

**Paseo Development Review Committee
Design Guidelines and Landscape Criteria**

I. Overview

The Paseo Master Homeowners' Association, Inc. ("**Association**") envisions Paseo as a premier residential community in Southwest Florida. In order to maintain the integrity of this vision, the Development Review Committee or ("**DRC**") has established these Design Guidelines and Landscape Criteria (collectively "**Guidelines**") that must be followed with respect to any and all exterior improvements, construction, reconstruction, addition, deletion, change, alteration, repair, repainting and replacement, as well as landscaping changes and exterior decorations within Paseo ("**Development**").

The Development is located within the City of Ft. Myers, in Lee County, Florida.

These Guidelines have been duly adopted by the DRC, effective October 6, 2023, and may be amended from time to time.

II. Development Review Committee

The primary purpose of the DRC is to promote and ensure that all improvements to the Development are aesthetically compatible with other existing or planned improvements, natural amenities, and common areas within the Development.

The DRC is created under the Master Declaration of Covenants, Conditions, and Restrictions for the Paseo Master Homeowners' Association, ("**Declaration**"), and is granted the authority to create and maintain design and development guidelines as well as application and review procedures for any exterior modifications of a personal residence ("**Dwelling Unit**") and any proposed modifications or alterations on platted lots ("**Lot**") within the Development.

Notwithstanding anything contained herein to the contrary, all improvements and modifications shall comply with any applicable building regulations and standards established by all applicable governmental authority and the terms set forth in the Declaration.

The DRC will be composed in accordance with Declaration. The DRC shall meet as necessary to review DRC Design Applications and any other necessary business. The operation, management and proceedings of the DRC must be conducted in accordance with the Declaration and any other applicable governing documents of the Association. To the extent the terms or conditions of these Guidelines conflict with any of the terms or conditions in the Declaration, the terms and conditions in the Declaration shall govern and control.

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III. Paseo Sub-Association Integration and Independence

Each neighborhood association, Provencia at Paseo, Esperanza I, Esperanza II, Esperanza III, Esperanza IV and the Paseo Condominium Association, (individually "**Neighborhood**", collectively "**Neighborhoods**") within the Development may adopt its own Design Guidelines and Landscape Criteria. The terms and conditions of the Neighborhood's Guidelines may be more restrictive than the DRC Guidelines but may not conflict with or otherwise negate the terms or conditions of the DRC Guidelines.

If a Neighborhood has established its own Architectural Review Board or Architectural Review Committee (collectively "**ARB/ARC**"), or if the Board of Directors of said Neighborhood is otherwise entrusted with the power to review and approve Design Applications, an owner shall obtain written approval from the Neighborhood ARB/ARC for any desired exterior improvements or modifications. Unless otherwise directed by the DRC in writing, the Neighborhood Association must copy the DRC on all Design Applications. The DRC reserves the right to suspend any Neighborhood Association's independent right to review, approve, or deny Design Applications at any time.

If a Neighborhood has not established its own ARB/ARC, then the DRC will remain responsible for the review of the Neighborhood's Design Applications as forwarded by the Neighborhood's Association management to the DRC.

The DRC reserves the right to retain sole jurisdiction for the review and approval of certain specified Design Applications. These specific scenarios and requirements are further defined within this document.

IV. DRC Design Application and Review Process

A. Design Application

Prior to commencing any new construction or remodeling to the exterior of a dwelling unit, or performing any other improvement, construction, reconstruction, addition, deletion, change, alteration, repair, repainting or replacement to the exterior of a dwelling unit or improvement on a Lot, as well as any landscaping changes and exterior decorations, the owner must submit a Design Application (**Appendix A**) to the appropriate Neighborhood Association or the DRC requesting review and approval of the proposed scope of work.

The owner must include with their Design Application all relevant details required to fully describe the nature of the requested modification, including but not limited to color, style, materials, location, measurements, contractor license, blueprints, and lot drawings.

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B. Review Process

The DRC Design Application Request Process Flow is outlined in **Appendix B**. This Exhibit defines the process to be followed for receiving, distributing, and approving Design Applications.

The Neighborhood Association ARB/ARC or DRC, as applicable, must complete its review within thirty (30) days of the owner's submittal of a complete Design Application, with plans. The ARB/ARC or DRC may request additional documentation or information from the owner to support an Application and an Application is not deemed complete until such time as the owner provides all requested information.

The Neighborhood Association ARB/ARC or DRC, as applicable, must notify the owner, in writing, once the Design Application has been (i) approved; (ii), approved subject to required modifications, or (iii) denied. If the Design Application is approved subject to required modifications, or if the Design Application is denied, the ARB/DRC must describe the required modifications or the basis for the denial in the notification to the owner. The description must be sufficient for the owner to make the necessary changes to the plans to receive ARB/DRC approval upon re-submittal.

C. Completion of Work Requirement

After approval of the application, all work must commence within four (4) months of the approval date. Any request for an extension to commence work must be approved, in writing, by the Neighborhood Association ARB/ARC or the DRC, as applicable.

Once work has commenced, all work must be completed within thirty (30) days, unless otherwise approved in writing by the DRC.

D. Enforcement

Owner must complete all approved modifications in full compliance with the approval notice, as well as the current Design Guidelines and all Governing documents.

Owner must correct any failure to comply within the period set forth by the DRC. In the event owner fails to make such corrections as directed by the DRC within the specified period, the DRC is entitled to pursue any available remedies, including removal of any nonconforming improvements or conditions at owner's cost and expense.

V. Violation of Design Guidelines

In the event of any violation of these Guidelines, the following procedures shall occur:

- A. The DRC shall provide a written notice ("**Violation Notice**") to the owner, which may be sent via electronic e-mail if owner has previously consented, in writing, to receive email

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correspondence on this matter. The Violation Notice will describe: (a) the violation, (b) the location of the violation, (c) the party responsible for such violation, (d) the required corrective action, (e) the date by when the corrective action(s) must be completed or a penalty may be applied, and (f) the amount of any penalty that may be required to be paid by the owner to the Association if the specified corrective action isn't taken ("**Penalty**").

- B. In the event owner fails to perform any required corrective action or pay any Penalty in accordance with a Violation Notice, the DRC may take any of the following actions:
 - 1. issue a second Violation Notice as described above; or
 - 2. enter any Lot, perform the required corrective action as set forth in the Violation Notice and issue to owner an invoice for the damages, costs and expenses incurred by the DRC ("**DRC Costs**") as a result of owner's violation and failure to perform the required corrective action(s); or
 - 3. issue and post in a conspicuous manner, a Stop Work Order ("**Stop Work Order**"), as permitted by law, at the Construction Site, prohibiting Contractor from conducting any further construction activity at the Construction Site until Owner has provided to the DRC evidence of compliance with any Violation Notice and received the DRC's written confirmation of such compliance.
- C. Unless owner is filing an appeal, Owner shall pay any invoice for DRC Costs within thirty (30) days of receipt of such invoice. Failure to pay within the proscribed period of time may result in a lien placed on the respective Lot.
- D. For purposes of these Guidelines, DRC Costs shall equal one hundred twenty five percent (125%) of any cost or expenses required to be paid or incurred, whether direct or indirect, by the DRC as a result of an owner's violation of these Guidelines; provided, however, in no event shall such DRC Costs be in an amount less than \$250.
- E. For purposes of these Guidelines, the DRC's delivery of a notice or Stop Work Order, as permitted by law, to owner or posting of the notice or Stop Work Order at the Construction Site shall constitute proper delivery of such notice or Stop Work Order. Notwithstanding any provisions of this Section to the contrary, the DRC's schedule, notice or imposition of any penalties, or any determination regarding the validity thereof, shall in no event constitute a release or waiver of the DRC's right to collect DRC Costs pursuant to this Section.

VI. Appeal Process

A. DRC Rehearing

In the event the DRC denies an owner's request, requires modification, or issues a notice of violation, the owner may request a rehearing by the DRC on the original

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decision.

The rehearing must take place no later than thirty (30) days after a written request for a rehearing is received by the DRC, unless the owner waives this time requirement in writing. Within fifteen (15) days after receipt of a written appeal, the DRC will inform the owner, in writing, of the date, time, and place of the Appeal meeting. Owner shall have a right to attend the meeting and to make a statement pursuant to procedures established by the Board.

The DRC must prepare and submit to the owner a final written decision no later than thirty (30) days after the rehearing date.

B. Master Association Board Review

An owner who disagrees with a decision of the DRC shall have the right to make a written appeal to the Master Association Board of Directors ("Board") within thirty (30) days of said DRC decision. Within fifteen (15) days after receipt of a written appeal, the Board must provide written notice of the date, time, and place of a DRC Decision Review meeting to the members of the DRC and the aggrieved owner, each of whom shall have a right to attend the meeting and to make a statement pursuant to procedures established by the Board. Within fifteen (15) days after the DRC Decision Review meeting, the Board shall send written notice of its decision to the owner and an electronic copy to the DRC. The Board must make a final decision no later than sixty (60) days after receipt of the written appeal. The Board's decision shall be final.

Any decision of the DRC or, if appealed, the Board will be final and binding upon the Owner, its heirs, legal representatives, successors and assigns.

VII. DRC Design Guidelines

The DRC has prepared the Design Guidelines (**Appendix C**) and the Landscape Criteria (**Appendix D**) for all Neighborhoods, owners, and contractors to follow and adhere to. Owners should review these Guidelines before considering any improvements. It is the owner's responsibility to conform to all established criteria. Deviation from these criteria must be requested and approved in writing by the DRC.

The DRC has adopted these Guidelines to assist its review of DRC Design Applications. However, these Guidelines are not the exclusive basis for DRC decisions and compliance with these Guidelines, in whole or in part, do not guarantee approval of any DRC Design Application. In addition, the DRC may also grant variances in accordance with the Declaration. Variances may only be granted, however, when unique circumstances dictate and must be provided to the owner in writing. No variance shall stop the DRC from denying a similar variance in other circumstances.

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These Guidelines may be amended from time to time in accordance with the Declaration and other governing documents of the Association, provided such amendments are prospective only, unless otherwise required by applicable laws, codes, or regulations. There is no limitation on the scope of amendments to these Guidelines except that no amendment shall require the modification or removal of any changes previously approved by the DRC. These Guidelines are binding upon each owner, each dwelling unit, and each Lot, including, without limitation, any construction activities located thereon.

Owner is solely liable for and must obtain all necessary permits, approvals, and inspections required by State, County or Local Government authority. Owner and Contractor, as applicable, shall ensure that all improvements comply with any applicable codes, rules, regulations, ordinances, and laws. In no event shall the Association or the DRC be liable for any injury, damages, or loss resulting from the methods or quality of construction or compliance of such construction with applicable codes, rules, regulations, ordinances, and laws of any governmental authority.

VIII. Limiting Conditions

The Design Guidelines are not an offer to sell, purchase, or list real estate, nor are they a warranty of any type; such agreements must be separately set forth in legally executed written documents.

The Design Guidelines do not supersede the Declaration, the Florida Building Code ("**FBC**"), other municipal, county, state, or federal regulations, or other legally binding contracts or agreements between the Developer and owners.

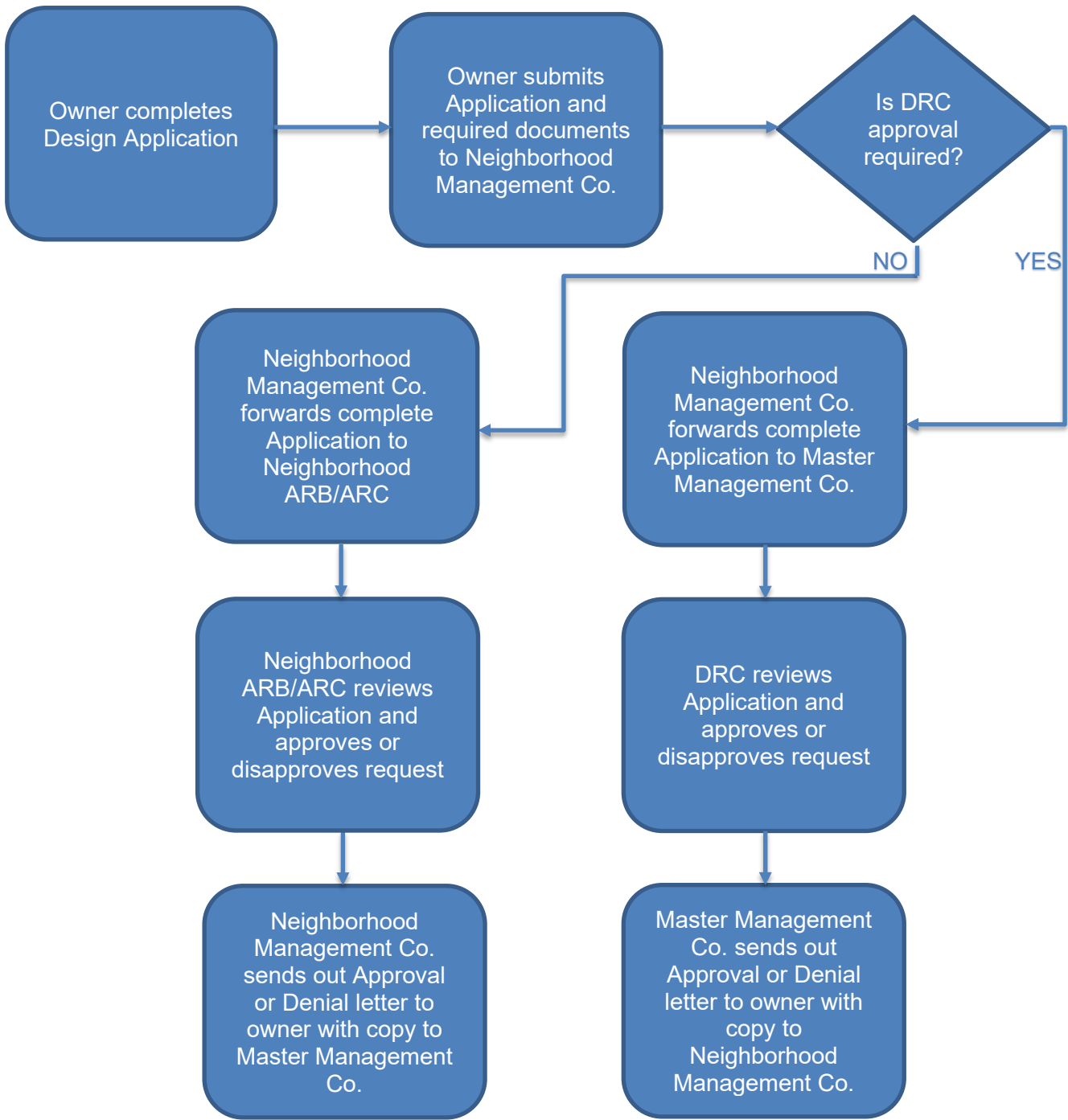
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Appendix A: DRC Design Application Forms

(Insert Design Application Forms prior to finalizing document)

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Appendix B: Design Application Request Process Flow



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Appendix C: DRC Design Guidelines

Within this section of this document, items noted as "**Requires DRC Approval**" must be approved specifically by the DRC, and no Neighborhood is permitted to approve such items. Items noted as "Requires Pre-Approval" may be approved by a Neighborhood or the DRC.

Accessory Structures – Requires DRC Approval

All outbuildings including but not limited to detached storage buildings, tool sheds, doghouses and greenhouses are not permitted without prior written approval from the DRC.

Additions or Structural Changes to the Exterior - Requires DRC Approval

All additions or structural changes to the exterior of a dwelling unit must be compatible with the principal structure in both material and configuration as permitted by the Declaration and determined by the DRC. Such additions or changes must not encroach into required setbacks.

The following are the only building finishes permitted unless otherwise approved in writing by the DRC:

- Faux Stone
- Natural Stone
- Painted Stucco
- Precast stone

Air Conditioners – Requires Approval

Any additional air conditioning units added to a dwelling unit must be approved. Window units are expressly prohibited.

A/C units shall not be visible from the street. Landscaping may be used to conceal the A/C unit(s).

Antennae and Satellite Dishes – Requires Approval

No more than one satellite dish with a maximum diameter of 40 inches may be installed on a single-family unit. All antennae and any Satellite Dish must not be visible from the street to the greatest extent possible. The antennae and dish may be installed on the Lot adjacent to the dwelling unit with landscaping surrounding it, shielding it from view from the street and the adjacent dwelling unit.

Antennae and satellite dishes are prohibited in the Paseo Condominium area per the Paseo Condominium Association Governing documents.

Awnings (Exterior)

Are prohibited.

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Clotheslines

Must be contained within the screened lanai.

Common Areas

Common areas consist of any open space, wooded area or forest edge that is not on owner property. Planting, clearing, trimming, or landscaping of any kind in the common areas is prohibited. Using common area for storage, including for storing trash cans or recycling bins is not permitted. Installation of benches, planters, potted plants, or any children's play equipment is not permitted. Note: If an owner desires to organize a beautification project of any common area, he or she must seek and be granted prior written approval by the Board of Directors, DRC or CDD, as applicable.

Decks, Lanai Extensions and Patios - Requires DRC Approval

If approved, must be located at the rear of the property, and enclosed by a pool cage/screen enclosure that meets the conditions outlined in the Pool Cage / Screen Enclosure Section of this document.

Doors:

Replacement of Front Door - Requires DRC Approval

Replacement doors must be either

- Solid, two-paneled, multi-planked and wood grain; or
- An appropriately configured glass insert door.

Front Door Color -

The front door color must remain as established by the Developer which is Sherwin Williams Classic Walnut Stain. Other if not available, Minwax Walnut Stain is also acceptable.

Front Door Glass Inserts

The addition of a glass insert must be approved. The glass stop/casing on glass door inserts must match the door color (Classic Walnut) and the glass should be etched, beveled, leaded, or otherwise made of obscure glass. The use of reflective material privacy screen on the glass insert is prohibited.

Front Door Hardware

Any change in hardware requires approval. Below are guidelines as to what is acceptable unless otherwise approved in writing by the DRC.

- All front doors must have handles and deadbolts.
- Handle set design must be contemporary or traditional and either a one piece or a two-piece mechanism.
- Handle set may be placed on the right or left side. Middle placement is not

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permitted.

- Handle set must be a maximum length of 20 inches and a maximum width of 5 inches.
- Single doorknob and French door handles are not permitted.
- Acceptable colors are Antique brass, Oil rubbed bronze, Silver tone (Stainless steel) or Gold tone.

Front Door Screen and Security Doors:

Owners must apply for approval to install a screen or security door or other such screen treatment on the inside of their front door.

- All **exterior** front door screen and security doors are prohibited.
- All **interior** front door screen and security doors require pre-approval.

Owners failing to receive approval in advance of making their purchase will incur the cost of removing or modifying the front door interior screen or security door if not approved.

Front Door Interior Screen and Security Door Guidelines

The following front door interior screen and security door guidelines describe the types of treatments that may be considered and those which are prohibited. These are only guidelines and do not guarantee approval of any specific door treatment.

- The proposed screen or security door must be installed behind the existing exterior front door.
- The door must be made of steel, aluminum, or fiberglass. Wood screen doors are prohibited.
- The door color must bronze, black, or dark brown. is preferred as it best matches the exterior view of the home.
- All screen material must be black or bronze in color. Silver, reflective or privacy screen is prohibited.
- Incorporation of a pet entry door flap is prohibited.

Doormats

One doormat may be placed directly at the front entryway of the dwelling unit, but not on the driveway or any other location. Carpet remnants, artificial turf or similar material is prohibited.

Drainage

An owner must request approval from their Neighborhood or the DRC to improve existing drainage within the confines of their respective lot, or to install underground drainage of gutter downspouts. Any request that routes or modifies the drainage beyond the owner's lot and into CDD managed property, as per the public records of Lee County Florida requires the owner to secure

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approval of the CDD. Barrels or similar containers to catch rainwater must be located in the lanai.

Driveways, Front Walkways, and Landings - Requires DRC Approval

- Any modification, addition, or expansion of the driveway, front walkway, or entryway landing as originally established by the Developer requires DRC approval.
- Owners may request approval to establish additional walkways within the confines of their respective lots.
- Poured concrete or stamped concrete is prohibited.
- Clear sealing of driveway and walkways is allowed without approval.

Exterior Decorative Objects/Lawn Ornaments

It is understood that owners may want to place decorative items within the landscape to add color and personal character to their home. Given this, the DRC has established guidelines for owners to follow.

The following are permitted without approval:

- One door or house decoration (e.g., wreath or welcome sign). If the door ornament is for a particular holiday, it must be removed after the holiday has passed.
- No more than two (2) ornaments or statues may be placed at the front landing of a dwelling unit.
- No more than two (2) items may be placed within the landscaping of a dwelling unit, including small garden flags.
- All items must be fully contained within the existing landscape/mulched area or on the front landing of a dwelling unit. No items may be placed directly on the lawn which would impede landscape and lawn maintenance.
- Colors of yard art and ornaments must be in harmony and consistent with the overall theme of the neighborhood (neutral, soft colors, and earth tones).
- Lawn ornaments and statues must be limited in size to no more than twenty-four (24) inches high and thirty-six (36) inches long.
- Lawn ornaments or statues must be made of clay, ceramic, fiberglass, or stone. Plastic is prohibited.
- Not more than four (4) seasonal potted plants or hanging baskets with live plant material are allowed. Pots and planters containing dead or unhealthy plants must be removed. Pots may not hang from trees.
- Large sports flags exceeding 18in x18in may only be displayed on game day.

Items specifically prohibited are listed below. Please note that this is not an all-inclusive list:

- Artificial flowers, plants, trees or any other artificial landscape
- Bird baths

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- Bird feeders (Seeded birdfeeders prohibited. Hummingbird feeders are allowed.)
- Fountains, ponds, or waterfalls
- Cartoon like characters
- Pinwheels
- Neon, reflective or glow in the dark colors or other colors the Neighborhood or DRC may deem overly bright and garish
- Wagon wheels
- Weathervanes
- Windsocks
- Windmills, decorative in nature
- Wishing wells

Flags – As permitted pursuant to §720.304, Fla.Stat.

- A. Any owner may display one portable, removable United States flag, as defined by 4 U.S.C. §1, or official flag of the State of Florida, as defined by the Florida Department of State, in a respectful manner, and one portable removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet which represents the United States Army, Navy, Air Force, Marine Corps, Space Corps, or Coast Guard, or a POW-MIA flag;
- B. Any owner may erect a freestanding flagpole no more than 20 feet high on any portion of the owner's real property if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The owner may further display in a respectful manner from that flagpole one official United States flag, as defined by 4 U.S.C. § 1, not larger than 4½ feet by 6 feet and may additionally display one official flag of the State of Florida, as defined by the Florida Department of State, or the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard, or a POW-MIA flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations.
- C. Owners may also display a decorative garden flag of choice, not to exceed 18 inches x 18 inches, as one of the lawn ornamental landscape items or front landing items referenced in the Exterior Decorative Objects/Lawn Ornaments section of these Guidelines.
- D. Sports banners exceeding 18 inches x 18 inches may only be displayed outside the dwelling unit on game day.
- E. No other flag may be displayed within the Development.

Fences and Perimeter Walls

Are prohibited.

Furniture, Front Landing

A neutral color set of chairs and small cocktail table may be placed on the front

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landing of the dwelling unit. The set must be constructed of wrought iron, wicker, wood, or other similar material and style. Lawn chairs, folding chairs, beach chairs, or other similar styles are prohibited. No furniture may be permanently placed (more than 24 hours) anywhere on the lawn or driveway.

Garage Doors

Modification or replacement Requires DRC Approval.

Generators and Propane Tanks - Requires Approval

Permanently installed generators must be landscaped or otherwise installed in a manner not visible from an adjacent lot, community property or any street. Propane tanks must be installed underground or in a manner not visible from an adjacent lot, community property or any street.

Gutters

Gutters may be installed without approval, provided the color of the gutters and downspouts match the color of the house, house trim, or fascia, or are bronze or brown color.

Hose Reels

Hoses may be stored outside within a hose storage unit (e.g., hose reel, hose pot) provided it is not visible from the street.

House Numbers

Replacement house numbers shall remain as originally installed by the developer, displayed by black numerals 6-7 inches high and affixed directly on the house with no background other than the color of the house and no framing, artwork or any other such ornamentation. House numbers must be readily visible from the street as outlined in the City of Fort Myers, FL Code of Ordinances, Ch. 78, §63-64.

Hurricane Shutters (Storm Shutters) – Requires Approval

A. Shutter Opening and Closing

1. No storm shutter of any kind may be deployed or closed until a Hurricane Watch or Warning impacting the Development has been issued.
2. All temporary storm shutters must be removed, and permanent shutters opened within seven (7) days after the Hurricane Watch or Warning has been lifted, or two (2) weeks after a hurricane impacts the Development, or immediately after hurricane damage repairs to an impacted dwelling unit have been made to the structure, whichever comes later.
3. Permanently installed shutters (as defined below) which directly cover the lanai area of the dwelling unit may be closed at any time at owner's discretion in order to secure or shade the lanai area. Permanently installed

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shutters on all other areas must remain open at all times unless a Hurricane Watch or Warning has been issued, as outlined in Paragraph A1 of this section.

- B. Shutter Types Permitted: Temporary
 - 1. Storm Panels made of Lexan, steel, or aluminum.
 - 2. Storm Screens
 - 3. Hurricane Fabric
 - 4. The color of all permanently affixed portions of the shutter assembly (such as mounting brackets) shall match the surface color to which it is attached or the color of the house window frame.
- C. Shutter Types Permitted: Permanent (Requires Pre-Approval)
 - 1. Accordion— Accordion shutters may only be used on the rear and side elevations of a dwelling unit. The color of the shutter's hardware shall match the window frames, banding, or other window surrounds. The color of the shutter accordions shall match or complement the color of the house or house trim. Accordion shutters may not be installed on the front of the dwelling unit.
 - 2. Rolling Shutters – The color of the tracks or any other permanently mounted components shall match the color of the surface it is attached to or the color of the house window frame. The color of the roll down panels shall complement the color of the house. If rolling shutters are to be installed on the sides of the dwelling unit, the panel box hall be must be recessed within the design of the soffit, concealing its view from outside the dwelling unit. For all other installations, the panel box must be installed as close as possible to the soffit. Rolling shutters may not be installed on the front of the dwelling unit.
 - 3. Homeowners wishing to install any other style of permanent storm shutter not listed above must receive prior written DRC approval.
- D. Any other hurricane shutter not expressly identified in these Guidelines is prohibited.

Lighting

- A. Front exterior lighting fixtures as originally affixed by the Developer shall not be replaced with any other design or color or otherwise modified in anyway.
- B. Replacement lamps/bulbs must have a Kelvin measurement between 2,400 to 4,500K (commonly called warm white, soft white or bright white).
- C. Exterior pole lights, other than those installed by the Developer, are not permitted.
- D. Accent lighting, landscape up lighting, and walkway or path lighting are permitted with prior written approval.
- E. All such lighting should be discreet with wires buried with the wires buried no less than 12" below the surface of the ground.
- F. Landscape lights should be limited to no more than twelve (12) per lot and not

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higher than eighteen (18) inches.

- G. Fixture color should be black or bronze. White and silver fixtures are not permitted.
- H. Lights must be installed within existing landscape areas and not in the lawn.
- I. All lighting must be aligned perpendicular to the ground. Crooked, faded, or broken lights must be repaired or removed and replaced immediately by the Owner.
- J. Area, spot, and accent lights must not shine into neighbor's lot.
- K. No colored lenses or lamp/bulbs are permitted, except for temporary holiday lighting as allowed under the Seasonal/Holiday Decorations section.
- L. Rope lighting is not permitted, except for temporary holiday lighting.

Mailboxes

Existing neighborhood mailbox designs may not be changed without DRC approval. Replacement units and parts for damaged mailboxes may be acquired from the below vendors. Your Neighborhood Association will advise owners if this information changes:

Provencia at Paseo Homes

Community Mailboxes
4206 Enterprise Ave #8-9
Naples, FL 34104
239 300-3807

Esperanza Homes

Lykins-Signtek
5935 Taylor Rd
Naples, FL 34109
239 594-8494

Painting of Dwelling Unit Exterior – Requires Approval

All requests to repaint a home, even if using existing color palette, require approval. Requests for approval by an Owner should include a paint sample or color palette number. When choosing colors, please be aware that no adjacent home may have the same color scheme. Color palette information may be available by contacting your Neighborhood Association Management Company.

For the Condos, the Condo Association is responsible for painting all exterior walls.

Any Neighborhood wishing to introduce paint colors other than those which were established by the Developer must first seek a variance approval from the DRC.

Play Equipment

Permanent exterior placement of play equipment is prohibited. This includes, but is not limited to, basketball hoops, swing sets, trampolines, volleyball nets and treehouses.

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Temporary placement of such items is allowed if stored daily within the home before dusk.

Pool Cages/Screen Enclosures – Requires Approval

Pool Cage / Screen Enclosures must meet the following minimum requirements:

- Support structure must be made of steel, aluminum, or fiberglass.
- Support structure color must black, bronze, or brown.
- Screen material must be black or bronze in color.
- Installation of privacy screen (sometimes called Florida Glass or Glas-shield) requires DRC approval.

Screen enclosure of any area at the front of a single-family home (e.g. entrance way) is prohibited.

Pools, Spas and Hot Tubs – Requires DRC Approval

Above ground pools are not permitted. Above ground spas are permitted within a screened lanai. All pool and spa equipment must be concealed from street view.

Ramps – Requires DRC Approval

Any parcel owner may construct an access ramp if an occupant of the parcel has a medical necessity or disability that requires a ramp for egress and ingress and the owner or occupant meet all the conditions set forth in § 720.304(5), Fla.Stat.

Roofs – Requires DRC Approval

Unless otherwise approved in writing, all roofs must be designed with architectural detailing to match that of the developer's original intent.

Roof materials that are not permitted include, but are not limited to, asphalt shingles, wood shingles or shakes, roll roofing, standing seam or similar roofs and insulated aluminum patio roofs.

Seasonal/Holiday Decorations

Seasonal/Holiday decorations are allowed during holiday seasons only and should be put up no more than 30 days prior to the holiday and taken down no more than 30 days after the holiday has ended. Additional American flags are permitted around July 4th or Veteran's Day.

Signs

In accordance with the Master Declaration, no sign, billboard, or advertisement shall be erected except as otherwise specifically permitted by the DRC.

The DRC permits the following signs:

- Signs required for legal proceedings.
- Deterrent security signs, discretely placed in an existing mulched area of the

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home and not larger than twelve (12) by twelve (12) inches in size.

- One (1) "Home for Sale" sign placed in front of the dwelling unit. The sign must be no larger than twenty-four (24) by eighteen (18) inches, painted with a green background and light-colored, professionally typeset lettering, mounted on a 4" x4" post not higher than four (4) feet. The post must be secured in the ground within one of the mulched planting areas of the lot, and not on the lawn. No attention getting devices are allowed to be attached to the sign and the sign must be removed when all contingencies have been met or removed under the contract for a sale of the property.
- One (1) open house sign may be placed in front of the dwelling unit while conducting an open house.
- Garage sale signs are prohibited at all times.

The above items may be placed on the Owner's lot without the need to submit a Design Application.

Solar Panels – Requires Approval

Tents, Trailers, and Temporary Structures – Requires Approval.

The DRC provides the following guidelines:

- A single trailer, pod, or other similar temporary storage container may be placed on the driveway, or other designated parking area of a dwelling unit, for no longer than seven (7) consecutive days while a resident is in the process of moving in or out of the residence.
- A single trailer, pod, dumpster, or other similar temporary storage container may be placed for on the driveway, or other designated parking area of a dwelling unit, for no longer than fourteen (14) consecutive days while a resident is in the process of completing an Association approved exterior or interior project.

Any exception to the above requires DRC approval.

Wells

Are prohibited.

Window Coverings

Windows on any structure visible from the street shall have window coverings which have a white or off-white backing or blend with the exterior of the dwelling. Reflective materials are prohibited.

Window Modification or Replacement - Requires DRC Approval

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Appendix D: Landscape Criteria

It is the purpose of this section to establish regulations for minimum aesthetic landscape standards within the Single-Family neighborhoods within the Development.

The landscape design of Paseo shall reflect the same level of permanence, quality, and elegance as the architecture. Within the Single-Family neighborhoods it is the owner's responsibility to replace any dead, damaged, diseased, or unsightly landscaping. The Condominium Neighborhood Association is responsible for replacing any dead, damaged, diseased or unsightly landscaping within their area of responsibility.

Landscape Materials

The Development supports "Florida-Friendly Landscaping" as outlined in § 373.185, Fla.Stat. and is defined as "quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant".

The DRC has established the following guidelines and the Recommended Landscape Materials List (**Appendix E**) to support Florida-Friendly Landscaping:

- Owner shall utilize only the trees, plants and materials listed in Appendix E Landscape Materials List.
- Owner may add to existing landscape areas (e.g., the area already mulched) within their respective lot without approval as long as they plant only those plants listed in Appendix E.
- Owner must comply with any specific landscape requirement established by the State of Florida, Lee County, or the City of Fort Myers.
- All other landscape changes and additions require approval (e.g., expanding landscape beds or other large landscape modifications)

Landscape edging materials

Are prohibited.

Lattice – Requires Approval

- Lattices made of wood are prohibited.
- Trellises may not be made of wood and must be maintained and replaced or repaired as required.
- Climbing plants shall not be allowed to climb the exterior walls of the house or garage.

Mulch

The DRC has directed that bagged twice-shredded cocoa brown hardwood mulch will be used throughout all Neighborhoods of the Development and conform with the IFAS Florida-Friendly landscaping recommendations.

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A Neighborhood's desire to modify the existing style, color, or type of mulch is considered a variance which must be approved by the DRC.

To ensure community wide consistency with the refresh schedule of landscape mulch, and to retain the architectural and landscape standards created by the Developer, all mulch on all lots within the community will be installed, refreshed, and maintained solely by contractor(s) hired by the Neighborhoods. Owners are not permitted to install their own mulch.

Rocks - Requires Approval

Owners may request approval to install landscape rocks within certain areas of their landscape as outlined below:

- Rocks may only be installed in the landscape areas immediately around the owner's dwelling unit. The area where the rocks are placed must be contained between the outside foundation walls of the house and the brick pavers of the driveway and/or walkway.
- In order to prevent rocks from being disturbed or thrown by a lawn mower, at no time will rocks be allowed to be installed alongside a lawn area (e.g. not contained within the paver driveway or walkway).
- Rocks must be brown, tan or other earthlike color. White or other such bright colored rocks are not permitted.
- Average rock diameter may not exceed 2 inches.
- Weed block must be installed underneath the area of rock to prevent the intrusion of weeds.
- The owner is responsible for refreshing or replacing the rock as a result of but not limited to fading or change of color, rock wash away, or any other change impacting the aesthetics of the rocks.
- The owner must submit samples of the material to be used, accurately reflecting the color, size and texture of the rocks.

The ARB/ARC will consider the above guidelines and any other facts it deems reasonably necessary to determine the aesthetic acceptability of the proposed modification.

Sod

Unless otherwise specified in writing, all sod throughout Paseo will adhere to the original developer installed cultivars or any updated cultivars as defined or recommended by the University of Florida IFAS Extension and approved by the DRC.

Fruit Bearing Trees and Gardens

Are prohibited.

The outdoor planting of fruit bearing trees, vegetable or herbal gardens is prohibited

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given the continuing problems within the Development with respect to property damage by feral hogs, armadillos, and palm rats, and will not be approved by the DRC. In the Condo Neighborhood, flower gardens are also prohibited.

Tree Removal – Requires Approval

No trees shall be removed other than diseased or dead trees, trees needing to be removed to promote the growth of other trees, or for safety reasons. Stumps resulting from tree removal must be ground or removed as recommended by the landscape vendor.

The Condominium Neighborhood Association is responsible for replacement of trees within their area of responsibility. Any changes within the Condominium Neighborhood must be approved by the DRC. However, the work will be performed by the Condominium Association and not the owner.

Removal of trees located on CDD property must be approved by the CDD.

Trees must be replaced by those identified in Appendix E.

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Appendix E: Recommended Landscape Materials List and Guidelines

Paseo relies on the guidelines established by the Florida Friendly Landscaping Program to help maintain our healthy and beautiful landscape. All plant material used within Paseo should fit within the aesthetics of our community and be environmentally sustainable. Benefits of a Florida Friendly Landscape include:

- Reduced use of water, fertilizer, and pesticides.
- Properly selected and maintained plants thrive.
- Provides habitats for birds, butterflies, and other wildlife.
- Helps keep nutrient pollution out of our water.
- Can be designed for low maintenance.
- Aesthetically pleasing while protecting the environment.

Homeowners are allowed to replace the landscaping around their dwelling unit with any plant on the Florida Friendly List for Home Landscapes. The most current version of this list can be found at <https://ffl.ifas.ufl.edu/resources/apps/plant-guide/>.

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Appendix F: Sample Approval and Rejection Letters

(Insert Approval and Rejection Letters prior to finalizing document)