

**OUTDOOR RESORT PALM SPRINGS  
ARCHITECTURE & AESTHETICS (A&A) RULES  
(Restatement Adopted 12.04.17; amended 4.25.18)**

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## **SECTION 1- ARCHITECTURE & AESTHETICS (A&A) COMMITTEE**

- A.** 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.
- B.** Committee Membership: The A&A Committee shall consist of not less than three and not more than nine members who are Owners of the Association. 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 circumstance requires continuity of knowledge, experience and work effort.
- C.** 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.
- D.** 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- GENERAL**

### **A. Size and Type of RVs Allowed in the Resort:**

All Recreational Vehicles allowed in the resort must be in compliance with industry standards relating to square feet of gross area and are certified with an approved RVIA sticker and must be at least 24 feet in length. Recreational Vehicles owned prior to the date of the Restatement adoption that do not meet the minimum length requirement are grandfathered and may remain in the Resort.

### **B. RVs Not Allowed in the Resort**

RVs with tip-outs, truck campers, cab-over campers, tent trailers, pop-up trailers, tents, van conversions, bus conversions, park models or park trailers are not allowed in the Resort. Destination trailers (also known as extended stay trailers) are also deemed park trailers based on the criteria listed below and, therefore, are not permitted within the Resort. Destination trailers (also known as extended stay trailers) are also deemed park trailers.

### **C. Maintenance Required (Aesthetics)**

In order to maintain the high aesthetic quality of the Resort and to preserve the value of the property, all lots, RVs and landscaping must be kept neat and orderly as determined at the sole discretion of the A&A Committee or other designee of the Association as further described below.

RV's must be maintained in a first class road-worthy and well-kept condition as to both the general visual aesthetics of the RV and the specific elements of the RV listed below which are not inclusive of every element that may require repair. Any deterioration or neglect of the RV will be cited for remedial action as described in the Enforcement Procedure. By way of example and not limitation, the following elements of an RV must be repaired, replaced or restored:

1. Oxidized cladding/ fiberglass;
2. Fading paint, dents or scratches on sidewalls;
3. Obvious discoloration of exterior wall due to removal of decals;
4. Peeling, faded or deteriorated decals;
5. Peeling or deteriorated cap rails;
6. Faded, torn or missing awnings;
7. Cracked, loose or missing slide-out seals;
8. Cracked, missing or fogged windows and broken or missing seals;
9. Sagging door, rotting or failing wood, faded or deteriorated paint on front storage enclosure;
10. Sagging, deteriorating, rotting or failing steps, landings and/or ramps;
11. Broken or rotted wood or faded/deteriorated paint on skirting/lattice;

12. Road-worthy. For example, no flat or missing tires; towables are capable of being towed and self-propelled are capable of being driven.
13. RVs must be in compliance with California State laws.

In addition, remedial action will be required for the repair and/or removal of any deteriorating or unsightly personal property including, but not limited to patio furnishings of any type, vehicles, trash and/or debris, or any other personal property.

The A&A Committee or other designee of the Association will use the Inspection Criteria identified on Exhibit "F" to rate the condition of an RV in question. If an RV fails to satisfy any of the Criteria, the Owner will be required to make all identified repairs. In the event that the Owner fails to make the identified repairs, the Board of Directors may require, in its sole discretion, that the RV be permanently removed from the resort and mandate that it cannot be sold or transferred within the Resort or to a third party purchasing a Lot within the resort.

#### **D. Inspection of RV at Time of Sale/Change of Title**

##### **1. Sale of Lot and/or RV**

Upon receiving notice of the opening of escrow on a Lot, the A&A Committee or other designee of the Association will perform an inspection of the RV if it is to remain on the Lot after the sale concludes. The A&A Committee or other designee of the Association will use the Inspection Criteria identified on Exhibit "F-" to rate the condition of the RV. If an RV fails to satisfy any of the Criteria, a copy of the completed chart and a listing of the required repairs will be provided to the Owner and escrow agent. The Owner will be required to make the necessary repairs prior to the close of escrow. In the event that the Owner fails to make the necessary repairs within this timeframe, the RV must be permanently removed from the resort at the close of escrow.

##### **2. Sale of RV Within Resort**

If an Owner wants to sell an RV and the RV will remain in the resort, the Owner must provide notice to the Association of the proposed sale. Once notice is received, the A&A Committee or other designee of the Association will perform an inspection of the RV using the Inspection Criteria identified on Exhibit "F" to rate the condition of the RV. If the RV fails to satisfy any of the Criteria, a copy of the completed chart and a listing of the required repairs will be provided to the Owner. The Owner will be required to make the necessary repairs prior to sale of the RV and, in the event that the Owner fails to do so, the RV may not be sold within the resort and may be subject to removal.

### **SECTION 3 – RESTRICTIONS**

- A. No storage enclosure of any kind may be used to surround a slide out. Lattice facades may be used to screen the sewer hook-up, utilities, and stabilizer jacks. Storage is not allowed on the driver's side of the RV if it is in view of other lots.
- B. Toy Haulers are prohibited from opening their rear doors or ramps within the Resort.
- C. Covers, Shades, Netting and Extensions to Awnings
  - 1. Shades that are manufactured to snap or fasten over RV windows are allowed.
  - 2. Partial RV covers that are manufactured to snap or fasten over portions of the RV are allowed. Netting or other protective fabric that is draped over portions of the RV are not allowed.
  - 3. Full RV covers are allowed beginning March 15 and must be removed by no later than November 15 each year.
  - 4. Drop-down extensions to awnings are allowed but must be fabricated from material that is similar in color to the awning and/or of a neutral color palette.

## **SECTION 4 - PERMITS REQUIRED**

- A. Permit Required** Except for limited, routine maintenance items described below, before any improvement is done on any Lot, a permit 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, decks, fences, pools, landscaping, antennas, utility lines structures, installations and improvements of any kind. Refer to CC&Rs, Article 7.3.
- B. Permit Approvals** – 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.

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 if the A&A Rules.

- C. Lot Improvement Permit Application Guidelines:**
1. No permit required for routine maintenance, sealing lot hardscape surface, annual bed cleaning in the Spring and replanting in the Fall, and maintenance of Palm Trees
  2. Permits are required for the following lot modifications; No fee will apply to these permits, 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.
  3. Permits are required for all other improvements subject to an established Permit Application Fee.
- D. General Requirements**
1. 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 A to these Rules).
  2. An approved permit must be posted in a visible location (on the front Washingtonian Palm) and be kept on the lot at all times during construction.

3. Any addition/deletion to an approved permit application is subject to review and approval by the A&A Committee.
4. The Owner is responsible for replacement or modification of any common Area landscaping, utilities, or irrigation components affected in the course of installing approved lot modifications. All irrigation modifications must be completed by the Association's contracted vendor for Landscape Maintenance, at owner's expense.
5. All improvements must be within the boundaries of the lot (refer to Section 11 of these rules for procedures to determine lot line boundaries.)
6. 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.
7. A final inspection is required by the A&A Committee, or designee, at the completion of the approved lot modifications. Any deviation from the original approved specifications/plans will be removed at Owner's expense
8. Permits required by local authorities are the responsibility of the owner.
9. Improvements done on a lot without a permit are subject to additional permit fees.

**E. City Permits**

1. Improvements or Lot Modifications that entail work subject to City of Cathedral City permitting requirements, including but not limited to electrical work, plumbing work, or in connection with a retaining wall, will require applicable permit(s) from the City of Cathedral City.
2. If so, the Owner is responsible to apply for a City of Cathedral 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).
3. 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 approved City permits will be provided to ORPS and maintained in the lot file.
4. 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.

## **SECTION 5 – LOT MODIFICATIONS/IMPROVEMENTS**

### **A. FIFTH WHEEL ENCLOSURES AND SKIRTS**

1. Solid material, such as plywood, T-111, and rigid plastic or vinyl panels, may be used to enclose a 5<sup>th</sup> Wheel pin well. Concrete blocks 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 one inch (1”) above the concrete pad. The enclosure must be readily removable and disassembled.
2. Skirting under and to the rear of the pin well may be created using lattice of wood or vinyl which has been painted, stained, or otherwise properly colored. Canvas or vinyl fabric, properly colored, may also be used. Solid material, such as plywood, is not allowed. Wheel wells may be covered with lattice or with the same materials as the front enclosure. Such enclosures must be readily removable.
3. 5<sup>th</sup> wheel pin well enclosures and skirting must be harmonious with the architectural style and color scheme of the RV.
4. 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 furthestmost protrusion of the front of the 5<sup>th</sup> wheel, in which case the forward edge of the pin well enclosure may be extended to match the furthestmost protrusion of the front of the 5<sup>th</sup> wheel. The pin well enclosure cannot be wider or higher than the pin well area.
5. 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.
6. Refrigerators and Freezers that are installed in conformance to electrical codes, are allowed in the enclosure; all other appliances are prohibited.

### **B. STAIRS & STAIRWAYS**

1. All stairs and stairways must be constructed of a solid material (wrought iron railings are permissible). Material shall be the lightest color aesthetically compatible with the RV.
2. The footprint of the landing and stairs must not exceed thirty-six (36) square feet. The design is the responsibility of the Owner and must provide for safe ingress and egress.

### **C. WALLS/FENCING/PET ENCLOSURES**



1. No solid fence or wall shall be constructed of material of any kind, including any type of fabric, except for approved retaining walls on perimeter lots.

The construction of such a wall requires:

- 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. Pet enclosures are subject to the following conditions:
    - a. May not exceed three feet in height, must be set back a minimum of 15 feet from the street, and are restricted to the patio side of the lot;
    - b. Must be constructed of high quality metal, in tones of black, brass, bronze or silver;
    - c. Must be temporary, removable and cannot restrict access to lot for maintenance purposes;
    - d. Must be removed if RV not occupied.
    - e. Must be aesthetically acceptable to the A&A Committee.

#### **D. TRELLIS**

1. A request for a permit to construct or install a trellis on a side lot line must include written approval of the bordering neighbors if it will extend more than one foot (1') to the rear of the utility pedestal.
2. Trellises must be white and constructed of vinyl material. Wood trellises are not allowed. They must also be continually maintained and kept structurally sound and aesthetically pleasing. They must also be constructed from one of the approved patterns which can be viewed at the Association's office.
3. A trellis must have a concrete, brick, or block border completely surrounding the structure. Maintenance of landscaping under and around the trellis is the responsibility of the Owner. Trellises may not be installed on Common Areas.
4. Trellises must not prevent ingress or egress to/from any lot.
5. Trellises can only be placed on or parallel to the side and rear lot line, set back a minimum of fifteen feet (15') from the front lot line and cannot exceed thirty-six feet (36') in aggregate length, nor five feet (5') in height. Plants grown on a trellis shall not exceed ten feet (10') in maximum height and may not exceed five feet (5') in height without approval of the A&A Committee. (Measure Trellis from highest point to ground level of Lot.) Requests for plants grown on a trellis to exceed five feet and requests for variances from these setback and height restrictions may be requested by submittal of a Request for Variance to the A&A Committee. Neighboring owners shall be notified of the Request for Variance and given

opportunity to comment before the A&A Committee shall approve and/or disapprove the Request.

**E. HEDGES** (A boundary formed by a dense row of shrubs or low trees selected from an approved listing of plants allowed. Ficus hedges are no longer allowed in the resort.)

1. Trees and hedges planted on a lot must not block the view from adjacent lots or overhang another lot.
2. Hedges must be set back a minimum of fifteen feet (15') from the front property line.
3. Hedges in the rear of the lot shall not in any case exceed ten feet (10') in height and may not exceed five feet (5') in height without approval by the A&A Committee
4. Hedges cannot impede access to pedestal.
5. Hedge and plant material cannot create a hazard for vehicle or pedestrian traffic.
6. Shrubs and hedges planted for the purpose of separating property lines must be maintained:
  - a. Existing hedges that are within fifteen feet (15') from the front property line shall not exceed four feet (4') in height.
  - b. The segment beginning fifteen feet (15') from the front property line and extending to the rear property line shall not exceed ten feet (10') in height and may not exceed five feet (5') in height without approval by the A&A Committee.
7. Requests for approval of shrubs and hedges to be maintained at ten feet (10') in height, or variances from setback and height restrictions of shrubs and hedges may be requested by submittal of a Request for Variance to the A&A Committee. Neighboring owners shall be notified of the Request for Variance and given opportunity to comment before the A&A Committee shall approve and/or disapprove the request.

**F. GOLF NETTING OR SCREENS**

1. Golf ball netting or screen 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.
2. Requests for a permit to install golf ball netting or screen must be approved by the A&A Committee. Neighboring owners shall be notified of the Request and given opportunity to comment before the A&A Committee shall approve and/or disapprove the Request.

3. Side and center poles must be made from a rigid material. Poles are to be painted the same color as the netting.
4. Each section of netting or screen may be up to thirteen feet (13') high and ten feet (10') wide. No more than two sections can be in place at one time.
5. Trees or plantings may be required in front of the netting for aesthetic value. No plantings will be allowed to grow on the golf screen.

## **G. OUTDOOR KITCHENS/BBQ BACKING**

1. Specifications for Outdoor Kitchens
  - a. Design:
    - i. Kitchen must be placed on hardscape and set back a minimum of 20 feet from the road property line and a minimum of one foot from the patio side property line. Maximum height allowed is 42"; maximum height of backsplash is eight inches (8"); the maximum surface area allowed is 80 sq. ft.
    - ii. 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.
    - iii. Sinks and dishwashers must be plumbed to water source and sewer and cannot be drained or emptied onto any lot or common area.
    - iv. 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 placed to minimize impacts on neighbors.
  - b. Requirements:
    - i. ORPS: Approved Lot Improvement Permit Application with Outdoor Kitchens Specification Sheet (Attached as Exhibit B to these rules).
    - ii. CATHEDRAL CITY: An electrical permit is required if electrical circuits do not meet required or recommended wattage for the unit. Units must include a GFCI breaker. A plumbing permit is also required when installing sinks and dishwashers.
    - iii. CONSTRUCTION:
      - Units must be made of nonflammable materials such as steel studs and fire-resistant board designed for the purpose and must meet fire code specifications.
      - The exterior of the unit must be of tile, stone, brick (new or used), flagstone, stucco, or other material that blends with the architecture of the community.
      - Complete, detailed plans which include specifications, elevations and/or photographs must be submitted for approval.
2. BBQ Backing (If Separate from Outdoor Kitchen)

Specifications: Backing must be constructed of non-flammable materials such as brick, stone or stucco. The unit may not exceed fifty inches (50") in height, eight feet (8') in length, or be no more than one brick in thickness (4"). A thickness greater than stated to accommodate décor of Lot may be allowed subject to review and approval by the A&A Committee. BBQ backings must be supported by pilasters or other suitable support. No more than two BBQ backings will be allowed on one lot and BBQ Backings must comply with setbacks as specified under Outdoor Kitchens.

## **H. 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.

**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 Ribtrax modular floor manufactured by Swisstrax), and installations shall be from an approved neutral color palette consisting of black, grey, brown or beige earth tones. Predominant patterns such as checker-board 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.

**Softscape:** Includes decorative planters and their borders, grass, artificial turf, flowers, decorative rock or other vegetation.

**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.

## **I. 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, that is, 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 and hedges must be enclosed by hard surface borders, such as concrete, brick, or stone, which function as mowing strips. Wood or plastic border material is not allowed. The Association will not be responsible for damages to unprotected plantings damaged 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 Owner's expense and Owner will have to remove all borders, flowers and plantings at Owner's expense.

- e. Weed killers should not be used around palm trees.

## **2. Artificial Turf**

- a. Artificial turf is allowed on individual lots subject to a completed, approved Permit for Installation of Artificial Turf. Permit fee is \$25.00.
- b. Artificial turf counts toward the 15% softscape requirement for individual lots.
- c. In order to insure consistency and to control for quality, style, and color of artificial turf, all Artificial Turf installations must be by a specified vendor with a product approved by the A&A Committee and identified at time of permit application. No other products or vendors will be allowed.
- d. 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 owner's expense.
- e. Regarding the installation of artificial turf:
  - i. Artificial turf will not be allowed in the common area.
  - ii. An eight inch (8") brick or concrete border, reinforced with two #3 rebar, will be required whenever artificial turf abuts common area grass;
  - iii. In no case can the corridor that lies between two lots be installed ½ in artificial turf and ½ in natural grass and no brick or concrete borders to divide the two treatments will be allowed. 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 for Installation of Artificial Turf.

## **3. Desertscape**

The use of Desertscape is encouraged on individual lots within the resort subject to a completed, approved Permit for Lot Modification Including Installation of Desertscape.

## **J. LIGHTING – LOT NUMBER ILLUMINATION**

- 1. Illuminated lot number fixtures must be operative throughout the year. Turning off electricity at the meter box when the lot is unoccupied is not allowed. The Association must have access to the meter box at all times; if the meter box is locked, the key must be left with security.

2. All lot number light fixtures must be on a light sensor-controlled device. This light sensor will be maintained by the Association.
3. The Association is responsible for replacement of light bulbs in lot number light fixtures. The design and construction of replacement and/or modified lot lights must allow easy access to the light bulb. If a modified or replacement lot light does not accommodate light bulbs used by the Association, the owner will be responsible for light bulb replacements. Additionally, if the Association's employees are not able to easily access the light bulb due to circumstances including but not limited to: heavy weighted caps, plants, pots, or other materials on top of the structure, etc., the owner will be responsible for light bulb replacements for the lot number light.
4. In order 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 5.4.b, and replaced if necessary. Any replacement fixture must be approved by the A&A Committee.
  - b. The lot number light fixture must be on the left side of the lot, viewed from street, no more than six feet (6') from the street, facing the street and illuminated by a standard 110 volt, 25 watt bulb or the equivalent. No low voltage lighting is permitted. The design must allow for easy access to the bulb.
5. Illumination from outdoor lighting shall not unreasonably disturb any Owner's or tenant's enjoyment of his or her lot or the common area. Without limiting the foregoing, the following standards are set:
  - a. Sodium and Mercury vapor lamps are prohibited.
  - b. Security lighting shall not be triggered by activities from adjoining properties.
  - c. Any owner having a lighting grievance may submit a request to the A&A Committee for determination. Any decision by the A&A Committee may be appealed to the Board and the decision of the Board shall be final. Management shall be responsible for enforcement per the Enforcement Procedures.

#### **K. SHADE STRUCTURES**

Shade structures are allowed within Outdoor Resort Palm Springs upon submission of an Application for Shade Structure (attached as Exhibit H to these Rules and incorporated here) and approved as to design, installation method and placement of the shade structure on the lot. The A&A Committee, in its sole discretion, can impose

additional requirements, i.e., set-backs, footings, size limitation, etc., as deemed appropriate

All Shade Structure Applications shall be accompanied by a picture of the design requested. Any custom-built structures must have a detailed drawing or picture depicting column, cross member, roof structure and elevation drawings for evaluation and approval.

General requirements are as follows:

1. **One shade structure per lot.**
2. **Height:** Cannot exceed 10 feet above hardscape on lot.
3. **Installation:** Shade structures must be secured to hardscape and in accordance with manufacturer's specifications and/or building code requirements of the City of Cathedral City.
4. **Set-Backs:** Must be set back from the street property line a minimum of 20 feet, or more as determined by the A&A Committee. In no case can any portion of the shade structure to hang over lot lines.
5. **Allowed Materials:**
  - a. Shade structures may have a cloth top, metal slats, or a metal roof.
  - b. If the shade structure has a cloth top, the Shade Structure canopy must be fabric (Sunbrella or similar fabric) and designed for removal in the summer or in high wind events
  - c. Shade structures made from either powder coated metal or alumawood type structures will be allowed. No plastic, vinyl or wood structures are allowed.
  - d. Only white or neutral colors are allowed.
6. **Side Curtains:** Side curtains can only be used on a temporary basis to provide protection from the elements. Side curtains are not intended to create an outdoor room. Non-compliance with this provision may result in removal of the shade structure and/or other remedies as provided in the Association's Enforcement Policy.
7. **Permits Required:** Any custom-built structure requires an approved City of Cathedral City Building Permit.
8. **Approval by the A&A Committee:** Approval of a shade structure application will take into consideration lot shape, location, proximity to common areas and the golf course, placement to minimize impacts on the neighbors (i.e., interfere with views and/or privacy), installation method, and whether the size of the structure is appropriate for the lot.

## **SECTION 6 – PATIO FURNISHINGS**

- A. All furnishings left on an unoccupied lot must be neatly grouped together. A single collapsible framed covering not to exceed 10.5 feet square and 4.5 feet high may be placed over these furnishings. The covering material must be heavy-duty canvas, vinyl or leather in light earth-tone colors.
- B. Golf cart and/or automobile covers must be kept in good condition and neatly secured. These covers must be heavy-duty canvas, vinyl or leather in light earth-tone colors.
- C. Fire Pits. All fire pits, chimineas and other similar outdoor equipment as permitted by the Association must be fueled by electricity or propane. Wood, wood product fires and charcoal are not permitted.
- D. Deck Boxes: Up to two portable deck boxes of identical dimension and color may be placed on one lot. Deck boxes may not exceed thirty inches (30") in height, with a maximum capacity of 150 gallons, must be in earth tones and commercially made of high density polyethylene for UV protected outdoor use. Plastic totes, stackable storage containers and homemade boxes are not allowed. Deck boxes should be located to the rear of a lot, or placed in a location that is screened from street view to the extent possible.



## **SECTION 7 – SATELLITE DISH REQUIREMENTS**

- A. Definitions – The term “satellite dish” as used within these A&A Rules shall include all direct broadcast satellite dishes, fixed or portable, and television or other aerial, antenna, dish, tower, or other signal receiving/transmitting structure. Satellite dishes that exceed a diameter or diagonal measurement of 39.6 inches are not allowed.
- B. Satellite Dish Placement and Mounting
1. Satellite dishes, fixed or portable, shall be mounted on the roof or ladder of the RV and shall not be mounted on the ground or any other part of the lot, unless reception cannot adequately be received.
  2. Installations not mounted as per above because of reception issues must be sited in the least obtrusive location possible and be approved by The A&A Committee. Requests must be submitted using the Satellite Dish Siting Form, attached as Exhibit C to the A&A Rules.
  3. No more than two satellite dishes are allowed to be sited on a lot.
  4. Regardless of how mounted, installation shall be accomplished by a qualified person who is knowledgeable about the proper installation of satellite dishes and antennas and have a professional look when installed.
  5. Installation shall be made in accordance with applicable building, fire, electrical and related codes. A permit shall be obtained if required by the local jurisdiction.
- C. Owner/Applicant Responsibility
1. Owner/applicant shall be responsible for the maintenance, repair and replacement of any satellite dish installation and shall be required to repaint, if for any reason the exterior surface of the antenna becomes worn or deteriorated.
  2. Owner/Applicant shall be responsible for any damage to any and all real or personal property or for any injury resulting from the installation of the satellite dish and/or its continued use or maintenance.

## **SECTION 8 – UTILITIES**

- A. If it is necessary to remove concrete, other than the original slab, for relocation or repair of utilities or irrigation components, the Owner will be responsible for removal and replacement.
- B. Electricity - The electric panel is the sole responsibility of the Owner.
- C. Water
  - 1. The Association is responsible for maintenance of the original piping installed by the developer for conveyance of potable water to all sites and common areas. Maintenance of any piping modified or added to accommodate lot revisions requested by the Owner is the responsibility of the Owner.
  - 2. The Association is responsible for maintenance and/or replacement of all pipes that provide irrigation water to all sites and common areas. Maintenance of any piping modified or added to accommodate lot modifications requested by an Owner is the responsibility of the Owner.
  - 3. Repair/replacement of water faucets is the responsibility of the Owner. Arrangements must be made with management to have the water shut off.
  - 4. Potable water may not be used for irrigation or sprinkler systems.
- D. Telephone and Telephone Cable - Any modification or improvement to a lot that would impact telephone and or telephone cable service should be coordinated with the telephone and cable service providers through the General Manager's Office.

## SECTION 9 – SIGNS

- A. Up to two signs per lot may be displayed on one stake: One ORPS Rental sign and/or one Lot For Sale Sign. Each sign will be sized as required under Section 13.B (9” high by 12” wide), affixed to one stake, and bunted next to each other (one on top of the other) to give the appearance of one sign. All other requirements of this section apply. (CC&Rs, Article VI, Section 7)
  
- B. Sign requirements:
  - 1. Official signs, purchased from the association, must be used.
  - 2. Signs must be made with a beige background and dark green letters.
  - 3. The allowed size is 9 inches by 12 inches.
  - 4. Signs must have spaces for a telephone number and lot number only.
  
- C. Sign placement
  - 1. A sign must be attached to a stake, unless it is placed in/on a vehicle.
  - 2. Signs must be placed at the front of the lot between the street and the palm tree, or in/on a vehicle.
  - 3. Maximum height from the ground to the top of the sign can be no higher than 30”.
  - 4. Signs may not be fastened to a tree.
  
- D. Signs cannot be placed on any lot for any commercial purpose.
  
- E. Signs for Resort Activities

Resort-supported activities include: Onsite café/restaurant, beauty salon, convenience store, espresso/snack bar, bingo, and/or or real estate.

Resort-sponsored activities include: Meetings of the Board of Directors, Townhall Meetings, Committee Meetings, Special Events and/or Activities such as Movie Night, Happy Hour, Concerts in the Park, etc.

The General Manager shall approve all requests for signage for resort-supported and resort-sponsored activities within the Resort to ensure they are in compliance with standardized criteria as approved by the General Manager. The General Manager shall also approve the location and placement of signs to ensure their placement does not impede traffic or pedestrian movement, pose a safety hazard, and to control the number of signs at any one location.

Signage for resort-sponsored activities must be removed immediately after the event has occurred.

## **SECTION 10 - RV PLACEMENT ON LOTS**

- A. When the slides are fully extended, the RV must be at least two feet (2') from the property line on the driver's side, with no part of the unit extending over natural grass and/or past the sewer outlet.
- B. Rear Property Line Setbacks:
  - 1. RVs on interior lots can be placed no closer than three feet from the rear property line.
  - 2. RVs on Common Area lots (including the golf course) can be placed at least six inches (6") from the back edge of the concrete pad without regard to the location of the rear property line.
- C. No portion of the RV, including tow bars and bike racks, may extend beyond the edge of the concrete pad.
- D. With awnings extended, there must be at least ten feet (10') between RVs, awning to awning.
- E. To assist with rig placement, a Rig Placement on Lot Form (attached as Exhibit "G" to these rules and incorporated herein) must be acknowledged by the RV owner and a copy maintained in Lot file.

## **SECTION 11 – PROCEDURES FOR ADDRESSING LOT LINE DISPUTES DURING THE LAND MODIFICATION PROCESS**

- A. 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.
- B. 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:
1. 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 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.
  2. 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.
- C. 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.
- D. 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 12 – VARIANCES AND RIGHTS OF APPEAL**

### **A. 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 D to these Rules.

### **B. 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 E to these Rules.

A Request for Appeal of A&A Committee Determination (Exhibit E) 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 13 - GENERAL MANAGER APPROVAL**

- A. Notwithstanding anything contained herein to the contrary, the Architectural and Aesthetic Committee may designate and allow the General Manager to approve plans and specifications 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.
  
- B. 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 14 – 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.