

**RESORT PARK ASSOCIATION, INC.**  
**VILLA MONTEREY IV**  
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**RULES AND REGULATIONS**

**INTRODUCTION**

In order for Villa Monterey IV to operate effectively for the full benefit, safety and well-being of its owners, lessees and guests, the board of directors has established the following rules and regulations to be observed by owners, lessees and, where applicable, guests.

These rules and regulations outline important standards for our 55+ community. They are designed to keep our properties in the best possible condition to help protect and enhance property values; preserve key elements of the original architectural design of our Scottsdale Historic District; and protect against disturbances which may interfere with the quiet enjoyment of our individual and common properties.

Any questions about these Rules and Regulations will be answered by members of the VMIV Board of Directors.

**SECTION A. RESIDENTIAL AREAS**

1. **Owners must notify the Villa Monterey IV HOA board in writing for any of the following changes:**
  - Contact information (including cell phone & email)
  - Occupancy of any and all residents on the property
  - Ownership changes
  - Intent to sell the property

Changes must be submitted in writing to the HOA board either by email at **info@resortpark.org** or via US mail (address listed above).

A "Notice to Sell" form\* can be found on the website and in the Clubhouse on the Resident Information Table. The required form must be completed and submitted in writing at least 30 days prior to listing or intent to sell.

\*Forms can be found at <http://www.resortpark.org>

2. **Although a home buyer or owner does not need to be 55 years of age or older, at least one (1) occupant residing in the home must be 55+.** Please refer to the Covenants, Conditions and Restrictions (CC&Rs), Article III, Section B for details on age restrictions. Buyers must agree to abide by the VMIV CC&Rs and the Rules and Regulations listed here. Both documents can be found on the HOA website: <http://www.resortpark.org>
3. **Leasing is only possible after the Owner owns the home for eighteen (18) consecutive months after the close of escrow on the property.** Lessees must meet the age restrictions as outlined in the CC&Rs, Article III, Section B. Owners must provide lessees with a copy of, or access to, the CC&Rs and the Rules and Regulations.

The required "Rental Verification" form\* must be completed and submitted by the owner to the HOA board prior to leasing. This form can be found in the Clubhouse on the Resident Information Table or on the website. Please refer to the CC&Rs Article III, Section E for details on leasing.

4. **The only signs allowed on the property are those listed below. No advertising signs are permitted.** Please refer to the CC&Rs, Article III, Section F for details.
  - One (1) "For Sale" sign
  - One (1) "For Lease" sign
  - One (1) "Open House" sign
  - Political signs per applicable laws
5. **Homes are for residential use.** No business activities may be conducted on the lot unless the business activity is not detectible by others; conforms to all zoning ordinances; does not involve people coming to the home except on an infrequent basis; does not include door-to-door solicitation of residents; and does not constitute a nuisance or threaten the safety and security of other residents, as determined by the HOA board. Please refer to the CC&Rs, Article III, Section C for details.
6. For Discussion: **Carports are to be used for vehicle parking.** Noncommercial vehicles used for regular transportation are allowed in the carport including cars, sport utility vehicles (SUVs), pickup trucks, vans, motorcycles, E-bikes and bicycles. These vehicles must fit inside the carport or driveway. ~~Commercial vehicles are not allowed for parking in the carport.~~

\*Forms can be found at <http://www.resortpark.org>

7. **Recreational vehicles (RVs), camper trailers, campers, boats, boat trailers and motor homes may be parked in the driveway for a maximum of 72 hours** and generally for the purpose of loading or unloading. Please note: City of Scottsdale ordinances apply.
8. For Discussion: **Vehicles may be parked on the street for up to 72 hours. No commercial vehicles (e.g. pedicabs) or inoperable vehicles may be parked overnight on any VMIV street.** City of Scottsdale ordinances apply.
9. **Vehicles may only be parked in the designated carport or driveway.** Vehicles parked in the driveway must not obstruct sidewalks and must allow pedestrians to have a safe walking path. Vehicles may not be parked in the front yard of any property. Please note: City of Scottsdale parking ordinances apply.
10. **If an allowed vehicle is under cover, it must be parked in the carport or garage, not on the driveway.**
11. **No repair or disassembly of vehicles is permitted in carports, driveways, or front yards.** Exceptions are made for short-term emergency repairs including, but not limited to, charging or replacing batteries and changing tires.
12. **Electric vehicle charging stations must be professionally installed inside the carport or garage** and meet all City of Scottsdale building and electrical codes. Ideally, charging stations are minimally noticeable from the street.
13. **A limited set of items, in addition to vehicles, are allowed in carports.** These items include a small, outdoor table with one or two chairs; a bench for sitting (not storage); hung artwork, and pots with plants or flowers.
14. Current. **Garbage and recycling containers are not allowed to be stored in the carport.** Containers must not be visible from the street.  
For Discussion: Background - not all VMIV homes were built with secondary access to the backyard. Six of 144 homes (> 5%), have no second 'utility' door or side gate with access to the backyard in order to roll the city supplied bin to the front sidewalk. Hardship cases should be permitted. In these cases, partitions or panels in the carport can be allowed in keeping with the original intent while matching the interior carport paint color.

15. **Garbage cans/bags or recycling bins** are to be placed in front of the home no earlier than 5:00 PM the night before each designated garbage or recycling collection. All containers are to be removed from the street as soon as possible after each pickup.
16. **City of Scottsdale Brush & Bulk collection** is scheduled during one (1) week each month. See <https://www.scottsdaleaz.gov/solid-waste> for the schedule and for the allowable collection materials. Items may be placed in the front yard up to 7 days prior to the weekly scheduled pick-up. If brush and bulk does not adhere to city guidelines, the owner or resident is responsible for arranging pick-up and disposal.
17. **Owners are expected to keep all areas of their property well maintained**, free from trash, garbage, unsightly objects, equipment, yard debris, etc. This includes any objects visible from the street or neighboring properties. Please note: Scottsdale's Anti-blight Ordinances allow City of Scottsdale inspectors to view all unscreened exterior areas at any time, with or without the permission of the property owner or occupant. Under certain circumstances, HOA board has the right to enter an individual lot and perform maintenance as required. Article VI, Section C. Unresolved complaints in VMIV covered by Scottsdale ordinances, will be referred to Scottsdale Zoning Enforcement for action.
18. **All landscaping must be maintained by the owner of the property.** This includes lawns, shrubs and trees. Per City of Scottsdale ordinances, yards should be kept weed-free and well maintained. Weeds, dead and dried vegetation, grass clippings and yard debris need to be cleared and disposed of properly. The storage of equipment, supplies, tools, unused pots or landscape materials are not allowed in the front yard. When not in use, garden hoses must be stored out of site or neatly rolled up near the hose bib/water spigot. Electric cords can not be visible for front yard lighting.
19. **Approved times if excessive noise, if necessary.** This includes the use of power equipment or other loud activity. Owners must advise neighbors, in advance, if work with excessive noise is planned. Owners and lessees, including outside contractors, are not allowed to engage in excessive noise outside of the following times:
  - November - March: before 8:00 AM or after 6:00 PM
  - April - October: before 7:00 AM or after 6:00 PM

20. **All citrus tree fruit must be picked and removed by April 1.** This is very important due the possibility of roof rat infestation. The HOA has the authority to levy a per-tree fine for each month after April 1, that trees are left with unpicked fruit.
21. **All palm trees must be trimmed, and debris removed by July 1.** This is due to the safety and damage risks associated with falling fronds. The HOA has the authority to levy a per-tree fine for each month after July 1, that palms are left untrimmed.
22. **Storage units, clothes lines, equipment, wood piles, garbage cans etc.** must be kept at the rear the house and below back yard walls so as to conceal them from the view of neighboring lots and streets.

For Discussion: Any exceptions to this rule would require approval in writing from immediate neighbors and the HOA board including the roof of the storage unit or to increase the height of your back yard wall on any or all sides.

23. **Front Yard Furniture must be designed and intended for regular, long-term patio use.** No folding, camping or stadium chairs, or furniture intended for indoor use, are allowed. Patio furniture must be maintained in good condition free of rust, peeling paint, deterioration or damage. Sitting areas must be on a continuous, defined hard surface and approved by the Architectural Review Committee (ARC). See Section B 2 of this document for allowed surfaces. Portable fire pits, grills, heaters, or similar are not permitted on any portion of the property visible from the sidewalk or street, when not in use.
24. **All holiday lights and decorations must be removed within two (2) weeks after the end of the holiday period.**
25. **Individual yard, garage, or carport sales are not allowed.** The HOA board will approve and support a community-wide sale on pre-determined dates. The date(s) will be communicated in advance. Private estate and moving sales are allowed for owners only, on a one-time basis for a maximum of three (3) days.
26. **All pets must be on a leash** when outside the confines of a residence or walking in Villa Monterey. Pet owners are responsible for cleaning up their

pet's waste in the neighborhood and during "Yappy Hours" on the common grounds. Bagged dog waste from "Yappy Hour" is to be taken to the owner's home for disposal or, if that's not possible, placed in the dog waste container located in the southwest corner of the common grounds. Bagged dog waste is not to be placed in regular garbage containers on the common grounds.

27. **Drone-type apparatus is not allowed** and is not to be used at or above any VMIV HOA common area or individual lot.

## **SECTION B. CLUBHOUSE, POOL AND RECREATIONAL AREAS**

Owners in good standing and their guests have the right to use the recreational areas, exercise room and pool areas. If an owner leases their house, the Clubhouse and pool rights are extended to the lessees and the following applies to both owner and lessees.

1. **Everyone using the VMIV facilities**, including the pool, jacuzzi, exercise room and all common areas, does so at their own risk. Resort Park Association is not responsible for accidents or injuries.
2. **All owners/lessees are responsible for their guests' conduct.**
3. **All exterior entry & exit gates to the grounds must be locked at all times.**
4. **In case of an emergency, personal cell phones are to be used to call 911.**
5. **For safety reasons, diving into the pool is not allowed.** Additionally, no boisterous or unbecoming conduct is allowed in the pool or pool area, including running, pushing, or unwanted splashing.
6. **Music needs to be kept at low levels as to not disturb nearby neighbors.**
7. **Everyone using the facility is responsible for leaving the Clubhouse, adjacent patio, ramada, pergola, the pool and jacuzzi areas, exercise room, showers and restrooms in good condition.** This includes closing umbrellas, returning furniture to its original position, disposing of trash and recyclables in the appropriate containers, and ensuring Clubhouse and restroom doors are closed and locked.

8. **No glass containers are allowed on the entire pool and jacuzzi deck area, in the pool or in the jacuzzi.** Unbreakable beverage containers are allowed.
9. **No smoking is allowed in the pool, jacuzzi or any enclosed area (e.g. Clubhouse).**
10. **No pets are allowed in the Clubhouse or pool.** Supervised pets are allowed in designated common areas during identified times (i.e. “Yappy Hours”) as approved and posted by the board of directors.
11. For Discussion: **Children under 18 years of age must be supervised by an adult at all times and are not allowed in the jacuzzi.**
12. **Infants and toddlers must wear swim diapers when in the pool.**
13. **Appropriate attire**, including shirts, shorts, cover-ups and shoes, must be worn in the Clubhouse and the exercise room.
14. For Discussion: **Owners and residents may reserve the Clubhouse and adjoining covered patio.** The “Clubhouse Rental Agreement and Rules” form and the “Use of Ramada/Common Grounds Area?” form can be found on the website and in the Clubhouse on the Resident Information Table. The required form must be submitted in writing at least 7 days prior to the requested date.

As stated in the City of Scottsdale fire code, the number of guests in the Clubhouse is limited to 52 people. Music and noise must be limited as not to disturb nearby neighbors. All children under 18 years of age must be accompanied by an adult.

Reserving the Clubhouse or the adjacent covered patio does not include exclusive use of the pergola, pool or common grounds during the reservation time period. The pergola, pool, rest rooms and exercise room are always open to all residents and are not available for exclusive use by private parties.



## SECTION C. ARCHITECTURAL REGULATIONS

**All renovations, improvements, modifications and additions require prior written approval from the Architectural Review Committee (ARC) before any work may commence on your property.** These include, but are not limited to: the exterior of the house including architectural elements; doors, windows; shutters, awnings; front yard design and landscaping; carport or driveway changes and roofs.

Requests must be completed and submitted by the owner on the “ARC Exterior/ Paint Application” form\*. Complete details and specifications must be included as instructed on the application. An owner may be notified by ARC and the HOA if additional permits or levels of approval are required by the City of Scottsdale (COS) and/or the City’s Historic Preservation Commission (HPC). ARC is committed to a timely review and approval of applications; however, the complexity of the project will dictate the timeline.

No work may begin until written approval from ARC has been received and, if applicable, the COS and HPC. Once approved, the owner has 6 months to complete the project or reapplication may be required.

### 1. **Front Yard Landscaping, Landscape Lighting and Front Patios.**

**Landscaping:** Grass, decorative gravel, river rock, perennial ground cover, artificial turf and drought-tolerant plants (e.g. trees, shrubs, cacti and flowers) are permitted. Reference guides are listed on the HOA website. Xeriscaping and plants native to the area are preferred and all plantings, at mature height, should not conceal window or door openings or obstruct views of the front façade from the sidewalk or street.

**Landscape Lighting:** Colored bulbs are not permitted except during holidays.

**Front Patios:** All sitting areas must be on a continuous, defined hard surface, comprised of one of the following: decorative brick; concrete or stone pavers; stone slabs; flagstone; or poured concrete. The overall design and materials should complement the architectural structure and palette. A patio or seating area, including the wall, may not exceed 40% of the front yard, excluding the driveway.

\*Forms can be found at <http://www.resortpark.org>



2. **Exterior Paint Colors:** Exterior paint colors for VMIV homes including body color, trim, doors and architectural features must adhere to the designated color palette approved by ARC and the City of Scottsdale to maintain the integrity of our historic community. Current color options may be viewed on the HOA website or in the Clubhouse. ARC will consider other proposed color options only if approved by the COS and HPC.
3. **Front Windows: Due to energy efficiency requirements, COS approval is required for replacement windows.** Windows are an important character-defining feature of our historic district. Replacement windows must retain the original dimensions and a two-window slider is the standard style for homes in our district. Permitted window frame colors include white, off-white and silver. Window-to-door conversions are discouraged by the COS and HPC.
4. **Window Awnings:** Window awnings are permitted with approval by ARC. The color, design and material need to complement the architectural style and color palette of the home.
5. **Front street lamp posts are maintained by each individual owner** and all owners are encouraged to have one installed. A single lamp post with a consistent design is a unifying architectural feature of the Villa Monterey Historic District and is essential for safety and visibility. Since the COS does not provide streetlights on some streets, the lamp post is the only source of street lighting.

Newly installed or renovated lamp posts must meet VMIV architectural guidelines for uniformity and approval. One black lamp post per yard, with a single, clear glass (no design) light fixture is required. The light fixture may have 1 to 3 bulbs and the height of the post, including light fixture, is to be 83 inches. The lamp post must be hard-wired (no solar) with a dusk-to-dawn sensor inconspicuously mounted on the post. Colored bulbs are not permitted except during holidays. If anyone is unable to maintain the light, or change a bulb, a neighbor or a board member may be called for assistance.

For Discussion: **Each VMIV home is required to have a front street lamp post.** All lamp posts must meet the ARC requirements (see above). All homes must have a lamp post by December 31, 2025 or when the property is sold, whichever comes first. The HOA will not approve the sale if there is no lamp post. For the safety of our community, lamp posts need to be lit from dusk to dawn. This applies whether the home is occupied or not. Lamp posts are to be

maintained by the owner. The HOA will provide (a uniform) post, lamp fixture and light bulbs at the expense of the owners.

6. **Driveways and Carports: Flooring, Awnings/Screens, Conversions**

**Flooring:** Decorative brick or stone pavers, stone slabs, and poured concrete are permitted. Not permitted for use as a carport or driveway surface include asphalt; gravel; epoxy coating with flecks; pool deck coating; artificial turf or plantings (e.g. grass, ground cover); and dark paint colors. Colors, design and material need to complement the architectural style and color palette of the home.

For Discussion: A driveway extension or widening of the driveway by three feet (3') may be allowed upon approval from the HOA board.

**Carport awnings, curtains, blinds, screens and roll-a-shields** are not permitted.

For Discussion: Carport blinds are allowed for owners with an east/west exposure upon approval from the HOA board.

**Carport-to-garage conversions** require the HOA board and COS permit approval. Carports are considered a character-defining feature of a 1960's Scottsdale townhouse and carport-to-garage conversions are discouraged.

7. **Front Entry and Front Utility Room Doors:** Only single doors are permitted. The color, design and materials should keep with the context of the architectural style of the façade and/or historic time frame. Solid doors or doors with glass panel inserts are permitted. Doors with sidelights are not permitted.
8. **Roofs:** Owners must maintain the style of the existing roof, particularly parapets, crickets and any other architectural features. Roof materials should be clay or composite tile, shingles or foam-roof coatings that are similar in size and texture to those traditionally used in VMIV. Any changes require the approval of the COS and ARC.

**Please note:**

Owner suggestions or concerns pertaining to any Villa Monterey IV common areas or private lots are to be submitted in writing to the board of directors either by e-mail or through the U.S. Mail, using the addresses at the beginning of this document.

The board of directors has the authority to levy fines if an owner or lessee violates any of the VMIV HOA Rules and Regulations. Fines can be levied until a violation is corrected.

**REVISED 05/31/2024 - TO BE REVIEWED AT JUNE 2024 VMIV BOARD MEETING AND SUBJECT TO CHANGE.**