OUTDOOR RESORT PALM SPRINGS
ARCHITECTURE AND AESTHETICS (A&A RULES)

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SECTION 1 – ARCHITECTURE & AESTHETICS (A&A) COMMITTEE

1) Duties of the A&A Committee: An Architectural & Aesthetic Committee is established pursuant to Article 7, Architectural and Aesthetic Control, of the Association's CC&Rs. Article 7 of the CC&Rs is attached hereto as Exhibit A.
2) Committee Membership: The A&A Committee shall consist of not less than three and not more than nine members who are Owners with the exception of the Committee Chair, members will be appointed to a three-year term and may be appointed for three additional one-year terms, for a total of six consecutive years on the Committee. The Committee Chair will be appointed by the Board of Directors annually following Director elections when Officers of the Board are selected. The Board may approve requests for extended membership terms where circumstances require continuity of knowledge, experience, and work effort.
3) Committee Vacancies: When a committee vacancy occurs, the A&A Committee will identify potential candidates from the general ownership giving consideration to candidates who have background, knowledge, or interest in the Committee's area of responsibility. Once an individual is selected by the Committee, their name shall be submitted to the Board for approval.
4) Attendance at Meetings: Committee members should attend each meeting. If a committee member misses two consecutive meetings without a reasonable excuse, that member may be subject to being replaced. The General Manager and the Community Standards Coordinator will be invited to attend each Committee meeting.

SECTION 2 – PERMIT APPLICATION REQUIREMENTS

2.A PERMIT REQUIRED

Except for limited, routine maintenance items described below, before any improvement is made to any lot, a permit application is required to ensure that all modifications and improvements comply with the Association's Governing Documents. For purposes of this requirement, the term "improvement" includes, without limitation, the construction, installation, alteration, removal, or remodeling of any buildings, walls, privacy screens, fences, landscaping, golf ball screens/netting, satellite dish antennas, utility line structures, installations, and improvements of any kind. Refer to CC&Rs, Article 7.3 (Permit Application for Lot Improvement attached as Exhibit C).

2.B PERMIT APPROVALS

1) Subject to CC&Rs, Article 7.3, it is the responsibility of the A&A Committee to approve all permit applications except that the Board can delegate to the General Manager the duty to review and make decisions on applications submitted during the summer months.
2) In the event a permit application is not approved by the A&A Committee, the owner may appeal in writing to the Board of Directors, as provided in Article 7.9 of the CC&Rs and in section 12 of the A&A Rules.

2.C LOT IMPROVEMENT PERMIT GUIDELINES

1) No permit application is required for routine maintenance, or clear sealing of lot hardscape surface (if staining and sealing hardscape, a permit and A&A approval is required), annual bed cleaning in the Spring and replanting in the Fall, and maintenance of Palm Trees. Only State of California approved products are allowed for staining, sealing, or painting
2) Permits are required for the following Lot modifications; No fee will apply to these permit applications; however, an inspection is required when the work is completed.
   a) Repair of Lot Light
   b) Repair of Fifth Wheel Enclosure
   c) Repair of Fifth Wheel Stairs
   d) Removal of trees, hedges or landscape material.

   Permit applications are required for all other improvements subject to an established permit application fee

2.D GENERAL REQUIREMENTS

Before a permit is issued, detailed specifications and plans for all changes, including any relocation of utilities, must be submitted along with the Permit for Lot Modification Application (Attached as Exhibit C to these Rules) and a Plot Plan of your lot.

1) An approved permit must be posted in a visible location (on the front Washingtonian Palm) and kept on the Lot from the beginning of construction until final inspection.
2) Any addition/deletion of items to an approved permit application must be promptly reported to the Committee and is subject to review and approval by the A&A Committee. Work must stop until approval of changes has been given by the A&A Committee.
3) The Owner is responsible for replacing or modifying any Common Area landscaping, utilities, or

irrigation components affected while installing approved Lot modifications. All irrigation modifications must be completed by the Association's contracted vendor for Landscape Maintenance, at the owner's expense. Any disruption of the Common Area during a Lot modification of any kind must be fully restored to its original condition.

4) All improvements must be within the boundaries of the Lot. To help prevent Lot boundary disputes, all major and complete Lot modifications will require a licensed survey of the lot, locating the four (4) corner pins, before a permit will be issued. (Refer to Section 11 of these rules for procedures to determine lot line boundaries).
5) Before a permit will be issued for any change to a Lot that is not in compliance with all ORPS rules, regulations, and policies, the Owner requesting the permit must agree to bring the Lot into compliance as part of the modification.
6) After a survey is completed and prior to the final inspection for the permit, it is the Owner's responsibility to make sure the survey pins are clearly visible or easily found with a metal detector. This will ensure that the work is completed within the boundaries of the Lot. It will also ensure that future changes to the Lot are made within the legal boundaries of the Lot, as well as reduce the possibility of lot line disputes in the future.
7) Permits required by local authorities are the responsibility of the Owner.
8) Improvements done on a Lot without a permit are subject to additional permit fees and possible removal of improvements at the Owner's expense.

2.E CITY

1) Improvements or lot modifications that entail work subject to the City of Cathedral City permitting requirements, including but not limited to electrical work, plumbing work, or work in connection with a retaining wall, will require an applicable permit(s) from the City of Cathedral City.
2) Electrical work on a lot may or may not require an A&A permit application or a Cathedral City permit. Exhibit T outlines the specific permit requirements based on the type of work being performed.
3) The owner is responsible for applying for a City of Cathedral City permit, which should occur following submittal of a lot improvement permit application and preliminary approval of design by the A&A Committee (as required by the City of Cathedral City).
4) Once pertinent permits have been issued by the city, the A&A Committee will approve the lot improvement permit application and authorize work to proceed. A copy of the approved city permits will be provided to ORPS and maintained in the lot file.
5) Final inspection will be scheduled following receipt of a signed-off permit from the city, ensuring that all work has been completed according to code.

2.F CONTRACTOR GUIDELINES

1) A lot modification permit application will not be approved for an unlicensed contractor performing work in the categories listed below. Contractors must hold the applicable contractor's license issued by the state of California for the work they are performing and hold a business license from the city of Cathedral City.
2) Work Requiring a Contractor's License:
   a) New concrete and masonry work (exception: brick border around landscaping)

b) Outdoor kitchen installations
c) Fence installation
d) Storage enclosures
e) Lattice work
f) Stairs
g) Custom shade structures, gazebos or pergolas
h) Electrical
i) Plumbing
j) Artificial turf
k) Golf ball screens/netting

Contractors performing unpermitted work will be subject to disciplinary action by the Board of Directors.

2.G OWNER PERFORMED IMPROVMENTS

1) A lot modification permit may be issued to an owner as an owner/contractor. However, all owner-performed projects must meet the same standards of workmanship, quality, durability, and aesthetics expected of work performed by qualified professional vendors. Owner/Contractors are also subject to the same A&A permitting requirements and, depending upon the work being done, subject to the same Cathedral City permitting requirements. Prior to undertaking an improvement, owners are encouraged to consult with a professional contractor.
2) If the owner subcontracts any work in the categories listed above, the subcontractor must be licensed, and name and licensing information must be provided to the association on a new permit application or a change order form (attached hereto as Exhibit D).

SECTION 3 – LOT MODIFICATIONS/IMPROVEMENTS

3.A FIFTH WHEEL ENCLOSURES

1) Solid material, such as plywood or T-111, may be used to enclose a fifth wheel pin well. Concrete blocks or bricks no thicker than three inches (3") must be used as a footing for a water barrier between the concrete pad and the enclosure. The bottom edge of the siding material must be at least one inch (1") above the concrete pad. The enclosure must be readily removable and disassembled. Canvas or vinyl fabric may also be used.
2) The forward edge of the pin well enclosure must be positioned no further forward than six inches (6") in front of the pin hitch unless this location is behind the furthermost protrusion of the front of the fifth wheel, in which case the forward edge of the pin well enclosure may be extended to match the furthermost protrusion of the front of the fifth wheel. The pin well enclosure cannot be wider or higher than the pin well area.
3) Enclosures must have a top vent or vents totaling at least 48 square inches located no less than 12 inches from the top. Enclosures must also have a bottom vent or vents totaling at least 48 square inches located as close to the bottom as possible.
4) Electrical can be run to enclosures but must conform to all current Cathedral City electrical codes and have an approved permit. Refrigerators and freezers that are installed in conformance with current electrical codes are allowed in the enclosure. All other appliances, including washers and dryers, are prohibited.
5) Skirting to the rear of the pin well, under the main body of the RV, and the front and sides of slide-outs is allowed. However, skirting on slide-outs can be no more than 44" high. Skirting may be created using vinyl lattice, Sunbrella (or equivalent) fabric, or vinyl. Fabric or vinyl skirts must be suspended from the RV and weighted at the bottom to rest on the ground. Fabric or vinyl skirting that is supported from the ground on a frame of wood or tubes may not be used, but framing for vinyl lattice is recommended. Solid material, such as plywood, is not allowed.
6) Wheel wells may be covered with lattice, with the same materials as the front enclosure, or Sunbrella or similar type fabric. Skirting and wheel well covers must be readily removable.
7) The color of the fifth wheel pin well enclosures, skirting, and wheel well covers must be harmonious with the architectural style and color scheme of the RV using neutral colors compatible with surroundings. No bright colors can be used.

   See Exhibit E for enclosure styles allowed.

3.B STAIRS AND STAIRWAYS

1) Purpose-built stairs and stairways must be constructed of a solid material (wrought iron railings are permissible). Materials must be painted or weather-resistant composite materials such as Trex. No engineered hardwood can be used. The complete finished color must be harmonious with the architectural style and color scheme of the RV using neutral colors compatible with the surroundings. No bright colors can be used. For more information, see Exhibit F.
2) Commercially built steel stairs are allowed.
3) Any custom-built stairs or stairways must be approved by the A & A Committee.
4) The footprint of the landing shall be no larger than 20 sq. ft. for safe ingress and egress. The

design must be similar to the attached Exhibit F.

3.C RETAINING WALLS AND SEAT WALLS

Except as specified in this section, walls shall not be constructed.

a) Retaining walls are allowed on perimeter lots, where approved. The construction of such a wall requires the following:
   a) An application for a permit
   b) Approval by the A&A Committee
   c) A variance granted by the Board of Directors
   d) A permit from Cathedral City, if required.

2) Seat walls are allowed but must be no more than 24 inches high and may have a 32-inch pilaster at the ends. Seat walls will be counted as hardscape. The construction of a seat wall requires the following:
   a) A permit application
   b) Approval by the A&A Committee
   c) It must be constructed of brick, block, stone, concrete, or other masonry products and installed with a foundation or on a concrete patio. Because of the type of soil in our resort, a foundation is highly recommended.
   d) A permit from Cathedral City, if required.

   See Exhibit G for further details.

3.D BORDERS & MOW STRIPS

1) As further specified in these rules, fences, plantings, and landscaping must be surrounded by a border. Borders function as a mower strip to separate natural grass from softscape and to protect fences, plantings, lot lights, etc., from damage by lawnmowers and string trimmers.
2) The resort and its landscape contractor are not responsible for damages that result from an owner's failure to provide and maintain an effective border.
3) Borders must be of masonry material and mortared in place to prevent disruption or movement during landscape maintenance operations.
4) Borders must be maintained and repaired.
5) As per the CC&Rs Section 6.21, there shall be no interference with the established drainage pattern over any lot so as to affect any other Recreational Vehicle, unless an adequate alternative provision is made for proper drainage which is first approved in writing by the Architectural and Aesthetic Committee. For the purpose of this section, “established drainage” is defined as the drainage which existed at the time the overall final grading of any lot was completed or any later grading changes that are shown on plans approved by the Architectural and Aesthetic Committee, which may include drainage from the common area over any lot. The owner of each lot will be responsible for reasonably maintaining any drainage control facilities located on his or her lot and shall otherwise be responsible for effecting proper drainage controls on his or her lot.

3.E TRELLIS FENCING

1) General Requirements:

a) Trellis fences must be white, constructed of vinyl material, and be the approved design depicted on Exhibit H. Wood fences are not allowed. They must also be continually maintained and kept structurally sound and aesthetically pleasing. See Exhibit H.

b) A trellis fence may not be placed over natural grass. Options for natural grass include artificial turf, decorative rock, stone, or concrete.

c) If a trellis fence abuts natural grass, a border must surround the trellis fence to separate it from the natural grass. Borders must be of masonry material and mortared in place to prevent disruption or movement during landscape maintenance operations. Maintenance of landscaping under and around the trellis fence is the responsibility of the owner.

d) Trellis fences may not be installed on common areas.

e) Trellis fences cannot block access to the electrical pedestal nor prevent ingress or egress to/from any lot. Remedial action up to and including removal of the trellis fence will be required for any installation that impedes access.

f) Trellis fences can only be placed on or parallel to the side and rear lot line, setback a minimum of fifteen (15) feet from the survey pin if present or middle of gutter if survey pin is not present, and forty-eight (48) in aggregate length, nor more than six (6) feet in height. On corner lots, trellis fences must be setback fifteen (15) feet from the front and ten (10) feet from the curve of the corner side streets, and four (4) feet from the side street where the street is a straight curb between corners.

g) Trellis fences are not allowed at the rear of golf course lots. Side lot line trellis fences can be installed up to the rear property line without setback but cannot block the power pedestal or neighbor's view.

h) Commercially made products such as privacy screens, plastic panels, bamboo screens, pet fencing, or similar products may not be erected on lot lines or elsewhere on the lot to simulate a fence and avoid the requirement for use of only the allowable length and height of the approved fence design.

2) Conditions Requiring Approval of Neighboring Lot Owner:

a) Trellis fence installations that result in a strip of natural grass remaining on the abutting lot that cannot be easily maintained by the association must include the following documentation with the permit application:
   i. Written agreement with owner of an abutting lot that the strip of grass will be converted to another type of softscape (not grass) or hardscape; and
   ii. Written agreement between the parties as to who will pay for the conversion from natural grass, including necessary irrigation modification.

b) For installation of side property trellis fence on golf course lots, consultation with adjacent neighbors is recommended to ensure views are not being impeded.

3) Plants Grown Using a Fence as a Trellis:

Plants grown using a trellis fence as a trellis shall not exceed six (6) feet in height. Only upon approval of the A&A Committee can plants extend up to ten (10) feet in height. (Measure

plants from highest point to ground level of lot.)

4) Variance from Setbacks and/or Height Restrictions:

Requests to exceed six (6) feet in height for plants on a trellis fence and requests for variances from the setback requirements may be requested by submitting a request for variance to the A&A Committee (Exhibit I). Neighboring owners shall be notified of the request for variance and given an opportunity to comment before the A&A Committee approves or disapproves the request.

3.F PET FENCING

Pet fencing is subject to the following conditions:

a) Permanent installation of a Pet Fencing requires a permit application.
b) They must not exceed 42 inches in height and must be set back a minimum of 10 feet from survey pin if present or middle of gutter if survey pin is not present. **Pet fencing cannot be installed on the service side of the lot (from RV to lot line). The pet fencing cannot block access to the utilities.**
c) They must be commercially made and constructed of high-quality metal in tones of black, brass, bronze, or silver. Pet fencing must be stabilized with bolts or stakes or by the manufacturer's recommendations for anchoring.
d) Home built fencing is not allowed.
e) They cannot restrict access to Lot for maintenance purposes.
f) If the pet fencing is on the lawn, it must be removed on scheduled lawn mowing day.
g) Approved pet fencing, properly anchored in the patio that has no portion of it on the grass, may be left in place if RV is not occupied. Pet enclosures that are partially or entirely on the grass must be placed in storage if RV is not occupied.
h) They must be aesthetically acceptable to the A&A Committee.

3.G DRIVEWAY POSTS AND CHAINS

1) Existing Driveway Posts and Chains:
   a) Posts must be well maintained and aligned vertically. Posts in poor condition or unused posts must be removed, and if replaced, must follow the guidelines in #2 below.
   b) Only metal chains are allowed. Chains must be removed from posts and placed in storage at all times when not stretched between posts.
   c) The chain must extend between the two posts and may only be supported in the center by a removable post.
   d) No objects may be hung on the chain.

2) New Driveway Posts and Chains - Requires a fee permit application and must comply with the following:
   a) Posts:
      i) May not exceed three posts per driveway. The third post in the center must be slip-fitted into a hollow tubular pipe/sleeve embedded in the driveway and removable. All sleeves/posts must be set in mortar or concrete.
      ii) Must be set back a minimum of 12 inches from the front curb.

iii) Must be 2-inch square or 2-inch round painted metal posts and extend no more than 36 inches above grade.
iv) Posts must be within the owner's property lines and must be maintained by the owner.

b) Chain extending between the posts:
i) Must be metal chain. Plastic chain or colored chain is not permitted.
ii) Driveway chains may not be attached to a lot light.
iii) The chain must extend between the two posts and may only be supported in the center by a removable post. No cones, buckets, bricks, etc. may be used to support the center of the chain.
iv) No objects may be hung on the chain.

c) Any applications requesting a lot of modification will require updating of driveway posts and chains to confirm the items in #2 above.

3.H TREES AND HEDGES

1) General Requirements:

a) On golf course lots, trees and hedges are not allowed on the rear of the lot to protect the view of the golf course from the street.
b) Trees and hedges may not overhang another lot. New plantings should be at least one (1) foot from the lot line to prevent overhang onto another lot. The standard height for hedges is a maximum of ten (10) feet in height.
c) Hedges must be set back a minimum of fifteen (15) feet from the survey pin if present or the middle of the gutter if the survey pin is not present. New and existing hedges within fifteen (15) feet of the front property line are limited to four (4) feet in height.
d) Hedges cannot impede access to the electrical pedestal.
e) Hedge and plant material cannot create a hazard for vehicle or pedestrian traffic.
f) If a hedge abuts natural grass, weed barrier and ground cover shall be installed underneath the hedge, and a border must surround the hedge to separate it from the natural grass. Borders must be of masonry material and mortared in place to prevent disruption or movement during landscape maintenance operations. Maintenance of landscaping under and around the hedge is the responsibility of the owner.
g) If any variety of Ficus is planted on a lot, the use of a root barrier is required to direct the root structure to spread down rather than out to prevent damage to surrounding structures. The root barrier must be a minimum of 18” deep.

For more information on hedges, see Exhibit J.

2) Conditions Requiring Approval of Neighboring Lot Owners:

a) Hedge installations that result in a strip of natural grass remaining on the abutting lot that cannot be easily maintained by the association must include the following documentation with the permit application:
i) Written agreement with the owner of an abutting lot that the strip of grass will be converted to another type of softscape (not grass) or hardscape; and
ii) Written agreement between the parties as to who will pay for the conversion from natural grass, including necessary irrigation modification.

b) For installation of side property hedges on golf course lots, consultation with adjacent neighbors is recommended to ensure views are not being impeded.

3) Variance from Setbacks and/or Height Restrictions:
Requests for variances from the setback requirements may be requested by the submittal of a request for variance to the A&A Committee (Exhibit I). Neighboring owners shall be notified of the request for variance and given an opportunity to comment before the A&A Committee approves or disapproves the request.

3.I GOLF BALL SCREENS OR NETTING

1) Installation of golf ball screens or netting on a lot requires a permit. Requests for a permit to install golf ball screens or netting must be approved by the A&A Committee. Neighboring owners shall be notified of the request and given an opportunity to comment before the A&A Committee reviews the request.
2) Golf ball screens or netting can be installed only on a lot that is adjacent to the golf course, for the sole purpose of preventing stray golf balls from hitting any items on that lot.
3) Must be constructed similar to Exhibit K.
4) Side and center poles must be made from a rigid material, such as metal. Poles are to be painted the same color as the screen or netting.
5) Each section of screen/netting may be up to thirteen (13) feet high and ten (10) feet wide. No more than two sections can be in place at one time.
6) Trees or plantings may be required in front of the screen/netting for aesthetic value. No plantings will be allowed to grow on the golf screen/netting.
7) Any golf ball screens or netting that have been installed and have not been permitted and approved by the A&A Committee must be removed.

3.J OUTDOOR KITCHENS/STREET FACING WALL/BBQ BACKING

1) Outdoor Kitchens General Requirements

a) Kitchens must be placed on hardscape and set back a minimum of 20 feet from the survey pin if present or the middle of the gutter if the survey pin is not present, and a minimum of one foot from the patio side property line. The maximum overall finished height allowed is 50 inches. The front (street) view may not exceed 8 feet in length. All specifications and requirements for outdoor kitchens are attached in Exhibit L.

b) Units may include built-in extensions, barbeques, grills, and side burners. Built-in refrigerators, sinks, dishwashers, and ovens are allowed but must be designed and constructed for outdoor use. All built-in cooking units must be powered by propane or electricity.

c) Sinks and dishwashers must be plumbed into a water source and sewer and cannot be drained or emptied onto any lot or common area. Connection to water/sewer must be in conformance with plumbing diagram for outdoor kitchens (see Exhibit L attached).

d) The placement of an outdoor kitchen on a lot must be approved by the A&A Committee and will take into consideration lot shape, configuration, and placement to minimize impacts on neighbors, including golf course view.

e) Any appliance installed within the kitchen or adjacent to it is considered part of the outdoor kitchen and cannot exceed 50 inches in height.

(a) Construction Requirements

1) Units must be made of non-flammable materials such as steel studs and fire-resistant board designed for the purpose and must meet fire code specifications.
2) The exterior of the unit must be of tile, stone, brick (new or used), flagstone, stucco, or other materials that blend with the architecture of the community.
3) Prefabricated units (either complete or sectional) are allowed but must meet all existing rules and requirements. The exterior of the unit(s) can be made of stainless steel and/or other rust-proof and fire-resistant materials.
4) Any surface of a prefabricated unit which faces the street must have a "finished" look (no cut-outs for venting, electrical or propane connections) and blend with the architecture of the community (as outlined above) or have a hedge, privacy screen or BBQ backing used to hide the back of the unit from the street view.

b) Conditions Requiring Approval of Neighboring Lot Owners

Outdoor Kitchens may connect to the sewer on an abutting lot, if advantageous because of proximity or other factors, with the following documentation included with the permit application:

1) Written Agreement from Owner of an abutting lot to allow connection to sewer source on his lot. This Agreement will apply to all future Owners.
2) Written Agreement that the owner of the lot to be modified with an outdoor kitchen will bear all expenses associated with the connection, including repair of any damage to the lot as a result of the connection and replacement to original conditions.

c) Permitting Requirements

1) ORPS – Approved lot improvement permit application which includes specifications, elevations, and/or photographs of proposed unit and completed outdoor kitchens specification sheet.
2) City of Cathedral City – An electrical permit is required if electrical circuits do not meet the required or recommended wattage for the unit. Units must include a GFCI breaker. A plumbing permit is also required when installing sinks and dishwashers.

2) Street Facing Wall/BBQ Backing

a) Must be constructed of non-flammable materials. The overall finished maximum height may not exceed fifty (50) inches, eight (8) feet in length for the wall, plus a cap of no more than 2 inches of overhang on each side for a total of 8ft and 4in.
b) Street-facing wall/BBQ backings must be supported by pilasters or other suitable

support. No more than one street-facing wall/BBQ backing will be allowed on one lot, and BBQ Backings must comply with setbacks of twenty (20) feet from the survey pin (if present) or middle of gutter if survey pin is not present and 1ft from the side property line.

c) For corner lots, all outdoor kitchens and street-facing wall/BBQ backing must be set back twenty (20) feet from the survey pin (if present) or middle of gutter if survey pin is not present and twenty (20) feet from the side lot line.

3) Variance from Setbacks and/or Height Restrictions

Requests for variances from setbacks and/or height restrictions may be requested by submitting a request for variance to the A&A Committee (Exhibit I). Neighboring owners shall be notified of the request for variance and given an opportunity to comment before the A&A Committee shall approve and/or disapprove the request.

3.K LOT HARDSCAPE/SOFTSCAPE REQUIREMENTS

A lot may have up to 85% of its area covered in hardscape with a minimum of 15% of its area covered in softscape and/or desertscape, as defined below.

1) **Hardscape**: Includes concrete, pavers, brick, interlocking floor tiles, and/or benches. Note that allowed interlocking floor tiles should be manufactured from polypropylene or like material (similar to the rib Trax modular floor manufactured by Swiss Trax), and installations shall be from an approved neutral color palette consisting of black, grey, brown, or beige earth tones. Predominant patterns such as checkerboards are not allowed, nor are installations that incorporate logos, family crests, or the like, in the pattern. Variations to the type of floor tile and color palette specified will be considered by the A&A Committee upon written request.
2) **Softscape:** Includes decorative planters, grass, artificial turf, flowers, decorative rock, or other vegetation.
3) **Desertscape:** Is defined as a landscape design appropriate to a desert environment. The design should depict the desert environment in the simplest and cleanest form and incorporate natural colors, texture, and placement.

To enable future placement of sprinkler and electrical lines to the front of the lot, the A & A Committee may deny requests for hardscape installations that will directly adjoin the neighboring hardscape and may require a strip of removable softscape between the lots or require the placement of conduit under the hardscape for future water and electrical needs.

3.L LOT PLANTINGS

1) General Requirements

a) Applications for a lot renovation permit, and the finished work, require approval by the A&A Committee.
b) All maintenance of flower beds, shrubs, hedges, and trees planted on a lot is the responsibility of the owner at all times, i.e., twelve months a year. All owners are required to make arrangements for keeping these areas neat, orderly, and weed-free at

all times.

c) Flowerbeds, hedges, and new trees must be enclosed by hard surface borders, such as concrete, brick, or stone, and must be in mortar. Wood or plastic border material is not allowed. The association will not be responsible for damage to unprotected plantings caused by mowing or trimming.
d) An owner who no longer wishes to maintain flower beds or other planting areas (adjacent to grass areas) may apply to the A&A Committee to have these areas converted to grass and maintained by the association. However, if approved, said conversion to grass will be at the owner's expense, and the owner will have to remove all borders, flowers, and plantings at the owner's expense.
e) Weed killers should not be used around palm trees.
f) A weed barrier must be installed beneath any softscape or desert scape. A weed barrier is not required for the installation of artificial turf.
g) When choosing vegetation for a lot modification, Owners should select species which are not unreasonably detrimental or poisonous to pets.
h) The owner will be responsible for repairing any damage caused by owner-installed vegetation. This applies to the owner's lot as well as any damage to neighboring lot(s) or common area.

2) Artificial Turf

a) Artificial turf is allowed on individual lots but is subject to a separate completed and approved permit application for installation of artificial turf. (attached as Exhibit M).
b) Artificial turf counts toward the 15% softscape requirement for individual lots.
c) Artificial turf cannot be installed under shade structures.
d) To ensure consistency and control the quality, style, and color of artificial turf, all artificial turf installations must be by a licensed vendor with a product approved by the A&A Committee and identified at the time of permit application.
e) Artificial turf installations that show signs of wear, discoloration, or failure of any type, as determined by the A&A Committee, must be replaced at the owner's expense.
f) Regarding the installation of artificial turf:
    i) Artificial turf will not be allowed in the common area.
    ii) An eight-inch (8") mortared brick or concrete border will be required whenever artificial turf abuts Common Area grass.
    iii) In the corridor that lies between two lots, if one half is installed as artificial turf and the other half is natural grass, then a mortared brick or concrete border must be installed to divide the two treatments. Whenever one owner wishes to install artificial turf in this area, the permission of the neighboring owners must be received. Additionally, future maintenance shall be the responsibility of each lot owner.
    iv) It is recognized that some lots may not be suitable for artificial turf installation, such as in cases where the transition from artificial turf to common area would be unacceptable, or in cases where a neighbor's permission is not received. The A&A Committee will consider these factors before approving the permit application for the installation of artificial turf.

3) Desertscape

The use of desertscape is encouraged on individual lots within the resort, subject to a completed, approved permit application for lot modification, including installation of desertscape.

3.M LIGHTING

1) LOT LIGHT ILLUMINATION

1. To improve lot identification for safety and emergency service response:
   a) When hardscape changes are made to a lot, the owner must arrange for the lot number light fixture to be relocated as set forth below in 3.b and replaced if necessary. Owners intending to install a replacement fixture must apply for a permit and be approved by the A&A Committee.
   b) The Lot number light fixture must be on the left side of the lot, viewed from the street, no more than six (6) feet from the survey pin (if present) or middle of gutter if survey pin is not present, facing the street, and illuminated by a standard 110-volt, 25-watt bulb or the equivalent. Lot light ID illumination cannot have colored light bulbs. Warm white tones only. All electrical wiring for the light must be connected to the meter box. No low-voltage lighting or solar or battery-operated lighting is permitted. The design must allow for easy access to the bulb.
   c) Approved designs include the original pole, square or rectangular pedestal made of brick or earth-tone brick or block, or suitable flat-faced rock. On all lot number lights, only numbers may be used and must be pre-approved by the A & A Committee. All numbers must have sufficient contrast to be visible and legible during the day or night.
   d) Lot light pedestals must be designed per Exhibit N (attached) and the above rules.
   e) Flat-faced rock specifications are as follows:
      i) Must be pre-approved by the A&A Committee before installation. Pictures of the rock are required prior to approval.
      ii) Must be earth-tone colors – no bright colors and not painted.
      iii) May not be taller than 24 inches above grade and no wider than 30 inches.
      iv) Must have metal contrasting numbers visible day or night. Black numbers are usually the best.
      v) Must be free-standing and secured in softscape, not natural grass.
      vi) Lighting must be from the ground up and may not point sideways to be seen from the street
2. Any deviation from allowable designs must be pre-approved by the A&A Committee, and include pictures, written details of material type, number, color, and type, size of design, electrical connection, and any other details the A&A Committee requests on the permit application.

3.N SHADE STRUCTURES

1) For the purposes of this section, a shade structure shall be defined as any structure framed and supported by four (4) posts in the corners (and possibly two (2) additional posts in the middle on each side, and no walls. Roofs can be slatted or solid. This definition would include but

not be limited to, gazebos and pergolas.

2) Installation of a shade structure requires a permit and the submittal of an application for a shade structure (attached as Exhibit O). Any commercially made structure over 120 square feet or custom-built structures of any size require concrete footings and an approved city of Cathedral City building permit.
3) All shade structure applications shall be accompanied by a picture of the design requested. Any custom-built structure must have a detailed drawing or picture depicting columns, cross members, roof structure, and elevation drawings for evaluation and approval.
4) General requirements are as follows:
    a) **One shade structure is allowed per Lot.**
    b) **Size:** The shade structure can take up a maximum of 10% of the lot's square footage. For example, a 1,925 square foot lot would be allowed a shade structure no larger than 192 square feet.
    c) **Height**: Cannot exceed ten (10) feet above the lot's hardscape.
    d) **Installation:** Must be bolted into the hardscape and in accordance with the manufacturer's specifications and/or building code requirements of the city of Cathedral City (see permits required above). All shade structures, regardless of size, must be bolted into concrete footings or concrete patio slabs.
    e) **Setbacks:** Shade structures must be set back a minimum of twenty (20) feet from the survey pin (if present) or middle of gutter if survey pin is not present. The edge of the roofline must be setback a minimum of one (1) foot from the side or rear property lines. In no case can any portion of the shade structure hang over any Lot lines.
    f) **Allowed Materials:**
        i. Shade structures must be constructed of powder-coated metal or Alumawood type material, with metal framing, slatted or solid metal roof, and metal posts.
        ii. Retractable sunshade canopy covers are allowed but must be made of weather- and UV-resistant fabric such as Sunbrella or similar type fabric.
        iii. No plastic, vinyl, or wood structures are allowed. Roofing materials must be metal. No shingles, tiles, or tar paper are allowed.
        iv. Colors must be harmonious with the color scheme of the RV using neutral colors compatible with the surroundings. No bright colors can be used.
    g) **Side Curtains and Retractable Shade Canopies:** Side curtains can only be closed when the shade structure is occupied. When the shade structure is unoccupied, curtains must be open and pulled back to the posts. Shade structures with retractable canopies are only allowed if the end and/or side shades can be retracted or rolled to the roof line when the structure is not occupied. Non-compliance with this provision may result in the removal of the shade structure and/or other remedies as provided in the Association's Enforcement Policy.
    h) **Approval by the A&A Committee:** Approval of a shade structure application will also take into consideration the placement of the structure to minimize impacts on the neighboring Lots so as to not interfere with views or privacy.

3.O PRIVACY SCREENS

1. A maximum of two (2) privacy screens can be placed on a Lot, either at the rear or front of

the Lot. (See exception in 3.) Each screen may not exceed six (6) feet in height (6' 4" when mounted on the stand) and four (4) feet in width.

2. Privacy screens placed at the front of the Lot must be set back a minimum of fifteen (15) feet from the survey pin if present or middle of gutter if survey pin is not present and a minimum of one (1) foot from the patio side property line. Front (street) view may not exceed eight feet in width.
3. Privacy screens placed at the back of the Lot must be setback a minimum of one (1) foot from the rear property line and one (1) foot from the side property line and may not exceed 8 feet in width. Exception: Lots that share a back lot line with a neighbor will be allowed (4) privacy screens, (2) in front, and (2) at the back of the lot. Only (2) privacy screens at the front of the lot will be allowed on golf course lots or lots whose back line is adjacent to common ground.
4. Privacy screens cannot be used on the side property lines.
5. Screens must be commercially made and constructed of high-quality metal, in tones of black, brass, or bronze. No silver or other reflective colors.
6. Any inlaid cloth panels must be of durable Sunbrella-like quality consistent with the color scheme of the RV using neutral colors compatible with the surroundings. No bright colors can be used.
7. Privacy screens must be bolted into concrete, pavers, or other solid surfaces and cannot restrict access to the Lot for maintenance and safety purposes. Screens cannot be placed in natural grass. Screens can be placed on turf or softscape with proper footings.
8. Screens mounted on softscape require a footing slab 4" deep, and 4 inches longer and wider on each side of the footprint of the privacy screen.
9. Screens mounted one footprint (leg) on the existing patio and one footprint (leg) on softscape must have an extended slab poured in the softscape, connected to the patio with horizontal rebar to connect the patio and the slab that is 4" deep, and 4" longer and wider on each side of the footprint on the extended slab.
10. Photos will be required during the process of making the slab to show the depth and rebar if used. See Exhibit S.
11. Any footing slab needed for a privacy screen will be added as hardscape.
12. Privacy screens must be aesthetically acceptable to the A & A Committee.
13. All existing non-conforming screens must be replaced or removed and brought up to the existing standard when screens become unsightly and do not meet aesthetic standards.

SECTION 4 – PROCEDURES FOR ADDRESSING LOT LINE DISPUTES DURING THE LAND MODIFICATION PROCESS

1) Unless it is apparent that the actual occupancy line (existence of actual improvements) has been utilized by the adjoining Lot Owners on a long-term basis, the existing pins/monuments shall be utilized in the event of any Lot line boundary disputes. In the event there are no pins or monuments that establish or set forth the boundary lines between Lots, the parties may hire a surveyor to determine the Lot lines or may utilize the procedure set forth below. **However, for all major and complete Lot modifications, a licensed survey locating the four (4) corner pins will be required.**
2) Where no pins/monuments exist, or where there is a dispute between Owners, the parties are urged to hire a land surveyor to determine the Lot Line boundaries. If a land surveyor is not hired, the parties may utilize the procedures outlined herein to resolve the dispute. The parties may also ask the A&A Committee for an opinion on the matter. It should be noted that the members of the A&A Committee are volunteers and are neither professional engineers nor land surveyors. The members of the A&A Committee will not perform any land surveying and their recommendations are advisory in nature and not official or binding. The procedures follow:
    a) Primary consideration shall be given to the actual occupancy lines currently being utilized by the adjoining Owners on both sides of the lot in question. Historical records and procedures can be reviewed on the Lots in question to assist in making this determination. Except for some corner Lots and some other exceptions, most Lots at ORPS are approximately 35 feet wide. A three (3) foot measurement from the original concrete pads was historically used to assist in determining Lot lines. The owners can request assistance from the A&A Committee at this stage.
    b) If this preliminary assessment of the Lot boundary lines does not result in resolution, the Owners of the lots must hire a licensed engineer or land surveyor to determine the actual boundary line of the Lots.
3) No work on the improvement or modification on the applicant's Lot can commence until the A&A Committee has received confirmation from the parties that the dispute has been resolved or the A&A Committee receives a survey from a licensed surveyor. Until such time as this information is received, the application will be denied.
4) In the event that both parties in the Lot boundary dispute hire a licensed engineer or land surveyor and can still not agree on said boundaries, the Owners have a right to litigate the Lot line disputes in court. Should this occur and a decision be made by the court, the decision shall be final and binding on the litigants and ORPS.

SECTION 5 – VARIANCES AND RIGHTS OF APPEAL

1) VARIANCES:

The A&A Committee will consider requests to allow reasonable variances with respect to these Rules in order to overcome practical difficulties, avoid unnecessary hardships, under guidelines as specified in Section 7.6 of the Association's CC&Rs.

Requests for Variances to the Architectural and Aesthetic (A&A) Rules must be submitted using the Request for Variance form, included as Exhibit I to these Rules.

2) RIGHTS OF APPEAL:

In the event plans and specifications submitted to the A&A Committee are disapproved or if a Request for Variance is denied by the A&A Committee, the Owner may appeal in writing to the Board using the Request for Appeal of A&A Committee Determination Form attached as Exhibit R to these Rules.

A Request for Appeal of A&A Committee Determination (Exhibit R) must be submitted to the Board within 45 days following the decision of the A&A Committee. The Board shall hold an open meeting to consider the appeal and make a decision regarding the appeal within 45 days of receipt of the Request for Appeal. The Board's decision shall be final. Failure of the Board to render a decision within the 45- day period shall be deemed a decision in favor of the Owner.

SECTION 6 – GENERAL MANAGER APPROVAL

1) During the summer months, when the Committee is absent from the Resort, the Committee shall retain the authority to approve or deny permits with the assistance of the Compliance Officer or his/her designee. The Compliance Officer (or designee) will assist the Committee in making its decisions, by supplying the Committee with permit application information via Zoom, texts, photos, and emails. The Committee shall approve or deny all permit applications within the required time frame set forth in the permit application.
2) Notwithstanding anything contained herein to the contrary, the A &A Committee may designate and allow the General Manager to approve or deny plans and specifications and permits that relate to customary matters for which clear A&A Rules, guidelines and/or policies have been established, (and in which there is no boundary line dispute) when the A&A Committee is absent. The Committee must notify the Board and the General Manager in writing when the Committee will be absent.
3) In lieu of the A&A Committee during the summer months, the General Manager shall have the authority to determine whether lots are being maintained and, if not, to start action to enforce the Association's governing documents subject to any hearing requirements contained within the Association's Enforcement Procedure.

SECTION 7 – ENFORCEMENT AND ADMINISTRATION

In accordance with Article 15 of the Association's CC&Rs, it is the obligation of each owner, lessee, licensee, guest, resident and occupant to comply with the provisions of the Association's Governing Documents, including these Architecture & Aesthetics (A&A) Rules.

Failure to comply with any of these rules shall be grounds for enforcement action by the Association, as set forth in the Association's Enforcement Policy.

Enforcement of these rules will be administered by the General Manager, his designee and/or Security staff.