



**DC Ranch Association
Board Report 3-1-2021 #3**

Subject Matter: Proposed Revisions to DCRL-17 Streetscape Trees

Background: After the Community Standards for Landscaping were approved (2016) it was later discovered that wording relating to the ownership of streetscape trees (DCRL-17) was incorrect. Specifically, the section of the standard regarding streetscape trees in the Silverleaf neighborhoods of Arcadia, The Parks, and parts of Horseshoe Canyon provides that DC Ranch Association is the owner of the streetscape trees. We now know that this is incorrect via legal opinion, which provides *“The CC&Rs acknowledge that some Street Trees “may be within the boundaries of the Lots” while others are located on Common Area. The sissoo trees that are located on a Lot are owned by the Lot Owner. The sissoo trees that are located on Common Area are owned by the Association. However, maintenance of the sissoo trees is divorced from ownership.”*

While the Association bears the maintenance responsibility, the homeowner on whose lots the trees are situated owns the trees. A proposed revision to the standard is provided for consideration.

While reviewing DCRL-17, I took the opportunity to provide a few other edits that will help the reader better understand the standard and how it applies to them. See the attached.

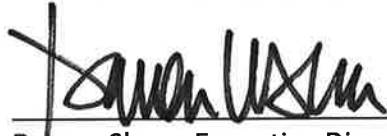
Proposed revisions to the Community Standards are generally presented to the Policy Committee for its review. Tom Headley is the only non-board member on that committee. He was provided an opportunity to comment prior to the proposed revisions being presented to the Board.

Section 102.4c of the Policy for the Management and Development of Policies reads as follows: *“When the Policy Committee recommends a new policy or a change to a policy and prior to the Board's formal vote, community members shall be provided with a 30-day comment period, where they are afforded an opportunity to provide input and comment on the proposed policy.*

The proposed policy or policies will be posted on the community's website and notice regarding the posting will reflect in the weekly This Week on the Ranch e-mail to DC Ranch residents." As the foregoing applies to policies specifically, the member-comment period has been used for Community Standards revisions in the past.

If the proposed revisions are conditionally approved (subject to the 30-day member-comment period), the matter can be brought back to the Board for formal consideration at the May 3, 2021, regularly scheduled meeting.

Recommendation: Conditionally approve proposed revisions to DCRL-17 (Streetscape Trees) and disseminate the proposed revisions in accordance with Policy 102.



Darren Shaw, Executive Director

Suggested Edits 3-1-2021

DCRL-17 - Streetscape Trees

Several neighborhoods require specific streetscape trees, generally located six to eight feet from back of the curb, or between the curb and sidewalk. In Desert Camp and Country Club, these trees are owned by the homeowner whose lot on which they are situated~~who~~. The homeowner is responsible for maintaining irrigation water to the tree(s) along with trimming, removal, and replacement as needed at the homeowner's expense. In the Silverleaf neighborhoods of Arcadia, The Parks, and parts of Horseshoe Canyon, ~~the~~ streetscape trees are owned by the homeowner whose lot on which they are situated. ~~The~~ Ranch Association, ~~which~~ is responsible for maintenance, replacement, and irrigation (when needed)~~water~~. All related expenses are neighborhood expenses. In some neighborhoods, ~~the~~ streetscape trees are owned by the homeowner, who is responsible for irrigation watering, removal, and replacement; however, for uniformity, routine clearance pruning is provided by ~~the~~ Ranch Association and paid for in the neighborhood monthly assessment. The maintenance, replacement, and irrigation watering of other landscaping situated on the homeowner's lot, other than trees in the ~~s~~Streetscape, is the responsibility of the homeowner in all neighborhoods. Contact a Community Standards Specialist at 480-513-1500 before removing or replanting a streetscape tree, or with any questions regarding maintenance.

RE: [Design Guidelines, Sec. II, 3.7](#)

Clean with Edits

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In the Silverleaf neighborhoods of Arcadia, The Parks, and parts of Horseshoe Canyon, streetscape trees are owned by the homeowner whose lot on which they are situated. Ranch Association is responsible for maintenance, replacement, and irrigation (when needed). All related expenses are neighborhood expenses.

In some neighborhoods, streetscape trees are owned by the homeowner, who is responsible for irrigation, removal, and replacement; however, routine clearance pruning is provided by Ranch Association and paid for in the neighborhood assessment. The maintenance, replacement, and irrigation of other landscaping situated on the homeowner's lot, other than trees in the streetscape, is the responsibility of the homeowner in all neighborhoods. Contact a Community Standards Specialist at 480-513-1500 before removing or replanting a streetscape tree, or with any questions regarding maintenance.

RE: [Design Guidelines, Sec. II, 3.7](#)