



**THE ISLANDS COMMUNITY ASSOCIATION  
HOMEOWNER HANDBOOK**

**ARCHITECTURAL GUIDELINES  
RULES AND REGULATIONS**

**Revised  
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# THE ISLANDS COMMUNITY ASSOCIATION HOMEOWNER HANDBOOK ARCHITECTURAL GUIDELINES RULES AND REGULATIONS

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## **WELCOME LETTER**

Welcome to The Islands, one of the finest master planned communities in the East Valley! As a property owner in The Islands, you are automatically a member of The Islands Community Association. The Association is incorporated for the purpose of preserving and enhancing the value of the homes as well as the amenities of The Islands. It is the commitment and responsibility of The Islands Community Association to ensure a quality lifestyle and to provide for appropriate control of the general architectural theme and exceptional maintenance of common areas throughout The Islands.

The Islands Community Association Architectural Guidelines is a “living” document. It is impossible to write guidelines and design criteria for every possible or potential situation and to foresee new methods, materials and technologies that naturally occur over time in a community as large as The Islands. Therefore, the Architectural Review Committee with approval of the Board, may from time to time adopt, amend and repeal the rules and regulations in the Architectural Guidelines. The most current version of can be viewed online at [islandscommunity.org](http://islandscommunity.org).

The foundation for any high-quality planned community is the understanding of the Covenants, Conditions and Restrictions (CC&Rs), and the cooperation of the property owners. The information that follows was compiled to provide homeowners easy access to pertinent rules and regulations as well as architectural procedures. The content of this document is important because it provides the Board of Directors, their managing agent, and homeowners clear direction and complete understanding of The Islands’ expectations. It does not supersede the CC&Rs but is meant to be used as a quick reference. Capitalized terms that are not defined in this handbook shall have the meaning set forth in the CC&Rs. If there is any conflict between this handbook and the CC&Rs, the CC&Rs shall control.

Please take some time to become familiar with this document. Some key points to remember are:

1. Always submit for approval **PRIOR** to beginning any modifications to the exterior of your home and yard. This includes color schemes, design schemes and materials, structural additions and landscaping changes. Just because the Architectural Guidelines may be silent on a particular topic or specific improvement, does not mean these improvements are allowed or acceptable. Please don’t assume that a project doesn’t need approval. If in doubt whether approval is needed, call the onsite office at 480-545-7740 or check the website at [islandscommunity.org](http://islandscommunity.org).
2. Keep all letters of approval or denial for future reference, if needed.
3. The Architectural Review Committee (ARC) meets once a month as noted on the community website at [islandscommunity.org](http://islandscommunity.org) or contact the onsite office at 480-545-7740 to confirm the date and time. All submittals must be received the week prior to the meeting date in order to be placed on the agenda. All other submittals received after the deadline will be placed on the agenda for the next month’s meeting. No approvals or denials will be made outside of the regularly scheduled meeting. Your cooperation and understanding will ensure that The Islands continues to be the exceptional community that each resident desires.
4. Failure to comply to these guidelines may result in the Board taking any action authorized by the governing documents and/or by Arizona law, including but not limited to sending violation notices and imposing fines in accordance with the Deed Enforcement Policy, and/or initiating other legal action.
5. Capitalized terms not otherwise defined in these guidelines shall have the meaning set forth in the CC&Rs.

We hope this document helps continue to build a community that will allow for individual tastes, while maintaining the overall aesthetic tone of a vibrant, engaged, and welcoming neighborhood.

**The Islands Community Association  
Board of Directors**

## **ARCHITECTURAL REVIEW COMMITTEE (ARC) PROCEDURES**

**Architectural Requests:** Except as specifically allowed in these guidelines, all improvements, alterations, repairs, excavation, grading, landscaping or other work which in any way alters the exterior appearance of any property or improvements thereon must be approved in writing by the ARC prior to commencement. Some Sub Associations require approval prior to submitting to The Islands. Please include the approval letter from your Sub Association with The Islands architectural request form.

### **ARC Form:**

Please complete the application form, which is available at [islandscommunity.org](http://islandscommunity.org) or at The Islands Community Center, and submit it to the onsite management office, a week prior to the scheduled ARC meeting. Submittals should include the following: site plans clearly showing the big picture (entire lot) including orientation and relativity to other neighbors, lakes etc. In addition, there should be a zoomed-in detail of exactly what exists now (pictures) and what changes are proposed (drawings, if appropriate). All building material specifications and samples should be supplied. Incomplete applications cannot be considered for ARC review.

**ARC Meetings:** The ARC meets on a monthly basis to review submittals received for improvements, alterations, repairs, excavation, grading or other work which in any way alter the exterior appearance of property or improvements, including landscaping. All submittals are due the week prior to the ARC meeting.

**ARC Approvals and Deadlines:** When a building design has been approved and the necessary building permit obtained from the Town of Gilbert, the applicant shall proceed in a timely manner with the commencement and completion of all construction work. Work commencement shall occur within ninety (90) days from the date of obtaining the building permit from the Town of Gilbert, or within one hundred twenty (120) days of obtaining approval from the ARC, whichever occurs first. If the applicant fails to commence work within this time period, the approval from the ARC may be revoked. The applicant shall complete the construction within one hundred twenty (120) days of the date of the building permit from the Town of Gilbert. Homeowner modifications or alterations that do not require a building permit must be completed within one hundred twenty (120) days of commencement of the modification or alteration, as approved by the ARC. If the construction is not completed, the Association shall have the right to assess the owner for the cost of completion and to collect such costs as provided for in the CC&Rs.

**ARC Decisions:** The ARC may disapprove any application if there is not sufficient information submitted to exercise the judgment required by these guidelines. If the ARC fails to approve or disapprove an application for approval within forty-five (45) days after an application has met all of the requirements of the CC&Rs and of this handbook, together with any fee required to be paid and any additional information, plans, and specifications requested by the ARC, and any other requirements, have been submitted to the ARC, the review time will be deemed to have been extended for thirty (30) days. After the thirty (30) day extension, if the plans and specifications have not been approved, the application will be deemed to have been disapproved.

**Right to Appeal:** Any owner or resident aggrieved by the decision of the ARC may appeal the decision to the Board. Such appeal must be made within fifteen (15) days after the decision of the ARC and must be accompanied by the written decision of the ARC, copies of the application and all items submitted to the ARC, and any other relevant evidence previously submitted to the ARC.

## RESIDENT COMMUNITY USE

### *Community Park Rules and Regulations*

#### ***PARK HOURS ARE FROM SUNRISE TO 11PM***

1. Fishing is for Islands residents and is catch & release only. An Islands Community Permit is required and can be obtained at The Islands onsite office. Fishing lines cannot be unattended.
2. Watercraft operated on any of The Islands' lakes must be registered with The Islands onsite office.
3. Swimming, pool inflatables, standup paddle boards and unauthorized watercraft in the lakes are prohibited.
4. Pets must be on a leash at all times. Owners are responsible for cleaning up after their animals. No livestock is allowed in the park without prior approval.
5. Skateboards, scooters, bikes and roller blades are restricted to sidewalks only and must yield to walkers and pedestrians.
6. No motorized vehicles of any kind are allowed in the park, except in areas designated for such vehicles.
7. Ramadas are available on a first come, first served basis. Please clean up the area when you are done. Inflatables must be registered with The Islands onsite office.
8. Horseshoes, basketball and volleyball games are limited to areas designed for such activities. Golfing is not allowed in the park.
9. No spirituous liquor, beer or wine is allowed in the park.
10. No glass containers are allowed in the park.
11. No fireworks, firearms or weapons are allowed in the park.
12. No sale of food, beverages, or other items is allowed in the park without prior approval by The Islands onsite office.
13. Do not feed ducks bread as it makes them ill. Rotting bread causes harm to the water and the fish they eat.
14. No damage or misuse of the park equipment or grounds is allowed. The Islands onsite office has the right to escort individuals out of the park if needed.
15. In the event of an emergency or suspicious activity, please call 9-1-1 OR the Town of Gilbert non-emergency number at 480-503-6500.

**This park is restricted to Islands residents and their guests only.  
Residents must accompany guest(s) while in the park.  
Trespassers will be prosecuted in accordance with A.R.S. 13-1502**

## **Community Lake Use Rules and Regulations**

*The Lakes within The Islands Community are private lakes. Rules and Regulations are meant to protect residents and their guests. Please respect the rules for your benefit as well as your neighbors. –Your Board of Directors*

### **Swimming**

1. The lakes are not treated for swimming; therefore, swimming in The Islands' lakes is strictly prohibited, except in the event of an emergency.

### **Fishing**

1. A valid Islands' fishing license shall be displayed at all times while fishing from land or on a boat on any of The Islands' lakes.
2. Fishing is by catch-and-release only. Please properly dispose of deceased fish, if necessary.
3. Fishing lines cannot be unattended.
4. Fish in The Islands lakes are not meant for human consumption.

### **Boating**

*When boating on The Islands lakes, do so at your own risk. The association is not responsible for any damage including but not limited to damage to boats, docks, etc.*

1. Boating is restricted to owners, residents and their guests.
2. All watercraft operated on any of The Islands' lakes must be registered with the Association, whether stored on or off the water. Registration stickers must be attached above the waterline on the side, front or back of the watercraft. Watercraft registration is non-transferable.
3. Watercraft size shall not exceed twenty-one (21) feet in length and no more than nine (9) feet in width.
4. It is recommended that watercraft owners and operators maintain public liability insurance covering water and boating hazards.
5. Water vessels must use the supplied community dock ramps for entry to or exit from the lakes.
6. Each property can have up to three watercrafts visible from lakefront property. Canoes and kayaks are the only permissible watercraft to be stored out of the water.
7. Watercrafts shall be factory made by a reputable boat manufacturer and coast guard approved.
8. No internal combustion engines designed to propel watercraft shall be permitted to be mounted on or carried on any watercraft while in any of The Islands' lakes (*except for converted motors*). Allowable propulsion systems for watercraft are limited to electric motors, sails, oars and paddles.
9. Watercrafts shall not be tethered to the lake wall.
10. Watercraft operated after dark shall show a white light visible from 360 degrees. Utmost caution is required to preserve safety and serenity. No loud music shall be permitted to be played or originate from any watercraft.
11. Paddle boards (surf/boogie boards) are prohibited.
12. Swimming pool type watercraft floats, inner tubes, wind sails and catamarans are prohibited.
13. It is up to each individual Owner to ensure that his or her watercrafts is equipped with flotation sufficient to float craft and crew when awash.

14. It is up to each individual Owner to ensure that safety approved preservers for each crew member and passenger are available on board all boats at all times, and that any and all other necessary safety precautions are implemented and observed. For health and safety reasons, individuals under eight (8) years of age and non-swimmers should wear life preservers while boating.
15. Watercrafts shall be tethered so as not to encroach onto neighboring lakefront properties or impede navigation.
16. Watercraft shall not be operated so near the shore of the lakes as to unnecessarily disturb the owners or residents or otherwise create a nuisance.

## **RULES & REGULATIONS AND ARCHITECTURAL GUIDELINES**

All rules, regulations and ARC Guidelines apply to any and all areas of the community that can be viewed from Common Area, including lakes and/or streets, and/or from neighboring property. All approved exterior modifications as described in this document are to be maintained on a continual basis and cannot fall into disrepair.

### **1. Additions/Alterations**

1. Except as provided in these guidelines, all improvements, alterations, repairs, excavation, grading, landscaping or other work which in any way alters the exterior appearance of any property or improvements thereon must be approved in writing by the ARC prior to commencement.

### **2. Animals/Pets**

1. No animal or fowl, other than a reasonable number of generally recognized house or yard pets, shall be permitted and then only if they are kept or raised as domestic pets and not for commercial purposes. Notwithstanding the foregoing, no waterfowl, reptiles or horses shall be permitted outdoors within The Islands. Sanitation or health concerns will be reported to the Maricopa County officials.
2. Fowl (*per the Town of Gilbert's definition that fowl means chicken, duck, turkey, pigeon, macaw, parrot, peacock and other large bird*) is not a recognized outdoor yard pet.
3. No structure for the care, housing or confinement of any animal or fowl shall be Visible From Neighboring Properties, the street or any Common Area, including but not limited to the lakes.
4. No animal (including but not limited to birds) shall be permitted to make an unreasonable amount of noise or create a nuisance. The Board shall have the exclusive authority to determine the existence of a nuisance. Please report barking dog nuisance issues to the Town of Gilbert Police Department (non-emergency number: 480-503-6500).
5. Owners are responsible for the behavior of their pets, whether on or outside of the owner's lot.
6. Each household is responsible for cleaning up after his or her animal(s), as well as complying with city and state leash laws. Pet owners are responsible for retrieving and carrying any feces deposited by their pet (s). For your convenience, pet waste bag stations are provided throughout the community.
7. No pet feces shall be permitted to enter or be disposed of in the lake at any time.

8. Maricopa County also regulates the type and quantity of household pets. For questions or concerns, please contact Maricopa County directly.

### **3. Antennas, Satellite Dishes, Internet Access**

1. Unless governed by the Federal Communications Commission's Over-the-Air Reception Devices Rule ([fcc.gov/guides/over-air-reception-devices-rule](http://fcc.gov/guides/over-air-reception-devices-rule)), no antenna or other device for the transmission or reception of television, internet or radio signals or any other form of electromagnetic radiation or any associated equipment shall be erected, used or maintained outdoors on any lot or parcel or common area, whether attached to a building or structure or otherwise, so as to be Visible From Neighboring Properties, the street or any Common Area, including but not limited to the lakes, unless approved in writing by the ARC.
2. Any device governed by the FCC's Over-the-Air Reception Devices Rule, shall comply with the applicable antenna installation rules of the Association and shall be mounted, to the extent reasonably possible, so as to not be Visible From Neighboring Properties, the street or any Common Area, including but not limited to the lakes.

### **4. Awnings, Retractable Awnings, Roll Shades (semi-permanent structures)**

1. All awnings, retractable awnings, roll shades and similar semi-permanent structures shall be approved in writing by the ARC prior to installation, unless the structure would not be Visible From Neighboring Properties, the street or any Common Area, including but not limited to the lakes.
2. Only solid colors will be considered.
3. Owners shall perform regular maintenance/replacement of faded, torn or ripped canvas on awnings/roll shades, which shall be kept free of sand, dust and spider webs.
4. The Association retains the right to determine when an awning/roll shade must be repaired and/or replaced due to weathering, fading, tearing, ripping, etc.
5. All structural frame damage shall be repaired, replaced or removed in a timely manner.
6. Roll shades used to screen the patio shall be mounted on the inside of the fascia board and shall be neutral in color.
7. The ARC recommends that awnings/roll shades have a minimum five (5) year guarantee/warranty from the manufacturer to ensure a high-quality awning. When submitting, please identify the manufacturer's name, the awning color, and the type of material, and provide a sample of the material to be used.

### **5. Basketball Hoops**

1. Basketball backboards installed on the house are prohibited.
2. Permanent basketball goals must receive approval from the ARC and meet the following requirements:
  - a. The ground-mounted pole and backboard brackets shall be black in color or painted to match the body color of the home.
  - b. The pole shall be placed so as not to interfere with the neighbor's enjoyment of their property. You may consider adding landscape screen to minimize the pole/hoop.

- c. Basketball goals installed in fully enclosed backyards (because they are visible over the walls/fences) shall be submitted for approval to the ARC. They must meet the ground pole requirements. Pole-mounted lights for sport courts are not permitted.
3. Portable basketball goals shall meet the following requirements:
  - a. The pole shall be placed so as not to interfere with the neighbor's enjoyment of their property. Consider adding landscape screen to minimize the pole/hoop.
  - b. Portable basketball goals may be set and weighted with water or sand, per manufactures recommendations, at the side of the driveways edge.
  - c. Goals may not be weighted by sandbags, concrete blocks or other objects that may be placed on top of the base.
  - d. Hoops are not to be placed, stored or used in the street, sidewalk or middle of the driveway.
4. The pole, backboard and netting must be maintained in good working order.

#### **6. Clothes Lines**

1. No outside clothes lines or other facilities for drying or airing clothes shall be placed on any lot or parcel without the prior written consent of the ARC, unless they are not Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes.

#### **7. Decorative/Entertainment/Party Lighting**

Decorative/Entertainment/Party Lighting is to be used in rear yards, as accent lighting only. It is not intended to be used as security lighting. Lights installed as noted below may remain up year-round.

1. The colors of lights are to illuminate white light only. No colored bulbs are to be used except for holiday lighting.
2. Lighted patio/pool umbrellas are permitted.
3. Lights may be installed on the lower covered patio of the home, permanent shade structures, pergolas or gazebos, in accordance with item #4.
4. Strands (wiring) of the lights are to be green, black or brown and shall be installed in a straight taut line, interior side of the fascia or framing, so that the strand is not visible. NO scallop or looping look, etc. Power supply and extension cords shall not be seen.
5. Mini-lights or decorative low voltage lighting shall be white or clear. This lighting choice is to be used in the rear yard or lake front; lights shall be installed on trees or lower level patios only.
6. Tree trunks may be wrapped, and power supply and extension cords shall not be seen.
7. Rope lights may be used but must be white.
8. Individual strand (male to female end) wattage may not exceed 60 watts, including LED equivalent.
9. Lights shall not be attached to any other areas of fascia, wood trim, around windows or uncovered patios. If you do not have a covered patio, lights may not be installed on your home.
10. Light strands shall not be attached to the lake wall.
11. Lights on shade sails are prohibited.

12. Light strands shall not to be strung so as to be visible in the air, example from patio to the tree or from tree to tree, etc.
13. To install lighting in a different manner, approval by the ARC may be needed.
14. If additional temporary lighting is used for a special event, it must be removed no more than 10 days after the date of the event.
15. All bulb wattages stated above must be LED equivalent in wattage. White light defined as 2700-3000 Kelvin.

#### **8. Doors (See Paint)**

1. Any change to doors Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, requires prior approval by the ARC.

#### **9. Driveways & Extensions**

1. Driveway extensions within The Islands Community Association must be approved by the ARC. Driveway extensions will be reviewed on an individual basis with consideration of any impact on the architectural features of the neighborhood. Concrete width shall not be increased at the street. (This is intended to prevent the appearance of a landing strip!) All additions will be landscaped to maintain visual harmony within the existing neighborhood. Approval of extensions shall require additional landscape.
2. A driveway extension shall not be permitted if it creates an uninterrupted span of concrete greater than twenty-eight (28) feet at the sidewalk or fifty percent (50%) of the lot width.
3. A minimum five (5) feet landscape buffer shall separate adjacent driveways.
4. Painting of driveways is not permitted.
5. Decorative overlays and colored concrete or paver stones require ARC approval. Colors and texture samples shall be included with submittals.
6. Driveways must be maintained and kept in good condition.

#### **10. Dumpsters, Portable Temporary Storage Units, Porta-Pottys**

Dumpsters (temporary construction dumpsters), Portable temporary storage units (PODS, Smart Boxes, or other similar moving and storage companies), Porta-Pottys (Portable toilets) may be permitted under the following conditions:

1. Homeowner is responsible for providing prior written notice to the onsite office, supplying the dates and intent of the use of the dumpster/temporary storage unit or porta potty. Having ARC approval on a project does not automatically permit use of the dumpster/temporary storage unit or porta potty.
2. The dumpster/temporary storage or porta potty unit may be allowed for 2 (two) weeks in any calendar year.
3. The length of time needed for the dumpster/temporary storage unit or porta potty may be extended through communication with the Management Staff/Board of Directors and/or Architectural Review Committee. Additional time may be granted for extenuating circumstances. The management staff reserves the right to grant additional time as determined on a case-by-case basis.
4. The preferred location for dumpsters/temporary portable storage unit is in the driveway. Dumpsters/temporary portable storage units must fit in the driveway and may not block

the sidewalk. Placement on the street may be considered if sidewalks, pedestrians, vehicular traffic or sightlines for vehicular traffic are not impeded.

5. Only one porta potty may be located in the front of the property for the purpose of supporting approved construction and should be positioned out of view of neighboring properties as much as possible.
6. The maximum size porta potty is to be single-standard occupancy.
7. The porta potty must be cleaned at a minimum of one time per week.

#### **11. Fire Pits, Kivas, Barbecue Pits (outdoor kitchens)**

1. Permanent exterior fireplaces, kivas, barbecue pits or outdoor kitchens require written ARC approval prior to the installation. The submittal should include a plot map drawing, materials and colors to be used.
2. Placement of the above shall be set back five (5) feet from adjacent party walls and shall not exceed eight (8) feet in height.

#### **12. Flags and Flag Poles**

1. No flagpole shall be installed without the prior written approval of the ARC.
2. Flagpoles are not to exceed a height that is determined by measuring the distance between the highest foundation of the home and the rooftop of the home. In no event shall the flagpole be higher than the rooftop of the home.
3. Only one flagpole is permitted per lot.
4. The only flags that may be flown on the flagpole are those specifically identified by A.R.S. § 33-1808:
  1. The American flag or an official or replica of a flag of the United States army, navy, air force, marine corps or coast guard.
  2. The POW/MIA flag.
  3. The Arizona state flag.
  4. An Arizona Indian nations flag.
  5. The Gadsden flag.
5. Only two flags may be displayed on the flagpole at once.
6. Please refer to recommended flag etiquette at [usflag.org/flagetiquette.html](http://usflag.org/flagetiquette.html).
7. In addition to the flags that may be permitted on the flagpole, only one decorative or seasonal flag (hereinafter, 'Decorative Flag' is permitted per lot, and such Decorative Flag must be mounted on the house below the roofline, not on the free-standing flagpole.
8. The size of a Decorative Flag cannot exceed three feet (3') by five feet (5') in dimension.
9. Decorative Flags may not be graphic in nature or include nudity, profanity, etc. The Board shall be the sole judge as to whether a Decorative Flag violates this provision.
10. All flags must be well maintained and in good condition at all times.

#### **13. Garbage/ Trash**

1. Trash containers shall not be Visible From Neighboring Property or the street except on collection day.

2. Trash containers are to be set out no earlier than the afternoon prior to collection and containers are to be removed the evening of trash pickup. Please contact the Town of Gilbert to confirm trash pick-up days.
3. No garbage, trash, debris, etc. shall be placed on any lot or parcel except in covered containers meeting the specifications of the Town of Gilbert.
4. Each owner shall be responsible for the removal of rubbish, debris and garbage from not only his lot or parcel but also from all public right-of-way, either in front of or alongside his lot, excluding (a) public roadway improvements and (b) those areas specified on a Tract Declaration or subdivision plat to be maintained by The Islands Community Association.
5. All household and maintenance items must be stored properly and shall not be left in view of neighboring properties, the street or any Common Area including but not limited to the lakes.
6. Uncontained trash (bulk trash) shall not be set out more than three (3) days in advance of the scheduled pickup. Bulk trash piles may not be larger than 10 feet long by 5 feet wide by 5 feet high. Place all acceptable bulk items in the street against the curb a minimum of 5 feet away from all obstacles including trash/recycle containers and vehicles. Please contact the Town of Gilbert to confirm bulk pick-up days.
7. Contact the Town of Gilbert for trash can replacements.

#### **14. Gates**

1. Any change to gates Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, requires prior approval by the ARC.
2. All wood material must either be painted to match the wall or house trim, stained redwood or stained in its natural color.
3. Additional gates require ARC approval prior to installation. The submittal must include the placement, dimensions, materials and color of the new proposed gate.
4. Any wrought iron must be painted black or painted to match the color of the wall.
5. Two gates are permitted per lot, and only one of which may be an RV gate.
6. Gates shall not be constructed within any Common Wall.

#### **15. Gutters and Downspouts**

1. Gutters will be considered for approval if the finish matches the color of the home roofline trim; downspouts are to be directed so as not to drain on neighboring properties and must match the color of the house base color.
2. Plans must include the proposed locations of the gutters and downspouts and the quality of materials. All gutters shall be maintained in good condition.

#### **16. Holiday Decorations**

1. Holiday decorations of any nature, including lights, may not be installed more than forty-five (45) days prior to the holiday and must be removed within thirty (30) days after that holiday.
2. Decorative items of any nature that aid in the celebration and/or recognition of seasonal holidays may be hung, set up, displayed or installed in the owner's front and/or backyard

without the need for architectural review and approval, so long as such displays do not become a nuisance as determined by the Board.

### **17. Home-Based Business**

1. Home-based businesses are allowed so long as:
  - a. The existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside of the lot;
  - b. The business activity conforms to all applicable zoning ordinances;
  - c. The business activity does not involve persons coming onto the lot or door-to-door solicitation of owners or other residents of The Islands;
  - d. There is no increased vehicle traffic or loading and unloading of equipment or products; and
  - e. The business activity is consistent with the residential character of The Islands and does not constitute a nuisance, a hazardous or offensive use, or threaten the safety of other residents, as may be determined by the sole discretion of the Board.
2. No advertising or directional signs may be placed upon the lot or any portion of the Common Areas regarding the business activity.
3. Please consult the Town of Gilbert website for additional home-based business rules and guidelines.

### **18. Landscape Enhancements/Decor**

1. Decorative landscape enhancements maybe permitted but must blend with the landscape theme.
2. All permanent hardscapes must receive approval prior to installation, i.e., fire pit, outdoor kitchen, built-in barbecue, fountains, statues, ponds, etc.
3. Items shall not be offensive in nature, as determined at the sole discretion of the Board.
4. Only manufactured patio furniture shall be Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, and shall be maintained and in good repair.

### **19. Landscape (front yard)**

1. A minimum of two (2) trees (at least fifteen (15) gallons in size), are required in the front yard of each home. In addition, a minimum of three (3) shrubs (at least five (5) gallons in size) are required.
2. If a desert landscape theme is used, two (2) column-type cacti (e.g., saguaro, organ pipe, etc.) or two (2) succulent bushes (e.g., ocotillo, etc.) may be substituted for the aforementioned trees if they are at least six (6) feet in height. Smaller cacti (e.g., barrel, etc.) may be used in lieu of shrubs.
3. All landscaping shall reflect the character of the development. Rocks, boulders, patios, sidewalks, landscape timbers, etc., may be used for accent and to create imaginative landscape design.
4. All decorative edging over three (3) inches in elevation requires ARC approval.
5. Boulders, mounds, decorative/retaining walls and all additions visible to neighboring properties, the street or any common area including lakes, or public property shall not

- exceed three (3) feet in height measured perpendicular to a line running from finish grade at dwelling to sidewalk.
6. No tree, shrub or plant of any kind shall overhang or otherwise encroach upon any sidewalk or any pedestrian or bikeway, from ground level to a height of eight (8) feet. No part of any plant containing thorns (e.g., cactus, bougainvillea, etc.) shall be closer than three (3) feet from any pedestrian/bike area.
  7. All bare earth shall be covered by turf, artificial turf, decomposed granite or other natural rock material to provide a neat, weed-free and dust-free appearance. Artificially colored rock is not permitted.
  8. Fencing (e.g., split rail, picket, pipe, wrought iron, etc.) is not permitted in front yards.
  9. All landscape lighting should be used for accent only and shall be indirect or low voltage. (See Lighting)
  10. Proper maintenance shall include keeping the areas neatly trimmed, cultivated and free of trash, such as weeds, tree suckers, ground branches, dead foliage, tree stumps and debris. Tree stump removal is required when a tree is eliminated. All paved and concrete areas shall be maintained and in good repair. Lawns will be kept mowed, trimmed and green during the summer. Winter overseeding is not required.
  11. Palm trees are to be trimmed annually, and/or as needed, after the flower season or as necessary, to include the front yard, lakefront and any palm tree that is Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes.
  12. Vines, trees and shrubs overgrowing neighboring property:
    - a. The neighbor may trim off branches that stray into their property, but can only trim up to the property line and cannot destroy the plant.Vines, trees and shrubs overgrowing Party Walls dividing a lot from Common Area or encroaching into Common Area:
    - a. The Association may trim off branches that encroach into Common Area up to the property line.
  13. Rock ground cover:
    - a. If decomposed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors.
    - b. Decomposed granite must be at least one-half (1/2) inch in size and must be spread a minimum of two (2) inches thick.
    - c. All decomposed granite must be maintained to be weed and or grass free.
    - d. No more than two (2) different colors of rock are allowed in the front yard.
  14. River rock shall be one (1) to six (6) inches in diameter and not cover more than fifteen percent (15%) of the front yard landscaping.
  15. Boulders must be indigenous to Arizona and should be grouped and buried proportionally by one-third (1/3) for a more natural appearance.
  16. No bare areas are allowed; all areas must be covered with an approved material (granite, grass, etc.).
  17. All areas landscaped with granite or other type of rock must be kept free of pet elimination, debris from plants and trees and other types of refuse.

18. Fine grading and mounding: Fine grading is a critical aspect of landscaping. Each lot is graded so that all storm water will drain away from the home and not onto adjoining properties. It is extremely important that this drainage pattern be maintained when preparing the landscape design, especially if mounding or berms are proposed. It is suggested that mounds not exceed eighteen inches (18) inches in height. It is also suggested that mounds and drainage swales be kept at least five (5) feet from sidewalks to prevent water collection underneath sidewalks.
19. Irrigation heads/drip system emitters for plants within granite landscaped areas must be kept in good repair and irrigation lines buried, whether or not they support plantings.
20. Fruit from citrus trees shall be collected before the fruit decays to assist in helping to prevent rodent inhabitation.

## **20. Leasing of Homes**

1. The entire dwelling unit on a lot may be let to a single-family tenant from time-to-time by the owner.
2. A property lease shall specify that the leased property and the lessee are subject to The Islands Community Association's governing documents including, without limitation, the Articles, Bylaws, Declaration, ARC Guidelines and Association Rules.
3. Homeowners are required to contact the property management office at 480-545-7740 to report when their home is not owner occupied. This information will remain in the hands of the management company only and is required to maintain optimal communication.
4. It is the owner's responsibility to provide their correct mailing and billing address.
5. Depending on which subdivision you reside, the leased property and the lessee may also be subject to sub-association documents, which may include additional restrictions in the form of a Tract Declaration and separate Bylaws.

## **21. Lighting (See also Decorative/Entertainment/Party Lighting)**

1. No outside lighting, other than indirect lighting and house-mounted decorative fixtures shall be placed, allowed or maintained on any lot or parcel without prior ARC written approval.
2. House-mounted lighting shall be clear or white, in decorative fixtures, which diffuse light and shall not contain bulbs with wattage greater than sixty (60) watts, including LED equivalent.
3. Exterior ground-mounted lighting shall be clear or white, low voltage or indirect. Glare shall not be visible directly toward from neighboring properties, the street or any common area including lakes.
4. All landscape lighting should be used for accent only and shall be indirect or low voltage.
5. Tennis/sport court, security and other similar lighting will be reviewed and approved on an individual basis. Approval is subject to light type, orientation, site plan, use, brightness and other factors, which the ARC considers to be in the best interest of the owner, tenants and residents of The Islands. No glare from light sources shall be visible directly toward from neighboring properties, the street or any Common Area including but not limited to the lakes.

6. No spotlights, focused lights or motion-activated lighting activated by any person on your property shall be permitted to shine on any portion of the Common Areas (including but not limited to the lakes) or neighboring lots.
7. No lights may be mounted higher than eight (8) feet measured from the base grade at the footing of the house.
8. Security spotlights shall be allowed if the fixture is not Visible From Neighboring Property (including both private and public property) and is triggered only by movement on the homeowner's property. Security lighting may have wattage that exceeds sixty (60) watts, including LED equivalent, but shall not remain on for longer than thirty (30) seconds after each triggering movement detected on the homeowner's property. Security lighting must be directed so as not to shine on neighboring property.
9. Tree-mounted accent lighting shall be white or clear, low voltage or indirect. Lighting should not produce glare on neighboring lots and all wiring shall be shielded from public view.
10. All bulb wattages stated above must be LED equivalent in wattage. White light defined as 2700-3000 Kelvin.

## **22. Mailboxes**

1. The location and design of all personal mailboxes shall be approved by the ARC.
2. Bank mailboxes are maintained by the USPS and are located on an easement in favor of the property owners.

## **23. Main Residential Structures (new construction and rebuilds)**

New construction and rebuilds of main residential structures on lots (other than condominium units) shall be governed by A.R.S. § 33-1817. Additional fees may apply. Please contact the onsite management office at 480-545-7740 for further information.

## **24. Outdoor speakers/televisions**

1. Radio, stereo and television, are allowed; however, they cannot be a nuisance to any neighboring properties, as determined at the sole discretion of the Board.

## **25. Paint**

1. Homes and buildings shall be kept in good condition and repair and adequately painted.
2. Exterior painting requires an approval by the ARC each time your home is painted. Therefore, since each approval represents a one-time approval, chosen colors must be submitted for approval even if they are the same colors, prior to repainting.
3. The Islands currently has an approved paint palette with sixteen (16) color schemes from which to choose. Body colors are to be used solely for the main body of the house. Trim and pop-out colors can be used with the body color. All painting or repainting shall be submitted to the ARC for review, prior to the commencement of painting (even for approved schemes). Any other color variance must be submitted and approved by the ARC prior to painting.

4. You are encouraged to use at least two (2) colors when painting your home; however, up to three (3) different colors may be chosen. Colors should be within the preapproved (same) color scheme.
5. When choosing a color scheme, please take into consideration the roof tile and granite colors as well as the landscape design.
6. When submitting a request to paint your home, please note that painting includes the garage doors, outside entry doors and all walls on your property.
  - a. Garage door(s) are required to be painted at the time of repainting your home and/or at the time of replacement. The garage door(s) need to be one of the three colors of your requested (body, trim or pop-out) color scheme. If another color or design is requested, the ARC must approve this prior to completion.
  - b. Outside entry door(s) are required to be painted at the time of repainting your home and/or at the time of replacement. The outside entry door(s) need to be one of the three colors of your requested (body, trim or pop-out) color scheme. Alternative materials, custom colors or stains for outside entry doors, need prior approval through the Architectural Review Committee.
  - c. Walls on your property are required to be the same color of the body of your house. Walls refer to all types of walls on your property including shared walls, Party Walls, neighboring, decorative, retaining and garden walls. Walls refer to all exterior walls to include front, rear and lakeside. If another color or design is requested, the ARC must approve this prior to completion.
7. The ARC reserves the right to request a sample to be painted on the home for onsite inspection, if submitting for a variance of the approved color schemes.
8. Approved color schemes may be viewed at the following locations:
  - a. Dunn Edwards: [dunnedwards.com](http://dunnedwards.com) or Sherwin-Williams: [sherwin-williams.com](http://sherwin-williams.com)
  - b. The Islands community website: [islandscommunity.org](http://islandscommunity.org)
  - c. The Islands Community Center, 825 S. Islands Drive West
9. Other paint vendors can be used by duplicating The Islands approved Dunn Edwards or Sherwin-Williams paint color code recipe exactly.

**26. Parking: Trucks, Trailers, Campers, Boats and Motor Vehicles**

1. No motor vehicle (classed by manufacturer rating as exceeding 3/4 ton, including flatbed trucks and semi-tractors), commercial vehicle, mobile home, semi-trailer, trailer, camper shell, detached camper, boat, boat trailer, or other similar equipment or vehicle may be parked, maintained, constructed, reconstructed or repaired on any Lot or Parcel or street so as to be Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes.
2. No automobile motorcycle, motorbike or other motor vehicle shall be constructed, repaired or, if inoperable, stored upon any lot, parcel or street so as to be Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes; provided, however, this provision shall not apply to repairs of an emergency or temporary nature, not to exceed forty-eight (48) hours.

### **27. Patio Covers (*permanently attached to the house*)**

1. The installation of patio covers, or similar shade structures shall require the approval of the ARC.
2. The application for approval shall include all architectural plans, site plans, elevation drawings, roof material; color and style shall match existing; material and texture must match the existing body of the home.
3. Patio covers require approval from the Town of Gilbert.
4. Patio covers and shade covers are an integral part of the house structure, therefore, they shall comply with setback standards of at least five (5) from a shared wall.
5. Also, reference "Awnings, Retractable Awnings, Roll Shades" and "Structures".

### **28. Play Equipment, Swing Sets, Trampolines**

1. Plans for play structures and similar recreational equipment must be submitted for approval since, in most instances, such structures and equipment are Visible From Neighboring Property. This is not to eliminate play structures, but to consider privacy issues for adjacent neighbors and to ensure aesthetic appeal. When considering plans, the ARC will consider the appearance, height and proximity to neighboring properties and may require the homeowner to add additional screening of the structure.
2. Submittals must include a picture or brochure of the structure, with dimensions, materials, colors and a plot plan, map or drawing indicating the proposed location and its proximity to adjacent property lines.
3. Any set that is greater than eight (8) feet in height, not including the canopy and supporting structure, shall not be approved. Platforms shall not be taller than five (5) feet from the ground.
4. All play equipment shall be a minimum of five (5) feet away from any wall.
5. Trampolines: the maximum height that shall be approved for trampolines and safety netting is ten (10) feet. Trampolines must be placed at least five (5) feet from all surrounding walls and screened to be unobtrusive and hidden from view as much as possible.
6. All play equipment, swing sets and trampolines, and similar recreational equipment, must be maintained in good condition at all times.

### **29. Pools/Spas**

1. Installation of pools and/or spas whether in ground or above ground, shall require the prior written approval of the ARC.
2. No drainage piping shall be allowed to discharge into the lake or Islands Common Areas.
3. Backwash, and any other water releases shall not be permitted into the lake or Islands common areas. Check with the Town of Gilbert ordinance requirements for backwashing.
4. Damage to Common Areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the homeowner.
5. Above ground spas shall be painted the same color as the body of the house, or a non-colored wood preservative may be used.
6. Above ground pools with attached decks shall not be placed within ten (10) feet of any party wall.

7. The owner shall provide access to contractors through their lot ingress, if at all possible. Any construction that requires the removal of common walls requires ARC approval and may require a deposit.
8. Any walls removed during construction of a pool, spa or other approved improvements shall be replaced in its original state without any modifications, immediately after construction is complete, including matching blocks/tiles, construction, paint and stucco, if applicable.

### **30. Roofs**

1. All roof types, designs, coverings, color and material shall be submitted for approval to the ARC prior to the commencement of construction or alteration.
2. "Built-up" type roof covering material for patio covers (i.e. rolled roofing) shall not be Visible from the Neighboring Properties, the street or any Common Area including but not limited to the lakes.
3. Generally acceptable roof materials shall be concrete tile or clay tile and shall be restricted to colors approved by the ARC on an individual basis.
4. Roof pitch is restricted as follows: four-twelfths (4/12) minimum for tile roofs, one-quarter (1/4) foot per foot pitch for patio covers as a minimum.
5. All vent pipe stacks and equipment protruding above the plane of the roof and Visible From Neighboring Property shall be painted and/or screened to match the roof as approved by the ARC.
6. There shall be no turbine roof vents installed on any home or other visible structures in The Islands. Vents or other rooftop appendages must be submitted to the ARC for approval.
7. Contact the Town of Gilbert for other applicable roof regulations.

### **31. Screen Doors and Security Doors**

1. Wrought iron security/screen doors need not be submitted for approval provided they are painted to match the base color of the home, are a neutral "earth tone" color or black.
2. Silver-colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited on front doors.
3. Roller-type shades shall not be used as exterior door or window coverings.
4. Anything that does not fall within these standards must be submitted for and will require the approval of the ARC.
5. For sunscreens, see "Windows".

### **32. Screened Patios (porches)**

1. The installation of a screened patio or enclosure of an existing patio cover requires prior approval of the ARC.
2. Screened patios shall appear architecturally integrated with the existing structure. Colors, material and texture must match the existing body of the home.
3. The knee walls or base wall which secures the screen material shall be a minimum of thirty (30) inches from finished grade or the sill height of the lowest adjacent window, whichever is lower, made of similar building components including but not limited to stucco, brick or

stone façade. A framing material sample must be submitted and shall be integrated with the color of the home.

4. A sample of the screen material shall also be submitted and should not be in contrast with existing screens on the home. Screens shall be maintained in like new condition.

### **33. Security Cameras**

Security cameras are permitted on homeowner's property. Security cameras are not to be pointed at neighboring lots and must be as unobtrusive as possible when mounted to the home.

### **34. Signage**

1. All signs shall conform and comply with appropriate governmental statutes and ordinances.
2. Political, children at play, for sale, for lease, for rent and open house signs must comply with A.R.S. § 33-1808, as amended (for single family homes) and A.R.S. § 33-1261, as amended (for condominium units).
3. Signs shall not be allowed on or at the fountain or in the adjacent Common Areas.
4. Real estate, garage sale, "For Sale" or directional signage may be placed for up to 48 hours in other Common Areas.
5. Permanent signs shall not be placed in the Common Areas, attached to the surface of any wall or any area for which the Association has maintenance responsibility.
6. A maximum of two (2) identification signs (name or address) per residential unit with an area no greater than seventy-two (72) square inches shall be permitted.
7. Address numbers are required and must be visible from the street.
8. Please refer to Town of Gilbert Code Compliance Rules.

### **35. Solar Energy Devices (including solar panels)**

Solar energy devices (including solar panels) shall be governed by the Solar Energy Device Guidelines. *See exhibit 7*

### **36. Storage Sheds (prefabricated or manufactured)**

1. Manufactured Storage Sheds Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, must be approved by the ARC in writing, prior to installation. When considering plans, the ARC will consider the appearance, height, location and proximity to neighboring properties and may require the homeowner to add foliage to appear less visible.
2. Color of the manufactured shed shall be of a neutral color and should match the existing color of the home.
3. In an effort to protect a Shared or Common Wall (i.e., a Party Wall), structures shall not be attached to the Party Wall.
4. The highest point of the shed should not exceed the shared wall by more than two feet.
5. Structures are to be maintained in good repair and condition at all times.

### **37. Structures, such as Shade Structures, Pergolas, Ramadas, Gazebos, Sail Shades or other similar structures (prefabricated, manufactured or temporary)**

1. All prefabricated or manufactured shade structures shall require the prior written approval of the ARC.
2. Pool/table umbrellas do not require architectural approval.
3. Structures must have a minimum five (5) foot setback from any wall.
4. Canvas covers must be solid earth tone in color and within The Islands paint palette
5. Maximum of one (1) structure per lot.
6. Must be professionally designed or manufactured, no homemade structures or PVC pipe construction will be permitted.
7. Structure must be free-standing. It may not be attached to home or any wall in any way, including ropes or lines.
8. Maximum height of ten (10) feet.
9. Maximum square footage of one hundred forty-four (144) square feet
10. Structures are to be maintained in good repair and condition at all times.

**38. Structures, such as Storage Sheds, Guest Houses, Ramadas, Gazebos, Pergolas or other similar structures (permanent)**

1. Structures must be approved by the ARC in writing, prior to installation. The application for approval shall include all architectural plans and elevation drawings.
2. The structure shall comply with setback standards to be at least five (5) feet from a shared wall.
3. Roof color and style shall match existing roof.
4. Gazebo roofs and pergolas (open lattice/wood roof of natural color) may also be considered for approval.
5. Wall color and texture shall match the existing body of the home.
6. Guest homes and solid wall structures must comply with any applicable Town of Gilbert regulation or ordinance.
7. Owners of neighboring properties must sign their approval.
8. Structures are to be maintained in good repair and condition at all times.

**39. Tennis/Sport Courts**

1. No tennis court or sport court shall be installed without prior written approval of the ARC.
2. Courts may be allowed providing their setting, visual appearance, lighting, noise generation, construction and landscaping does not detract from the enjoyment of a neighboring property as determined by the ARC. Each proposed installation shall be reviewed on a case-by-case basis.

**40. Walkways**

1. Walkways shall be no wider than three (3) feet and must be placed so as not to detract from the architectural features of the existing home and neighboring homes and shall not be used as parking for vehicles. Plot plans, detailing the existing home and the proposed walkway, shall be submitted to the ARC along with the intended finish texture of the walkway (for example: salt finish, tile, etc.).

2. Refinishing of existing walkways, textured walkways, painted or stained concrete or overlays which are Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, must be submitted to the ARC for approval prior to commencement.

#### **41. Walls and Fences**

1. Plans for new fences, walls (including decorative walls) or additions to existing residential structures must be submitted to the ARC for approval, prior to construction.
2. Plans to raise the height of a party wall (the wall between two lots) must be submitted for approval.
3. Side and rear walls may not exceed six and one-half (6½) feet in height from ground level, as measured from the lowest side of the wall. A fence within fifteen (15) feet of the front property line cannot exceed three (3) feet in height.
4. New fences or walls must match the existing wall in texture and color.
5. If changing a wall between lots (i.e., a Party Wall), the owners of both lots must sign the form to indicate their approval on the submittal as this wall is shared and both owners are responsible for maintenance thereof.
6. Decorative or garden walls may not exceed three (3) feet in height. Decorative or garden walls must be submitted for approval prior to installation and be finished to match the home in color and texture. Other materials not on the home will be considered on a case-by-case basis. When submitting, be sure to include enough detail and/or samples for the ARC to properly review the submittal.
7. Wall Maintenance, Repair and Replacement: the maintenance responsibility for Party Walls is generally governed by Section 4.2(p) of the Declaration. For questions regarding whether you have the duty to maintain, repair or replace a wall, please contact the onsite management office at 480-545-7740.

#### **42. Windows**

1. Any change to windows Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes, requires prior approval by the ARC. External window frames must be bronze, black, white or match (as closely as possible) the body color of the house. All new or replacement windows must be installed to be inset into the frame or flush with the wall with a border no thicker than three (3) inches so as to maintain the original architecture as designed by the builder.
2. No materials, including, but not limited to aluminum foil, reflective screens or glass, mirrors, cardboard, newspaper, insulation, drywall or similar type material, shall be installed or placed upon the outside or inside of any windows.
3. Exterior-mounted security shutters shall not be permitted.
4. Sunscreens shall be permitted in the following colors: black, bronze, brown, tan and dark gray. Landscape fabric is not an approved sunscreen.
5. Roller shades shall not be used as exterior window coverings.
6. Association retains the right to determine when a window screen/sunscreen must be repaired and/or replaced due to weathering, fading, tearing, ripping, missing, etc.
7. Window mounted air conditioning units are not permitted.

8. Interior window coverings are to be maintained in good repair and condition at all times.

## **LAKEFRONT RULES AND REGULATIONS & ARC GUIDELINES**

### ***43. Lakefront Ownership***

1. Lakefront homeowners shall also comply with ALL of The Islands' Guidelines for Homeowners, as stated in this document.
2. No waterfront facilities (dock) or improvements, including landscaping, may be constructed erected, installed, placed, altered or maintained without prior approval of the ARC.
3. All watercrafts shall have an Islands' boat permit. Please contact the onsite management office at 480-545-7740 for more information, or go to [islandscommunity.org](http://islandscommunity.org)
4. Each property can have up to three watercrafts visible from lakefront property. Canoes and kayaks are the only permissible watercraft to be stored out of the water.
5. All watercraft shall be maintained to be operable, in good repair and in a neat and well-maintained manner (including seats, shade covers and manufactured boat covers).
6. All boat covers shall be manufactured and designed to cover the boat and be maintained in good condition. The uses of tarps, drop cloths, etc. are prohibited.
7. Storage of items such as, but not limited to, boats, exercise equipment, maintenance equipment, ladders, etc. shall not be visible from neighboring lakefront properties.
8. Outdoor furnishings, fixtures and accessories visible from the lakefront properties are to be maintained in good repair and condition at all times.
9. The Islands lakes are private and meant for the enjoyment of The Islands residents and guests only. Violators will be subject to all trespassing laws. If you are aware of trespassers using the lakes, please contact the Gilbert Police.
10. Please refer to the Community Lake Use Rules prior to boating.

### ***44. Lakefront Docks***

1. The ARC has approved two (2) standard boat dock designs which shall be used by owners who wish to construct a dock on a lakefront lot. Prior to commencement of construction, the owner must submit a site plan to the ARC, detailing the exact location of the proposed dock (to scale) showing all intended construction and elevation drawings, including footing and rebar plan. Construction material must be specified along with color detail. No construction except for ARC-approved boat docks shall be permitted within five (5) feet of the inside edge of the lake wall. See exhibits 1, 2, 3 and 4.
2. All docks shall be a minimum of ten (10) feet from any Party Wall or lot line.
3. Watercraft shall be parked so as not to impede onto neighboring property.
4. A lot with less than seventy (70) feet of lakefront shall be allowed to construct a dock no wider than eight (8) feet. The dock shall not exceed three (3) feet to cantilever past the outer edge of the lake wall.
5. A lot with seventy-one (71) or more feet of lakefront may construct more than one (1) dock with ARC approval and no dock can be longer than twenty (20) feet along the shoreline. The dock shall not exceed three (3) feet to cantilever past the outer edge of the lake wall.

6. The guidelines designate approved dock designs. See exhibits 1, 2, 3 and 4. Any variance to these designs must be approved in writing by the ARC. The location of a dock must also be approved prior to its construction. It is the responsibility of an owner to maintain their dock and waterfront area in a neat, clean and safe condition.
7. Each owner of a lakefront lot or parcel shall at his/her sole cost and expense keep and maintain all waterfront facilities (dock) and other improvements in good, safe and clean appearance, condition and repair. The obligation of the owner includes periodic repair, painting and refurbishing.

#### ***45. Lakefront Easement***

1. The Islands Community Association retains a ten (10) foot lake easement from the inside lake wall (wall toward the building site). This easement is measured from the inside edge of the lake wall, following the curvature of the wall from property line to property line. Owners will be responsible to remove/replace any structure or landscaping installed within the ten (10) foot easement if such removal/replacement is necessary for The Islands to perform any lake maintenance or repair.
2. A lakefront owner will be responsible for the cost to repair the lake wall if damage can be determined to be caused by the owner's landscaping or structures built within the ten (10) foot easement.
3. No drainage piping shall be allowed to discharge into the lake or Islands Common Areas. Backwash and any other water releases shall not be permitted into the lake or Islands common areas. Check with the Town of Gilbert ordinance requirements for backwashing. Damage to Common Areas due to backwashing, including erosion, will be repaired by the Association, and all expenses incurred by the Association will be billed to the homeowner.

#### ***46. Lakefront Enhancements/Decor***

1. Decorative landscape enhancements may be permitted but must blend with the landscape theme and fall within the following guidelines.
2. Enhancements shall not exceed forty-eight (48) inches in height, except fountains which may not exceed seventy-two (72) inches in height.
3. Enhancements may include, but are not limited to, the following items: fountains, nautical items, sculptures and items such as clay pots and artifacts.

#### ***47. Lakefront Landscaping***

1. All landscaping and lighting for backyards of lakefront lots shall be completed in accordance with the following guidelines and require ARC approval prior to commencement.
2. No less than fifty percent (50%) of the area visible from the lake at the shoreline shall be "green" in nature. Decomposed granite or other natural rock may be visible in no more than forty percent (40%) of the remaining area.
3. Decomposed granite or other natural rock shall not be used on any slope greater than 6:1 (16.7% grade, or one (1) foot elevation for each six (6) feet of distance). Artificially colored rock is not permitted.
4. No tree shall be planted within ten (10) feet of the inner edge of the lake wall.

5. Ground cover on the lake's edge shall be maintained and not overhang into the lake. Clippings, plant trimmings and cut grass shall not be discharged into the lake.
6. All completed dwellings, sold or unsold, shall have their back yards landscaped no later than ninety (90) days from completion of construction.
7. Prior to completed landscaping projects, all lakefront backyards shall be maintained in a neat, trash-free, weed-free, dust-free condition.
8. Each lot on the lakefront has a wrought iron property dividing fence; the maintenance of this fence is a shared responsibility between neighbors. The fence may be painted Navajo white, black or to match the interior wall color, as long as the color is agreed upon by the neighbors and each side of the lot matches.
9. Fruit from citrus trees shall be collected before the fruit decays to assist in helping to prevent rodent inhabitation.

#### ***48. Lakefront Lighting***

1. All landscape lighting on lakefront backyards shall adhere to the guidelines outlined in Section 20 and 21.
2. All landscape lighting on lakefront backyards shall be indirect or low voltage.
3. White or clear patio lights are permitted year-round on lakefront backyards, but such lights shall not be permitted on upper patios or the roof line.

#### ***49. Lakefront Fencing***

1. **Duck, Geese or Coot preapproved fencing deterrents may be installed to meet the following guidelines:**
  - a. May use green or brown stakes no higher than three feet (3) above the ground, no closer than two (2) feet apart and may not be installed onto the lake wall.
  - b. One (1) or two (2) rows of clear or green wire shall be used to be attached tightly to the stakes. The deterrent shall be kept in good repair.
  - c. All other deterrents are prohibited.
2. **Pet and Pool Safety Fencing:**
  - a. All fencing must be approved by the ARC prior to installation.
  - b. Installation of safety fencing may not be installed within the five (5) feet of the lake wall.
  - c. Wrought iron fencing may be used and shall be black, white or painted to match the house.
  - d. Screened removable fencing may be used.
  - e. Low gauge chicken wire may be installed on property line fencing for the protection of animals.
  - f. No other deterrents shall be installed.
  - g. No gold or silver prefabricated, or manufactured fencing shall be used, even on a temporary basis.
  - h. No low-level scalloped fencing may be used.
  - i. Fencing must be maintained in good repair and condition at all times.

## **50. Lakefront Shade Structures**

1. Minimum ten (10) feet setback from the lake wall.
2. All waterfront shade structures require ARC approval prior to installation.
3. Structures must comply with all rules for shade structures as previously referenced.
4. Pool and or table umbrellas must be maintained in good repair and condition at all times.
5. Patio curtains must be neutral in color, made of a fabric suitable for outdoor use and must be maintained in good repair and condition at all times.

## **51. Lakefront Walls**

1. The lake walls are defined as being one (1) foot thick, measured from the lake edge of the concrete wall. All measurements which use the lake as a reference point shall use the inside edge. All measurements shall be at a right angle and a horizontal plane to the inside edge of the lake wall.
2. The lake walls are designed and intended to last fifty (50) to seventy-five (75) years. Though it is the Association's responsibility to repair and maintain the lake walls, it is the responsibility of each lakefront owner to protect the integrity of the lake wall contiguous to his/her property.
3. Owners may be required by The Islands Community Association to remove any construction within the ten (10) foot easement, if necessary, for the purpose of maintenance or repair. The cost of removal shall be borne by the owner.
4. Nothing shall be built upon, attached to, or supported by the lake wall including the view fence.
5. Lakefront pools, walls, fences requirements:
  - a. All pools, spas, fences, retaining/decorative walls, docks, ramadas or any other structures require ARC approval prior to installation.
  - b. No pool, spa, ramada, nor any other structure shall be built within five (5) feet of the inner edge of the lake wall.
  - c. Pool and spa maintenance and operating equipment shall not be Visible From Neighboring Properties, the street or any Common Area including but not limited to the lakes.
6. In the event that the need for maintenance or repair of the lake wall is caused through the willful or negligent act of any owner or resident, his/her family, guests, designees or agents, the cost of such maintenance and repair shall be added to and become a part of the assessment to which the member and his lot are subject.

## **COMMERCIAL RULES AND REGULATIONS AND ARC GUIDELINES**

Commercial properties are an integral part of The Islands community and will be held to the same high standards of its homeowners. The Board of Directors and/or the ARC reserve the right to request maintenance, painting, repairs, signage, parking lot, wall and landscaping, etc. They also reserve the right to deny a request.

1. All additions, modifications, improvements or painting must first be submitted to the ARC for approval prior to the commencement of any work or improvements. All improvements and/or building should reflect the architectural theme of The Islands.

2. Plans and specifications submitted to the ARC shall include detail of the exterior color scheme, including ALL exterior surfaces. The ARC has sixteen (16) approved color schemes to consider. The ARC will consider requests as long as the colors complement The Islands as a whole.
3. Maintenance of commercial properties shall include: landscape maintenance by keeping the areas neatly trimmed, cultivated and free of trash, weeds, tree suckers, ground branches, dead foliage, tree stumps and debris. Maintenance includes repair of all paved areas and concrete areas. Buildings shall be kept in good condition, repair and adequately painted.
4. No trash shall be allowed to accumulate outside the dumpsters and shall be disposed of per the Town of Gilbert regulations.
5. No items shall be stored so as to be seen from the street or neighboring properties.
6. All replacement or new building signage must be approved by the ARC prior to installation.
7. Permanent project identification (monument) signs shall be approved by the ARC and shall conform to The Islands Master Signage Plan and be kept in good repair.
8. The location and design of commercial signs shall be carefully integrated into the building forms and shall be approved by the ARC. Owners/developers of multi-tenant buildings shall submit a sign package for ARC approval prior to the commencement of construction.
9. Advertising banners --e.g., specials, etc. -- are prohibited.
10. Commercial businesses shall not interfere with homeowners' right of enjoyment.
11. Commercial structures shall not exceed the height of a two-story home (36 feet).
12. Commercial parcels shall comply with the Town of Gilbert lighting requirements, provided that the glare from light sources shall not be directly visible from neighboring properties (i.e., residential properties).

#### **TOWN OF GILBERT CODE AND RULES**

1. All buildings and structures erected within The Islands, and the use and appearance of all land within The Islands, shall comply with all applicable Town of Gilbert zoning and building code requirements as well as the Declaration, these guidelines and applicable Tract Declaration.
2. All buildings, developments and structures erected within The Islands shall conform to the development standards adopted by the Town of Gilbert as part of the master planned community known as The Islands.
3. It is the Association's understanding that the Town of Gilbert requires at least twelve (12) business days to perform the first review of your project. Sometimes there is a need for further reviews. It is also the Associations understanding that there is a nominal fee for project submissions. Please allow plenty of time to obtain town approval and permits.
4. Sec. 42-61(a) of the Town of Gilbert Municipal Code, states as follows: "It is hereby declared to be the policy of the town to prohibit unnecessary, excessive and offensive noises from all sources subject to its police power. At certain levels, noises are detrimental to the health, safety and welfare of the citizenry, and in the public interest, such noise shall be systematically proscribed." The code section can be found at [gilbertaz.gov](http://gilbertaz.gov).

EXHIBIT 1  
Dock Concept A

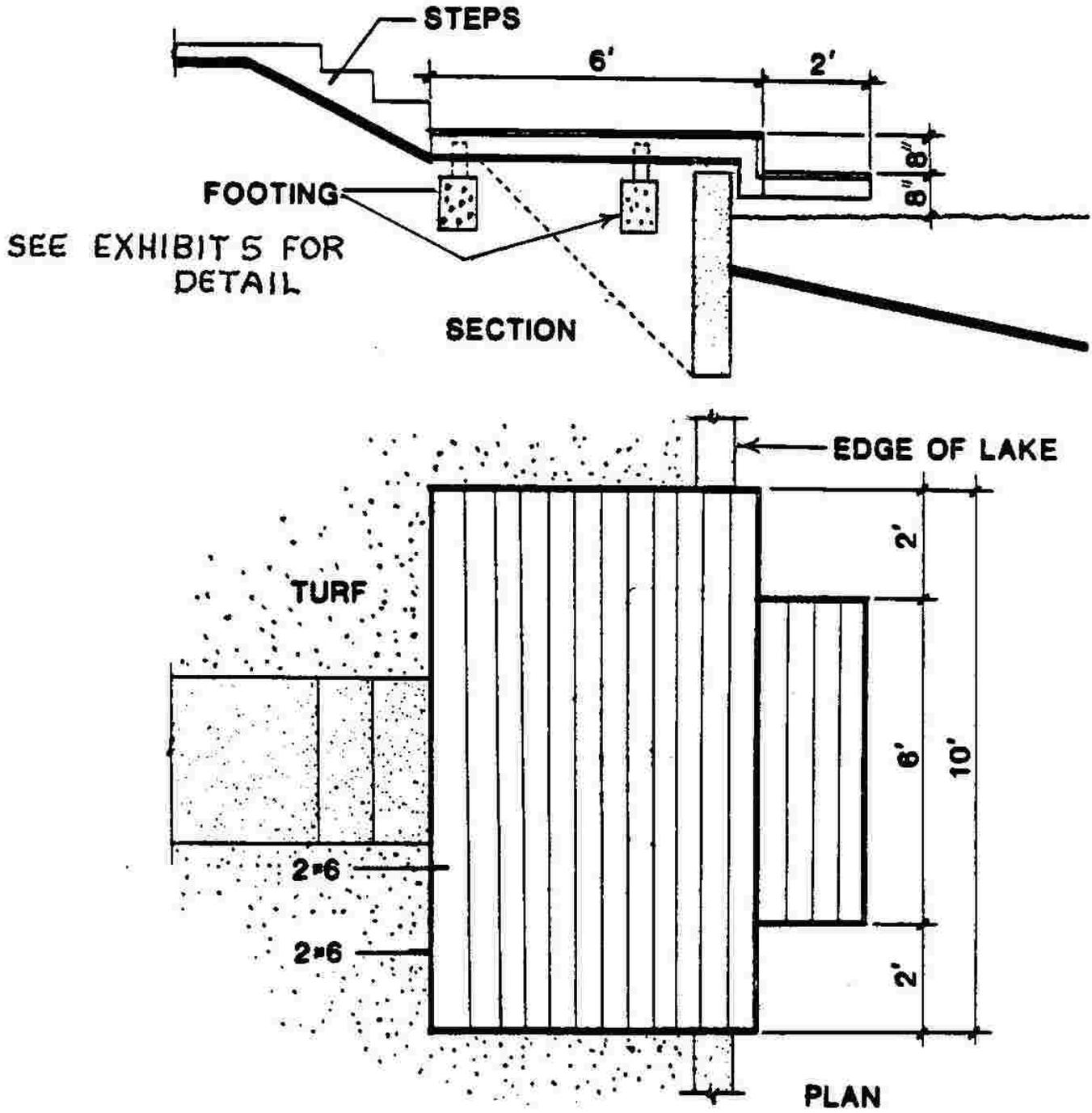
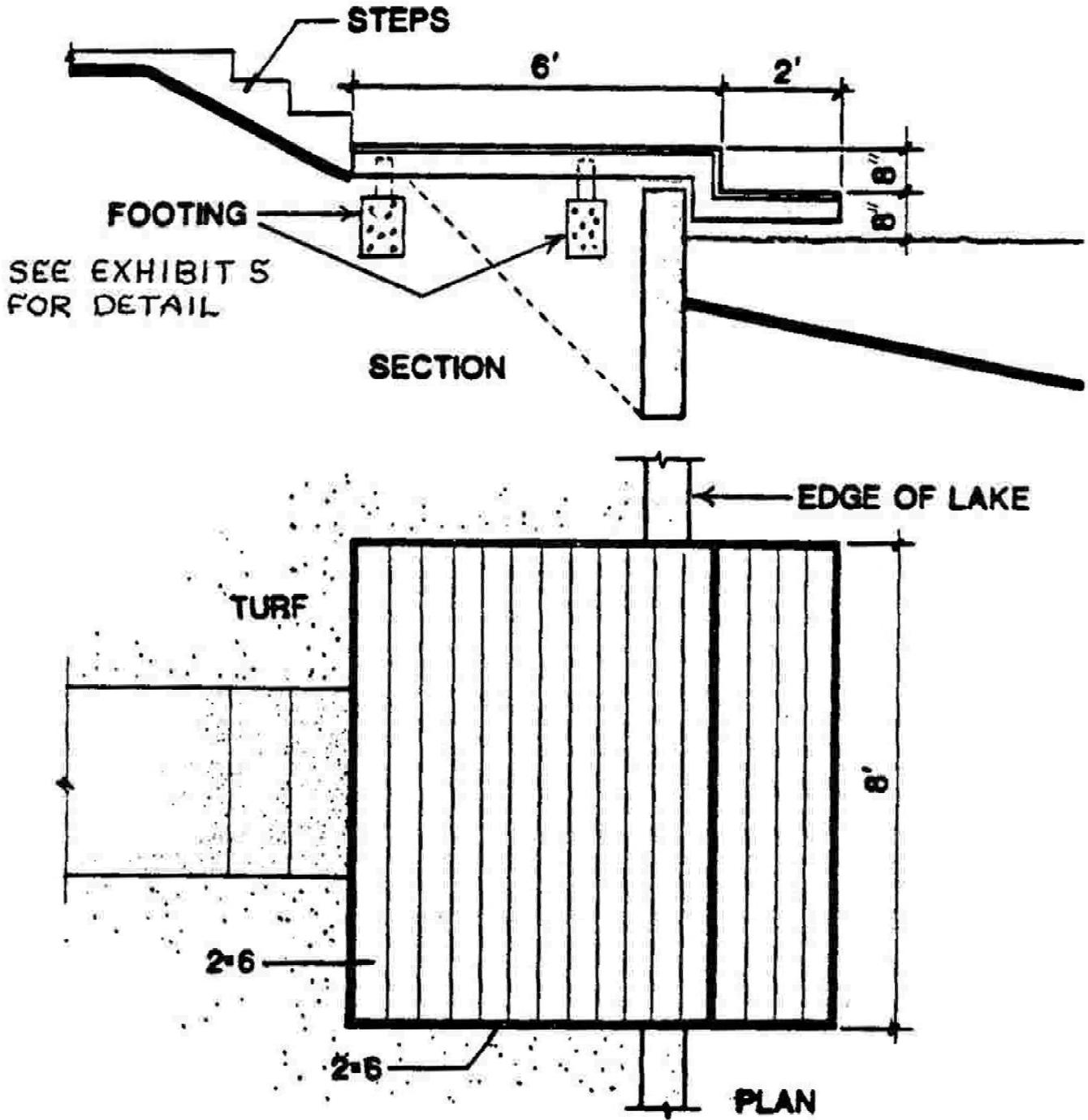
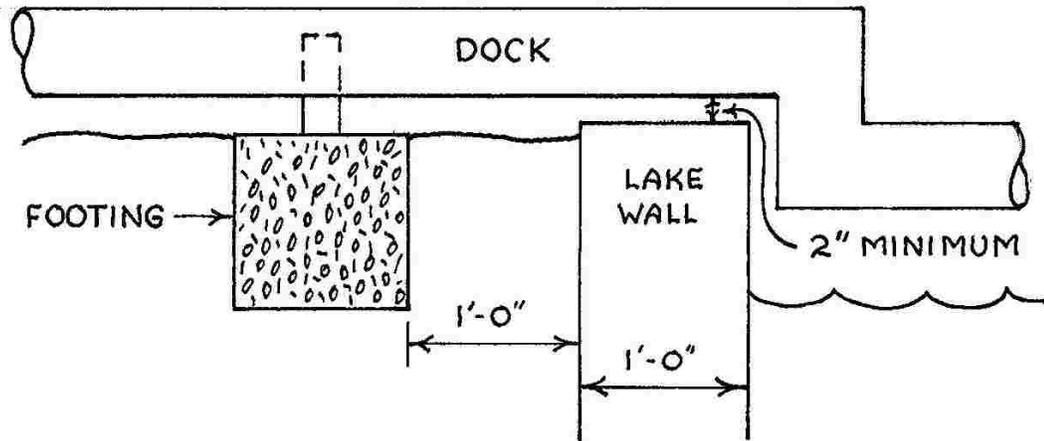


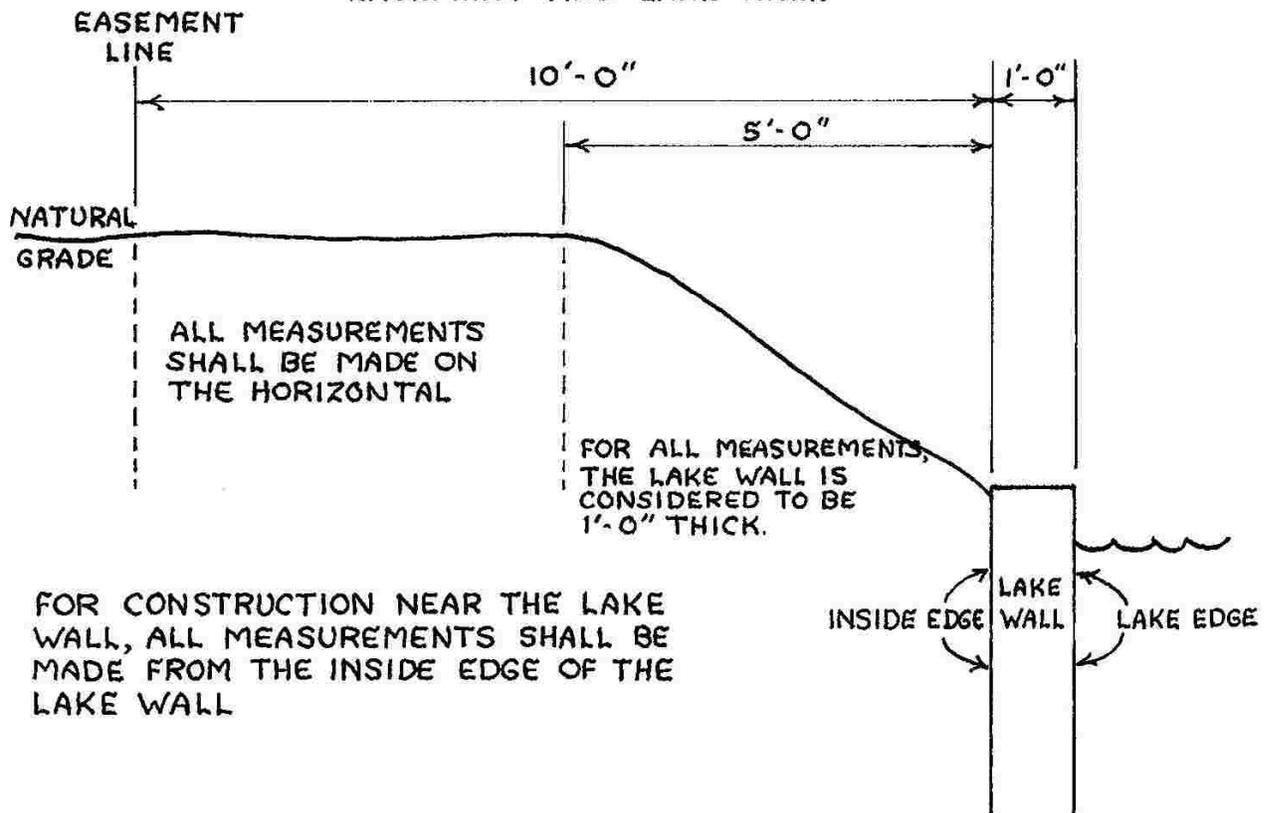
EXHIBIT 2  
Dock Concept B



**EXHIBIT 3**  
Dock Installation/Easement



**EXHIBIT 6**  
EASEMENT AND LAKE WALL



**EXHIBIT 4**  
View Fence Near Lake Wall

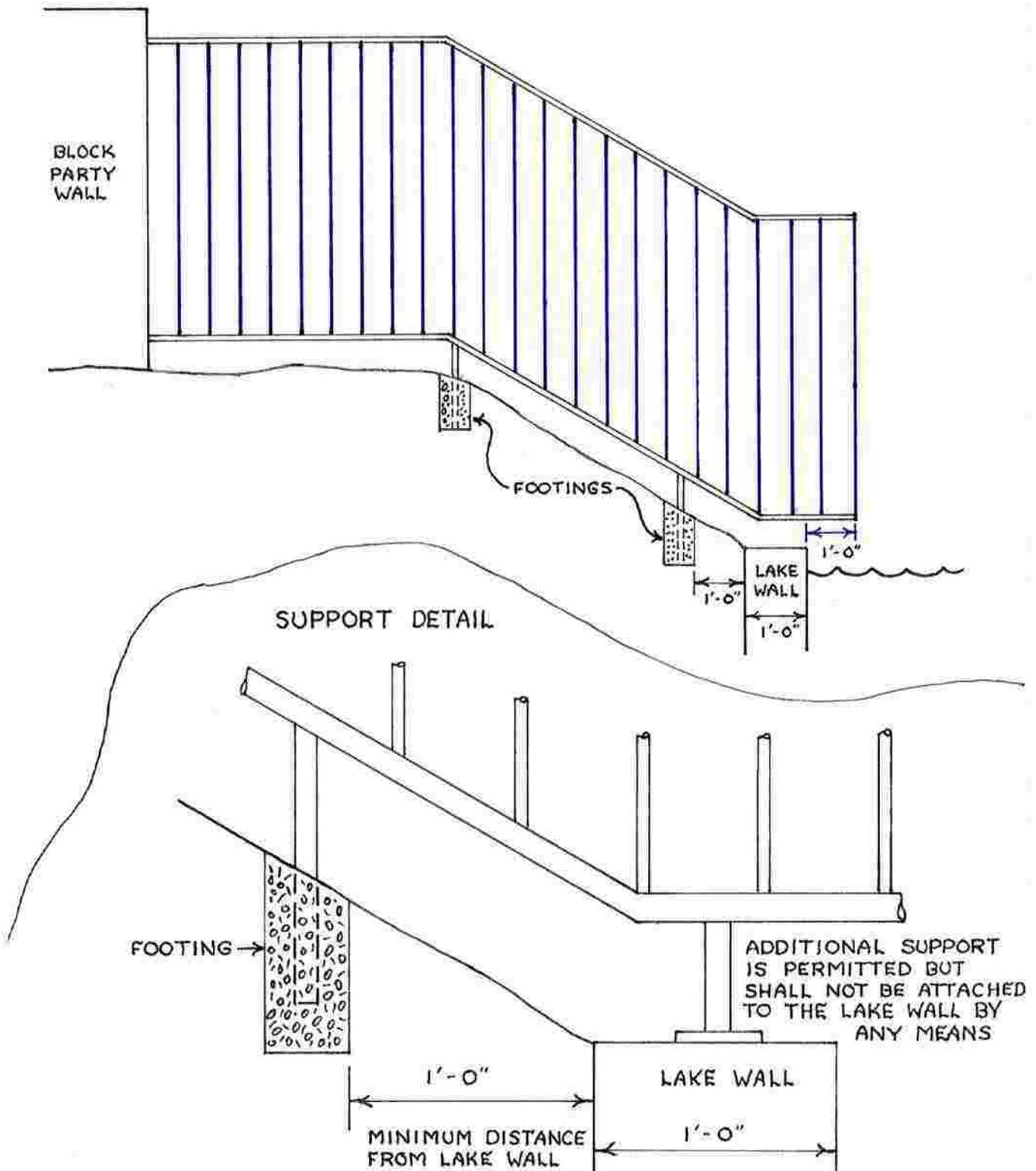


EXHIBIT 5



For Islands Use Only

Date received in office:

Initials:

Architectural Submittal Form

Account #: \_\_\_\_\_

The Architectural Review Committee (ARC) meets on the first Wednesday of each month; Submittals are due by the last Wednesday of each month. **Please include as much detail as possible**, this will help the Committee with your vision. Please return completed forms to the onsite office; you may drop them off, mail, or email. Onsite office hours are Monday-Friday from 8am-5pm. 825 S. Islands Dr. W., Gilbert, AZ 85233 Phone: 480-545-7740

Date: \_\_\_\_\_ Owner's Name: \_\_\_\_\_

Islands Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Sub Association (if you pay two assessments): \_\_\_\_\_

*Charter Point, Coral Reef, Costain, Laguna Shores, Paradise Cove, Sandcastle, Seawyns and The Falls must have Sub Association approval prior to submitting to The Islands. Please include your approval letter from your sub association.*

Lake (if you live on one): \_\_\_\_\_

Plans are being submitted for (example: landscape, dock, patio cover; basketball hoop, addition etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Description, in detail of work to be done (Use additional sheets for drawing of proposed improvements)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Type of Materials to be used (Attach samples/brochures/color photos)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



06/2018



**COMMUNITY ASSOCIATION**

**3. Contractors Name and Address (if applicable)**

\_\_\_\_\_  
Telephone \_\_\_\_\_ License # \_\_\_\_\_

Submittals should include the following: site plans clearly showing the big picture (entire lot) including orientation and relativity to other neighbors, lakes etc. In addition, there should be a zoomed-in detail of exactly what exists now (pictures) and what changes are proposed (drawings, if appropriate). All building material specifications and samples should be supplied. **INCOMPLETE SUBMITTALS WILL BE DENIED.** Architectural Review Committee requests will be approved, approved with stipulations, denied, or returned for additional information as soon as possible after the review.

The homeowner agrees to maintain improvement, if approved by the Architectural Review Committee. If, in the view of the Architectural Review Committee, the improvement is not being maintained, the Association has the right to maintain the improvement with the homeowner bearing all cost thereof.

The homeowner agrees to comply with all Town and State Laws, and to obtain the necessary permits. Approval by the Architectural Committee shall not be deemed a warranty or representation as to the quality of such construction, installation, addition, alteration, repair, change or other work, or that work conforms to any applicable building codes or other federal, state, or local law, statute, ordinance or rule regulation.

The applicant shall complete the construction within one hundred twenty (120) days of the date of the building permit from the Town of Gilbert. Homeowner modifications or alterations that do not require a building permit must be completed within one hundred twenty (120) days of commencement of the modification or alteration, as approved by the ARC. If the construction has commenced but is not completed, the Association shall have the right to assess the owner for the cost of completion and to collect such costs as provided for in the CC&Rs.

For additional information, please refer to The Islands CC&Rs and The Islands Architectural Guidelines, which may be found at [islandscommunity.org](http://islandscommunity.org) or the onsite office at 825 S. Islands Dr West, Gilbert, AZ 85233.

\_\_\_\_\_  
Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

***For Architectural Review Committee Purposes Only***

Meeting Date: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

\_\_\_\_\_ Approved; subject to the following conditions: \_\_\_\_\_



06/2018

EXHIBIT 6



For Islands Use Only:

Date received in office:

Initials:

Paint Request Form

Account #: \_\_\_\_\_

Colors must be submitted for approval prior to painting. All exterior paint projects include the body of house, trim, pop-out, all property walls and garage doors. Please see The Islands Architectural Guidelines for more information.

Approval process: If pre-approved schemes are chosen, your request can be administratively approved in the office. If colors are combined from multiple schemes or you choose your own neutral colors, the request will need to go before the Committee.

The Architectural Review Committee (ARC): Meets on the first Wednesday of each month; Submittals are due by the last Wednesday of each month. Please return completed forms to the onsite office; you may drop them off, mail, or email. Onsite office hours are Monday-Friday from 8am-5pm, 825 S. Islands Dr. W., Gilbert, AZ 85233 Phone: 480-545-7740

Date: \_\_\_\_\_ Owner's Name: \_\_\_\_\_

Islands Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Sub Association (if you pay two assessments): \_\_\_\_\_

Costain, Charter Point, Paradise Cove, The Falls, and Sandcastle must have Sub Association approval prior to submitting to The Islands. Please include your approval letter from your sub association.

Lake (if you live on one): \_\_\_\_\_

The Islands approved color palette has 16 schemes containing body colors with corresponding trim and pop-out colors. Body colors are to be used solely for the main body of the house. The ARC has the authority and reserves the right to disapprove a color combination.

Color Scheme #: \_\_\_\_\_

Body & Property/Retaining Wall Color: \_\_\_\_\_

Trim Color: \_\_\_\_\_

Pop-Out Color: \_\_\_\_\_

Garage Door Color: \_\_\_\_\_

Front Door Color (if applicable): \_\_\_\_\_

Signature of Owner

Date

For Architectural Review Committee Purposes Only

Date \_\_\_\_\_

ARC Approved \_\_\_\_\_

ARC Disapproved \_\_\_\_\_

Approved by Administration \_\_\_\_\_

ARC Approved; subject to the following conditions: \_\_\_\_\_





THE #1 CHOICE OF  
PAINTING PROFESSIONALS®

## The Islands

Approved Color Palette

[https://www.dunndwards.com/colors/archive/color-ark\\_pro/the-islands/the-islands](https://www.dunndwards.com/colors/archive/color-ark_pro/the-islands/the-islands)

### Scheme 1

1. DEW318 Cottage White -Body
2. DEC771 Shaggy Barked -Trim/Pop-Outs
3. DEC766 Steveareno Beige -Trim/Pop-Outs
4. DET693 Myan Chocolate -Trim/Pop-Outs

### Scheme 2

1. DEC751 Ash Gray -Body
2. DEC750 Bison Beige -Trim/Pop-Outs
3. DET624 Sorrel Felt -Trim/Pop-Outs
4. DEW340 Whisper -Trim/Pop-Outs

### Scheme 3

1. DE6144 Graham Cracker -Body
2. DEW343 Pearl Necklace -Trim/Pop-Outs
3. DE6142 Floating Feather -Trim/Pop-Outs
4. DET681 Moderne Class -Trim/Pop-Outs

### Scheme 4

1. DET635 Ecu Wealth -Body
2. DET512 Whale Watching -Trim/Pop-Outs
3. DET626 Metal Fringe -Trim/Pop-Outs
4. DET678 Daydreaming -Trim/Pop-Outs

### Scheme 5

1. DEC743 High Noon -Body
2. DE6198 Cream Wave -Trim/Pop-Outs
3. DE6173 Paper Sack -Trim/Pop-Outs
4. DEC755 Cocoa -Trim/Pop-Outs

### Scheme 6

1. DE6206 Desert Suede -Body
2. DE6204 Trite White -Trim/Pop-Outs
3. DE6216 Barrel Stove -Trim/Pop-Outs
4. DEA159 Rich Mocha -Trim/Pop-Outs

### Scheme 7

1. DEC760 Desert Gray -Body
2. DET626 Metal Fringe -Trim/Pop-Outs
3. DEC764 Insite Passage -Trim/Pop-Outs
4. DET653 Historic White -Trim/Pop-Outs

### Scheme 8

1. DET661 Equestrian -Body
2. DET659 Schindler Brown -Trim/Pop-Outs
3. DET660 Natural Radiance -Trim/Pop-Outs
4. DE6223 Mission Trail -Trim/Pop-Outs

### Scheme 9

1. DET625 Reclaimed Wood -Body
2. DET648 White Picket Fence -Trim/Pop-Outs
3. DET621 Palomino Pony -Trim/Pop-Outs
4. DET622 Portobello Mushroom -Trim/Pop-Outs

### Scheme 10

1. DEC715 Sandal -Body
2. DE6169 Milk Mustache -Trim/Pop-Outs
3. DE6124 Whole Wheat -Trim/Pop-Outs
4. DE6062 Tea Bag -Trim/Pop-Outs

### Scheme 11

1. DEC718 Mesa Tan -Body
2. DEW328 Pearl White -Trim/Pop-Outs
3. DE6135 Verona Beach -Trim/Pop-Outs
4. DEA161 Wild Mustang -Trim/Pop-Outs

### Scheme 12

1. DE6225 Fossil -Body
2. DE6228 Play on Gray -Trim/Pop-Outs
3. DET620 Barnwood Gray -Trim/Pop-Outs
4. DET614 So Chic! -Trim/Pop-Outs

### Scheme 13

1. DET627 Pewter Patter -Body
2. DET680 Espresso Macchiato -Trim/Pop-Outs
3. DET649 Carrara -Trim/Pop-Outs
4. DET620 Barnwood Gray -Trim/Pop-Outs

### Scheme 14

1. DEC741 Bone White -Body
2. DET510 Gunsmoke -Trim/Pop-Outs
3. DEC743 High Noon -Trim/Pop-Outs
4. DE6111 S'mores -Trim/Pop-Outs

### Scheme 15

1. DEC754 Quicksand -Body
2. DEW317 Day Lily -Trim/Pop-Outs
3. DE6229 Calico Rock -Trim/Pop-Outs
4. DET634 Downing to Earth -Trim/Pop-Outs

### Scheme 16

1. DEC717 Baked Potato -Body
2. DE6128 Sand Dune -Trim/Pop-Outs
3. DE6141 Salt Box -Trim/Pop-Outs
4. DEA163 Rodeo -Trim/Pop-Outs



**SHERWIN-WILLIAMS.**

## The Islands

Approved Color Palette

<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/hoa/gilbert/az/the-islands/>

### Scheme 1

SW7554 Steamed Milk - Body  
SW7052 Gray Area - Trim/Pop-Outs  
SW9086 Cool Beige - Trim/Pop-Outs  
SW2856 Fairfax Brown - Trim/Pop-Outs

### Scheme 2

SW6072 Versatile Gray - Body  
SW7504 Keystone Gray - Trim/Pop-Outs  
SW7503 Sticks & Stones - Trim/Pop-Outs  
SW7102 White Flour - Trim/Pop-Outs

### Scheme 3

SW9103 Farro - Body  
SW7103 Whitetail - Trim/Pop-Outs  
SW7553 Fragile Beauty - Trim/Pop-Outs  
SW2807 Rookwood Medium Brown - Trim/Pop-Outs

### Scheme 4

SW6155 Rice Grain - Body  
SW7746 Rushing River - Trim/Pop-Outs  
SW7046 Anonymous - Trim/Pop-Outs  
SW6385 Dover White - Trim/Pop-Outs

### Scheme 5

SW7536 Bittersweet Stem - Body  
SW6126 Navajo White - Trim/Pop-Outs  
SW9118 Tarnished Treasure - Trim/Pop-Outs  
SW7515 Homestead Brown - Trim/Pop-Outs

### Scheme 6

SW7036 Accessible Beige - Body  
SW7013 Ivory Lace - Trim/Pop-Outs  
SW6151 Quiver Tan - Trim/Pop-Outs  
SW6068 Brevity Brown - Trim/Pop-Outs

### Scheme 7

SW7534 Outerbanks - Body  
SW7046 Anonymous - Trim/Pop-Outs  
SW7555 Patience - Trim/Pop-Outs  
SW6154 Nacre - Trim/Pop-Outs

### Scheme 8

SW6122 Camelback - Body  
SW6110 Steady Brown - Trim/Pop-Outs  
SW7573 Eaglet Beige - Trim/Pop-Outs  
SW2820 Dowing Earth - Trim/Pop-Outs

### Scheme 9

SW7016 Mindful Gray - Body  
SW7006 Extra White - Trim/Pop-Outs  
SW6039 Poised Taupe - Trim/Pop-Outs  
SW9160 Armadillo - Trim/Pop-Outs

### Scheme 10

SW6093 Familiar Beige - Body  
SW7103 Whitetail - Trim/Pop-Outs  
SW2823 Rookwood Clay - Trim/Pop-Outs  
SW6040 Less Brown - Trim/Pop-Outs

### Scheme 11

SW9093 Nearly Brown - Body  
SW7105 Paperwhite - Trim/Pop-Outs  
SW2859 Beige - Trim/Pop-Outs  
SW6104 Kaffee - Trim/Pop-Outs

### Scheme 12

SW7006 Extra White - Body  
SW7643 Pussywillow - Trim/Pop-Outs  
SW9169 Chatura Gray - Trim/Pop-Outs  
SW7654 Lattice - Trim/Pop-Outs

### Scheme 13

SW7044 Amazing Gray - Body  
SW7675 SealSkin - Trim/Pop-Outs  
SW7005 Pure White - Trim/Pop-Outs  
SW9169 Chatura Gray - Trim/Pop-Outs

### Scheme 14

SW6357 Choice Cream - Body  
SW6165 Connected Gray - Trim/Pop-Outs  
SW7536 Bittersweet Stem - Trim/Pop-Outs  
SW6117 Sriokey Topaz - Trim/Pop-Outs

### Scheme 15

SW7553 Fragile Beauty - Body  
SW7103 Whitetail - Trim/Pop-Outs  
SW7744 Zeus - Trim/Pop-Outs  
SW7055 Enduring Bronze - Trim/Pop-Outs

### Scheme 16

SW7519 Mexican Sand - Body  
SW7596 Only Natural - Trim/Pop-Outs  
SW7104 Cotton White - Trim/Pop-Outs  
SW7523 Burnished Brandy - Trim/Pop-Outs

## EXHIBIT 7



### COMMUNITY ASSOCIATION Solar Energy Device Guidelines

#### I. Application

- A. These Guidelines apply to solar panels and other solar energy devices governed by A.R.S. §§ 33-1816 and 44-1761.
- B. Prior to installing any solar energy device, Owners shall submit to the ARC the "Application for Placement of Solar Energy Device" form attached to these Guidelines.

#### II. Enforcement

- A. These Guidelines shall not be enforced in a way that (1) prevents the installation of solar energy devices; (2) impairs the functioning of the solar energy devices; (3) restricts the use of a solar energy device; or (4) adversely affects the cost or efficiency of the solar energy device.

#### III. Rules Regarding Placement, Installation, and Maintenance

Installation of solar energy devices (panels) must comply with the following regulations, to the extent that they do not impair the functioning of the device, or adversely affect the cost or efficiency of the device:

- A. No solar energy device (panels) may encroach upon the Common Area or the property of another Owner.
- B. Solar energy devices (panels) must be shielded from view from the street, Common Area, and neighboring properties, so as not to be Visible from Neighboring Property to the maximum extent possible. The landscaping or structure used to shield the solar energy device must be approved in advance by the ARC.
- C. Solar energy devices (panels) must comply with all applicable Town, County and State laws, regulations and codes.
- D. Placement and installation must be pursuant to the manufacturer's instructions.
- E. In order to protect against personal injury and property damage, the solar energy device must be properly grounded and secured. Also, it may not be placed in a location where it will come in contact with a power line or block or obstruct any driver's view of an intersection or street.
- F. When installing a solar energy device (panels), the Owner needs to take into consideration the landscaping and other improvements on neighboring property. The Association is only able to enforce the provisions of its governing documents. If a neighbor's landscaping or other improvement grows or is moved so as to obscure or otherwise negatively affect the Owner's solar energy device, the Association cannot take enforcement action unless there is a violation of the governing documents. Therefore, the Owner needs to keep this in mind when planning to install solar energy devices.
- G. The Owner is responsible for all costs associated with the installation and maintenance of the solar energy device (panels).
- H. The Owner is responsible for all damage caused by or connected with the solar energy device (panels).
- I. The Owner must hold the Association harmless and indemnify the Association in the event that someone is injured by the solar energy device (panels).
- J. The Owner shall keep the solar energy device (panels) in good repair so that it does not violate any portion of these Rules.

#### VI. Severability

- A. If any provision of these Guidelines is ruled invalid, the remainder of these Guidelines shall remain in full force and effect.
- B. If the Legislature of the State of Arizona modifies A.R.S. § 33-1816 or A.R.S. § 44-1761, the modified laws shall be incorporated into these Guidelines as if fully set forth herein.





**THE ISLANDS  
COMMUNITY ASSOCIATION**

**Application for Placement of Solar Energy Device (panels)**

<p><i>For Islands Use Only</i></p> <p>Date received in office: _____</p> <p>Initials: _____</p>
---

Account #: \_\_\_\_\_

Please return completed forms to the onsite office; you may drop them off, mail, or email.  
Onsite office hours are Monday-Friday from 8am-5pm. 825 S. Islands Dr. W., Gilbert, AZ 85233  
Phone: 480-545-7740

Date: \_\_\_\_\_ Owner's Name: \_\_\_\_\_

Islands Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Sub Association (if you pay two assessments): \_\_\_\_\_  
*Charter Point, Coral Reef, Costain, Laguna Shores, Paradise Cove, Sandcastle, Seawyns and The Falls must have Sub Association approval prior to submitting to The Islands. Please include your approval letter from your sub association.*

Type of Device: \_\_\_\_\_

**Identify Placement Location:**

Roof (Front)  Roof (Back)  Roof (Side)  Patio/Deck/Yard (Front)  Patio/Deck/Yard (Back)

Other  Specify: \_\_\_\_\_

Will the solar energy devices be placed so as to be *Visible from Neighboring Property*? Yes  No   
If Yes, please provide information or an explanation supporting the necessity for placement so as to be *Visible from Neighboring Property*.

Will the placement be in compliance with all Association guidelines (which include manufacturer's guidelines and applicable building codes)? Yes  No

I will comply with all of the Association's Rules Regarding Placement, Installation, and Maintenance of solar energy devices. I assume liability for any damage to Association and other owner's property that occurs due to solar energy device placement, installation, and maintenance.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

**For Architectural Review Committee Purposes Only**

Date: _____	ARC Approved _____
Approved by Administration _____	ARC Disapproved _____
	ARC Approved; subject to the following conditions: _____



EXHIBIT 8



The Islands Community Association

Second Amended and Restated Deed Enforcement Policy

Approved: December 16, 2019

Effective: December 16, 2019

WHEREAS, The Islands Community Association ("Association") has authority pursuant to the Amended And Restated Declaration of Covenants, Conditions, Restrictions and Easements For The Islands ("Declaration") and the Bylaws of The Islands Community Association ("Bylaws") to determine, in its reasonable discretion, the manner in which to remedy and/or impose penalties for violations of the provisions set forth in the Declaration, Architectural Guidelines, Rules and Regulations ("Rules") and/or Bylaws (collectively, "governing documents");

NOW THEREFORE, IT IS RESOLVED that the following general procedures and practices are established for the enforcement of violations of the use restrictions and architectural and design standards in the Declaration, Rules and Bylaws of the Association and for the elimination of violations found to exist within the Association. These procedures and practices shall be known as the "Enforcement Policy". This Enforcement Policy completely amends, restates, and supersedes any prior enforcement policies and procedures of the Association.

1. The Association reserves the right to deviate from this Policy and to take any action at any time authorized by the governing documents or applicable law in order to secure compliance. This right includes, but is not limited to, the right to exercise self-help as set forth in the Declaration, and the right to turn any matter over to legal counsel at any time and act in accordance with legal counsel's recommendation.

2. Violation Notices. Upon verification of the existence of a violation of the governing documents by the management staff ("Management") or the Board, Management may send a written Notice of the Violation to the Lot Owner ("Initial Notice") which shall set forth the information required by the Declaration and by applicable Arizona law. A subsequent Notice of Continuing Violation may be sent if the Lot Owner fails to remedy the Violation after the expiration of the compliance date provided in the Initial Notice, which shall notify the Owner of the Board's intent to levy a fine if the violation is not corrected by the deadline provided, and of the Owner's right to request a hearing.

3. Fines. If the Lot Owner fails to remedy the Violation by the compliance deadlines provided, Management may send to the Lot Owner a Notice of Fine and/or Corrective Action which shall set forth the information required by the Declaration and Arizona law. Unless otherwise specified by the Board, the amount of fines imposed will be in accordance with the General Fine Schedule adopted by the Board and attached to this Policy as Exhibit A.

4. Hearings. A hearing will be scheduled with the Board or a designated Committee within fourteen (14) days of receipt of a request by an owner for a hearing. The Board or Committee will take into consideration circumstances that may require a longer time period to accommodate schedules of both parties.

5. Recurring Violations. If the Lot Owner fails to remedy a violation, or the same violation reoccurs within three (3) months from the Notice of Fine and/or Corrective Action, the Board may take any action authorized by the governing documents, including but not limited to sending additional Violation Notices and imposing additional fines in accordance with the Schedules listed in Exhibit A to this Policy.

APPROVED, this 16 day of December 2019.

The Islands Community Association

By: [Signature] 12/16/19  
President



## EXHIBIT A

### The Islands Community Association General Fine Schedule

The fines set forth in this Fine Schedule shall be considered to constitute damages sustained by the Association, and are intended to compensate the Association for the administrative burden of addressing the violation and the adverse impact of the violation on the community.

The Board of Directors reserves the right to deviate from the fine amounts set forth here in if, after a hearing on the matter, the Board finds good cause to decrease the amount of the fine levied in a particular case. The Board also reserves the right to pursue any and all other remedies set forth in the Declaration at the same time or in lieu of levying the fines set forth in this Fine Schedule.

- A. **INITIAL NOTICE:** An initial notice of the violation shall be mailed to the Owner requesting compliance within a specific timeline, as set forth in the notice - **NO FINE will be levied.**
- B. **NOTICE OF CONTINUING VIOLATION (SECOND NOTICE):** If the violation still exists at the expiration of the time period provided for in the First Notice, Management will inspect the property again for compliance on or after the **fourteenth (14<sup>th</sup>) day**. If the violation has not been cured, a Second Notice requesting compliance within shall be mailed to the Owner. - **NO FINE will be levied**, but the Owner shall be notified of (1) the Board's intent to levy a fine if the violation is not corrected by the deadline provided, and (2) the Owner's right to request a hearing.
- C. **NOTICE OF FINE AND/OR CORRECTIVE ACTION (THIRD NOTICE):** If the violation still exists at the expiration of the time period provided for in the Second Notice, Management will inspect the property again for compliance on or after the **fourteenth (14<sup>th</sup>) day**. If the violation has not been cured, a Notice of Fine and/or Corrective Action shall be mailed to the Owner. A **\$50.00 fine** will be assessed with the Notice of Fine and/or Corrective Action (Third Notice).
- D. **FOURTH NOTICE:** If the violation still exists at the expiration of the time period provided for in the Notice of Fine and/or Corrective Action, Management will inspect the property again for compliance on or after the **fourteenth (14<sup>th</sup>) day**. If the violation has not been cured, a Notice of Fine and/or Corrective Action shall be mailed to the Owner. A **\$75.00 fine** will be assessed with the Notice of Fine and/or Corrective Action (Fourth Notice).
- E. **FIFTH NOTICE:** If the violation still exists at the expiration of the time period provided for in the Notice of Fine and/or Corrective Action, Management will inspect the property again for compliance on or after the **fourteenth (14<sup>th</sup>) day**. If the violation has not been cured, a Notice of Fine and/or Corrective Action shall be mailed to the Owner. A **\$100.00 fine** will be assessed with the Notice of Fine and/or Corrective Action (Fifth Notice).
- F. **CONTINUING VIOLATIONS:** If the violation continues without resolution **fourteen (14) days** after the date of the Fifth Notice, a **fine of \$100.00** shall be assessed **every fourteen (14) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, in accordance with the Second Amended and Restated Deed Enforcement Policy.

**G. REOCCURRING VIOLATIONS/REFERRAL TO LEGAL COUNSEL.** If the same violation reoccurs within the three (3) month period following the date of the Notice of Fine and/or Corrective Action, then the notification/fine assessment will resume from the most recent correspondence sent. In addition, the Board of Directors shall have the right to remedy the violation, implement self-help and/or take legal action, in accordance with the Amended and Restated Deed Enforcement Policy. The cost of self-help or legal action shall be assessed to the owners account, per the Declaration. In addition, Management may send the matter to legal counsel after three months, or at any time Management deems it appropriate.

**H.** In accordance with A.R.S. ' 33-1803, in the event the infraction of the Governing Documents pertains to the condition of the owners property, the owner may provide the Association with a written response to the notice of violation by sending the response via certified mail to the Association in accordance with the relevant statutes. Upon receipt of such a response, and unless the Association has already provided the following information to the owner, the Association shall thereafter refrain from taking any enforcement action until such time as the Association secures an emergency order from a court of competent jurisdiction and/or provides the owner with the following information:

- (1) The provision(s) of the Governing Documents that has allegedly been violated;
- (2) The date of the violation or the date the violation was observed; and
- (3) The first and last name of the person or persons who observed the violation.
- (4) The process the Owner must follow to contest the notice.
- (5) The Owner may file a petition for an administrative hearing on the matter with the Department of Real Estate pursuant to A.R.S. § 32-2199.01.

If the Association has provided the foregoing information to an Owner in a notice of violation prior to receiving the written response from the Owner, then the Association will be deemed to have complied with A.R.S. ' 33-1803, and the Association may proceed immediately with enforcement action.