners should work through the Landscaping Committee for these purposes.
- E. Ventana Lakes Rules for Homeowners, Rule 1, “Architectural Rules” applies to the Gardens in addition to these Rules, and in the case of any conflict, shall supersede these Rules.

Adopted 1-20-2010

2. Emergency Procedures

- A. Any homeowner with an emergency landscaping situation shall report it to the Community Manager for immediate handling.
- B. An “emergency landscaping situation” includes ONLY the following:
 - 1. Water leaks or breaks in the irrigation system.
 - 2. Landscape matters hazardous to residents.

Adopted 1-20-2010

3. Landscaping

- A. Aloe and Cacti planting. Planting aloe or cacti must be made at the homeowner expense. The homeowner must purchase, and maintain. If the irrigation line is already there and you are within the 18 bush/shrub/tree dripper rule you can use the established irrigation line. (See “Drippers” below.)
- B. Aloe and Cacti removal: If a homeowner wants to remove an aloe or cacti plant it is the sole responsibility of the homeowner to have it removed, hauled away and be sure that the irrigation line is fixed. Remember a request must be made to the Community Manager before you start and after you complete the job.
- C. Altered Irrigation Lines: No homeowner is allowed to alter the irrigation system. If you do a letter will be sent to you and you will be given a 10 business-day notice to put the irrigation

- lines back the way they were at your expense. Ten business days from the notice the lines will be checked by the Community Manager and if not corrected it will be treated as a violation.
- D. Bush and shrub height: Bushes and shrubs cannot be over 3 feet height. Exception; those adjacent to Garden outside/inside surrounding perimeter wall may be one (1) foot below the top of the wall. Cactus protected by Arizona law are exempt from cutting.
 - E. Cable or other communication wires, and irrigation lines, must be buried 2" below ground and not put through bushes or over sidewalks. The landscape maintenance contractor is not liable for damage to any of these items that are not properly buried.
 - F. Drippers: A homeowner is only allowed 18 bush/shrub/tree drippers. Only an end unit will be allowed 20 bush/shrub/tree drippers because of the extra windows in the unit.
 - G. Driveways: No new replacement of plants or shrubs will be approved between the two driveways. If plants or shrubs die and need to be removed, the irrigation line will be removed. Granite will remain between driveways.
 - H. Electric lights or decorative items may not be hung around trees or shrubs. Christmas lights are allowed pursuant to AC Rules, but the landscape maintenance contractor will NOT trim trees or shrubs until they are removed.
 - I. Extension of patio: If a homeowner adds an extension of concrete and it cracks it will be up to the homeowner to repair it at their expense.
 - J. Grandfather and waiver clause: No grandfather or waiver clause will be given to any homeowner on any past or present planted trees that are in violation. The tree must come out.
 - K. Granite: Residents may add granite at their own expense as long as it's Madison gold and is three-quarter inch in size.
 - L. Landscape lighting and other decorative items on the ground are permitted pursuant to AC Rules, however the landscaper won't be responsible for anything put within 3 feet of the plant, shrub or tree that needs to be trimmed. No hummingbird feeders or any decorative item is permitted in any tree.
 - M. No Landscape Planting request: will be taken in June, July, August or September of each year because of the hot weather. All emergency requests will be taken care of.
 - N. Perimeter of home and homes with archways: All plants and shrubs must be cut to match the front window height restrictions. (For uniformity around homes)
 - O. Planting without approval: Any planting of shrubs, trees or plants without the approval of the Community Manager must be removed by the homeowner.
 - P. Replacement of plants and shrub: This must be approved through the Management Office.
 - Q. Safety Reasons: If any bush, plant, or tree is in an area you feel is a safety concern, call the Community Manager at 566-6001 and put in a request for it to be removed.
 - R. Tree in front of homes between sharing driveways: Where there is room one tree will be allowed.
 - S. Tree planting near patio slab, sidewalk or wall. No tree may be planted closer than 6 feet from any concrete or wall.
 - T. Tree Replacement: If a tree is damaged or dies in an approved spot it will be replaced.
 - U. Trees on Roof: Trees shall not be planted where the tree, at maturity, would branch over the a patio cover or home roof.
 - V. Tree trimming off of patio cover: Tree trimming off patio cover should be done at the homeowner's expense. (Homeowner may opt to have the tree removed at any time.) If your tree encroaches on your neighbor's patio cover, you will also be responsible for that trimming expense.

- W. Window height restrictions: ALL plants and shrubs under any window or within 6 feet of a window will be cut 3 inches below the bottom of the window for safety reasons for all residents.

Adopted 1-20-2010

4. List of Approved Plantings

- A. **Trees: Landscapers choice.** Prohibited: Citrus, Eucalyptus, Bottle, and all palm trees

- B. **Cacti and Aloe:**

Any Cacti or aloe that does not grow over 3 feet high

Agaves

Beavertail Prickly Pear

Compass Barrel

Golden Barrel

Prickly Pear

Purple Prickly Pear

Weber Aloe

- C. **Shrubs:**

Cassia

Fairy Duster

Lantana (Trailing Lantana only)

Little John

Natal plum

Rosemary

Sage

Texas Sage

Valentine bush

Adopted 1-20-2010

5. Procedures To Get Work Done Around Your Home

Turn in your request to the Management Office (to the Assistant Manager.) The work order will be turned in to the landscape maintenance contractor after verification that the work is within this Rule. The office will notify you if the work cannot be completed.

Adopted 1-20-2010

6. Violations

- A. The Community Manager will notify homeowners of violations of this Section so that they may be corrected cooperatively.

- B. In the event that the violation is not corrected cooperatively, the Community Manager will review and mail notices of violation in the same manner as prescribed in Rule 1, "Architectural and Landscaping Requirements."

Adopted 1-20-2010

7. Unapproved Plantings and Drippers

Homeowners may not plant a shrub or tree that is not on the list of approved plantings. Homeowners who have more than the number of allotted plants/trees/shrubs/drippers will be notified, and excessive plants/trees/shrubs/drippers will be removed as the budget allows.

Adopted 1-20-2010