

DESERT BLOOM HOMEOWNERS ASSOCIATION ARCHITECTURAL DESIGN GUIDELINES

It is the Unit Owners responsibility to obtain any and all permits required by the City of Las Vegas, Clark County and/or State of Nevada. Unit Owner is also required to file a copy of all permits and final inspection reports from those agencies with the ARC committee files for all projects.

Unit Owner also acknowledges and agrees that once approved, all setbacks and conditions of ARC Guidelines, CC&R's and the Rules and Regulations will be strictly adhered to. Unit Owner acknowledges failure to maintain said requirements will be in violation and subject to the fine process.

SECTION I: INTRODUCTION

1.1 Purpose: The intent of the Desert Bloom Homeowners Association ("Association") Architectural Design Guidelines is to maintain a visually appealing living environment while encouraging design creativity within a consistent framework in order to preserve community property values. The standards established for design, style, materials, colors and location of site improvements, landscaping, and signage are intended to accomplish this purpose. The process for reviewing proposed modifications ensures that all projects are developed with the consistency and quality that will maintain this common goal.

1.2 Standards of Review: The standards and procedures set forth in these Design Guidelines are intended as a mechanism for maintaining and enhancing the overall aesthetics, as well as controlling water usage throughout the community. In cooperation with the State of Nevada and the Southern Nevada Water Authority, the Design Guidelines mandate use of drought tolerant plants and landscape design throughout the community. Review and approval of any application is made on the basis of the above-mentioned considerations. The Association shall not bear any responsibility for ensuring (a) structural integrity or soundness of approved construction or modifications; (b) compliance with building codes and other governmental requirement; (c) conformity of quality, value, size or design with other improvements in the community; or (d) the continued quality of appearance of improvements over time.

1.3 Amendment of Guidelines: These Design Guidelines may be changed and amended to serve the needs of an evolving community pursuant to the procedures set forth in the Declaration. Such amendments shall be disseminated to the Owners thirty days prior to implementation, as required by state law. (CC&R Section 8.11)

1.4 Authority of the Architectural Review Committee (ARC): These Design Guidelines govern all property under the Declaration. They shall not apply to initial construction of improvements by the Declarant. Unless otherwise specifically stated in these Design Guidelines, no additional landscape (other than that Installed by Declarant) may be installed upon any Lot, and no modifications (Including staking, clearing, excavation, grading and other site work, construction of an improvement, exterior alteration of existing improvements, and planting or removal of landscaping materials), or placement or posting of anything (hereinafter collectively referred to as "Improvements") shall take place without receiving the prior written approval of the Architectural Review Committee (ARC) as defined in Article 8 of the Declaration.

NOTE: Owners are responsible for compliance with all standards and procedures in these Design Guidelines. Governed by the requirements and restrictions set forth in the Declaration and any applicable supplement, Owners are responsible for the actions of their contractors, and any subcontractors, agents, or employees. Failure to comply is a violation. Violations of these regulations may result, after Notice and Hearing, in a fine being levied upon the Owner.

SECTION II: REVIEW PROCEDURES

2.1 Review of Improvements: Application for Review of a proposed Improvement shall be submitted to the Management for ARC review. Application for Review shall be signed by the Owner or agent of the Owner and may require a Review Fee.

2.2 Review Fee: The ARC may establish and charge reasonable fees for review of applications and may require such fees be paid in full prior to review of any application, as noted in Article 8 of the CC&Rs. In addition, if the submitted plans are of such complexity that additional review by an architectural, structural or landscape expert is warranted, the fee charged by such expert shall be the responsibility of the homeowner. Review fees shall be subject to change as determined necessary by the ARC in order to cover the Association's expense for processing, copying and mailing.

2.3 Plans to be Reviewed: The plans and specifications shall include any or all of the following, as deemed applicable to the nature of the request: Site plans (showing location of existing dwelling and all improvements, equipment, structures, etc.), floor plans (if required for clarification), showing overall design as well as placement of equipment, and wall or fencing plans. Color palette and material samples may also be required.

2.4 Review Criteria: While the Design Guidelines are intended to provide a framework for Improvements, they are not all-inclusive. In its review process, the ARC may consider:

- The quality of workmanship and design.
- Harmony of external design with existing structures and Dwellings.
- The style and or aesthetics' of the neighborhood and or community.
- Location in relation to surrounding structures and Dwellings.
- Topography or finish grade elevation.

The Improvement will not detract from the beauty and attractiveness of the Common Elements or enjoyment thereof by the Owners and upkeep and maintenance will not become a burden on the Association. The Improvement will not unreasonably interfere with existing views from other Dwellings. ARC decisions may be based only on aesthetics.

2.5 Variances: Section 8.8 of CC&R's. The ARC shall not grant approval for proposed Improvements that are inconsistent with the Design Guidelines, unless a variance is warranted. Variances may be considered for unique circumstances such as topography, natural obstructions, hardship, or environmental consideration. Variances cannot be contrary to the Declaration. No variance shall be effective unless in writing and signed by the Board, with the support of a majority of the members. To request a variance from the Board, you must put your request in writing and submit to the management company for placement on the agenda for the next executive meeting. Once the Board reviews the request a letter will be sent to the homeowner from management with the outcome.

2.6 Review Period: Each Application for Review shall be approved or disapproved within 45 days of submission of a **completed application and all supporting materials** required by the ARC. The ARC shall provide their decision in writing to the Owner. The decision of the ARC shall be final on all matters. The ARC's written decision shall be rendered as follows:

Approved: The entire application as submitted approved in total.

Disapproved: The entire application, or some portion thereof, has been rejected. The ARC will provide written comments regarding remedies to the rejection. No work may commence until the plan has been resubmitted, reviewed and approved by the ARC.

Any application submitted pursuant to Section 8.2 of the CC&Rs shall be affirmatively disapproved, unless written approval by the ARC shall have been transmitted to the Applicant within forty-five (45) days after the date of receipt by the ARC of all required material.

2.7 Appeal: Owners shall have the right to appeal a decision of the ARC by resubmitting the information and documents specified above. However, such appeal shall be considered only if the Owner has modified the proposed Improvement or has new information that would, in the ARC's opinion, warrant reconsideration. If the ARC does not allow an appeal or if the ARC, after appeal, again rejects the plan, the Owner may then appeal the matter to the Board of Directors for final disposition. Requests for Board review must be in writing. In the case of a disapproval and re-submittal, the ARC shall have 45 days from the date of receipt of the re-submittal to approve or disapprove any re-submittal. The filing of an appeal does not extend any maximum time period for the completion of any improvement.

SECTION III: IMPLEMENTATION OF APPROVED PLANS

3.1 All work must conform to approved plans: If it is determined that work completed or in progress of completion is not in compliance with these Design Guidelines or any approval issued by the ARC, the Owner shall be notified in writing of such noncompliance, specifying in reasonable detail the particulars of noncompliance and requiring the Owner to remedy same. Said notice may be accompanied by a Cease-and-Desist order, stopping all activity until the noncompliance is remedied. If the Owner fails to respond to the notice or remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within sixty (60) days of receipt of the notice, then such noncompliance shall be deemed to be in violation of the Declaration and these Design Guidelines (CC&Rs Section 8.6). In such case, the ARC or the Board, whichever is appropriate, shall notify the Owner that it may take action to remove the non-complying Improvements and/or seek injunctive relief, recovery of costs incurred including any legal costs incurred by the Association or Declarant, and may impose a fine, which fine shall not exceed the amount allowed by law.

3.2 Time to Complete: Construction must commence within 30 days of approval, it shall be completed within 180 days of commencement, unless otherwise specified in the approval or extended in writing by the ARC (CC&Rs Section 8.6). If not completed within the specified time, the project shall be deemed in noncompliance and subject to enforcement action. The owner must notify the ARC or the Board, whichever is appropriate, when completed for inspection.

3.3 Inspections: As deemed necessary by the ARC, periodic inspections of the work in progress may be conducted to ensure adherence to the approved plan. Upon completion of the project, the ARC or its appointed representative shall conduct an inspection of the Improvement to verify compliance with the approved plan and these Guidelines. Photos taken by homeowners may be required at/of different stages of work and submitted as part of the process.

3.4 Contractor Related Matters: Construction Regulations are hereby established to preserve and maintain the quiet enjoyment of the community, to maintain aesthetics and ensure safety for the community and to provide reasonable access and controls for construction activity in order to reasonably minimize inconveniences associated with construction for all Owners and their guests. As stated in Section 1.4 above, Owners are fully responsible for the action of their contractors and any subcontractors, agents or employees thereof. **No contractor signage before/during/after home improvement installations will be allowed.**

3.5 Work Hours/Days: All work is limited to the following hours: Monday-Friday 7:00 a.m. to 6:00 p.m. Saturday 8:00 a.m. to 6:00p.m. Site access may begin one half-hour prior to beginning work. One additional half-hour is also allowed for leaving each day.

NO WORK WILL BE PERMITTED ON SUNDAYS OR THE FOLLOWING HOLIDAYS:

New Year's Day Labor Day Thanksgiving Day
Memorial Day Independence Day Christmas Day Veterans Day

3.6 Materials/Equipment/Vehicles/Parking: Equipment and Materials not in daily use shall not be stored on the site. NO materials or equipment shall be left in the streets without proper safety precautions and marking with caution tape, cones and/or barricades. Materials or equipment may not be left in the streets overnight without the written permission of the ARC. Construction and crew vehicles must obey all common courtesy traffic and safety rules, including not blocking driveways/garages, mailboxes, fire hydrants or impeding traffic on streets or sidewalks.

3.7 Cleanup: Applicant is responsible for ensuring that their Contractors keep streets, gutters, and adjacent properties, clean and free of dirt, trash, debris, and other materials related to or caused by the work. In addition, all street spills by Applicant's contractor shall be promptly cleaned up.

3.8 Conduct: Offensive behavior or language and loud activity or music will not be tolerated. Animals, alcohol, drugs and firearms are not permitted. Violators will be required to leave and may be banned from the property entirely.

3.9 Damage: Damage to any of the Common Elements or neighboring residences will be the responsibility of the Owner, who will be required to pay for any necessary repairs or replacements. Violations of these Regulations may result, after Notice and Hearing, in a fine being levied upon the Owner employing the Contractor involved. Any damage done to neighboring property will need to be handled outside the Associations control as this would be deemed a neighbor-to-neighbor issue unless otherwise provided by the Board of Directors or Management.

SECTION IV: ARCHITECTURAL AND DESIGN STANDARDS

4.1 Prohibited Items: The following items/installations are prohibited in the community. No construction or alteration may interfere with or alter drainage grades in any manner.

- No drainage alteration to any Lot or Common Element
- Aluminum patio covers (“Aluma-wood” product is allowed)
- Wood patio covers or any wood structures that would require constant maintenance due to the elements
- Basketball backboards permanently installed on the residence
- Clotheslines
- Fencing or enclosures of wood, glass, metal, wire, chain link
- Garage Conversions for residential or commercial use
- Roof mounted HVAC or Evaporative Cooling units, wall or window mounted A/C units
- Storage buildings or sheds that are visible above fence (Must submit an ARC for approval)
- Wood chip, white rock ground cover
- Colored bulbs are prohibited in all outdoor light fixtures (Except during holidays 30 days before or after)

4.2 Type I Review Guidelines: The following items require prior review and Approval by the Architectural Review Committee or its representative. No fee will be charged for the review of these minor items, unless unusual circumstances require further review by a professional consultant.

- A. Exterior Wires:** No visible antenna or other wires on fence or structure. Refer to Section 10.16 of the CC&R’s
- B. Awnings/Canopy:** Backyard only. This includes temporary awnings/canopies/shade structures.
- C. Storage shed:** Is allowed provided that it meets the following criteria:
 1. The shed does not exceed six (6’) feet in height at the eaves and eight (8’) feet at the highest point of the roof.
 2. It shall not exceed six (6’) feet by eight (8’) feet in area unless approved by the ARC Committee.
 3. It is manufactured or painted in a color scheme to match the residence, including the roof.
 4. If taller than the side or rear yard walls, it is not placed within five (5’) feet of any side or rear property line.
 5. It conforms to all applicable government codes and ordinances.

- D. Barbecues:** Portable barbecues do not require approval and must be stored so as not to be visible from neighboring properties or Common Elements. Constructed barbecue structures items require review and Approval by the Architectural Review Committee or its representative.
- E. Pavers:** Minor changes and additions of various types of paving stones require review of a site plan showing location, type/style of material and colors to be used. Style and colors must harmonize with the Dwelling.
- F. Security/Screen Doors:** May be added and must match main or trim color of Dwelling.
- G. Greenhouse Windows:** These items are prohibited.
- H. Ambient Lighting:** Fixtures must harmonize with Dwelling and all due care must be taken to avoid light nuisance to neighboring Lots. Lighting fixtures shall not to exceed one (1) ft. Expended light from any lighting fixtures installed by the Owner must not cause issues for neighboring properties.
- I. Lighting General:**
- Lighting must be intermittent; it cannot be installed to be on at all times during darkness. Either manual or automatic controls may be used to control lighting, but security lighting may not remain on continuously.
 - Lighting must be installed so as to minimize impact on neighbors.
 - Lighting may not exceed 300 watts or 4000 lumens per fixture.
- J. Landscape Accessory Features:** These items do not require prior review. They include but are not limited to benches, pottery, statues and various other types of lawn art. Accessories located in the front yard or side yard of Dwelling are prohibited. Accessories are to be place in the rear yard of a Lot and shall be limited in height to 30 inches and must be placed at least 3 feet from any property line. They are limited to two (2) separate pieces and must also **harmonize** with the **aesthetics** of the community. Items reported by residents within the community shall be subject to review by the ARC committee.
- K. LANDSCAPING – General**
- All landscaping work, plantings, and installations of irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community and climatically and culturally appropriate to Southern Nevada.
 - No owner shall further landscape or otherwise improve any property owned by the Association.
 - No grading, excavation, planting or removing of any tree or existing landscape shall be commenced until the plans showing the nature, kind, shape, height, and location of the same shall have been approved by the ARC.
 - Each owner shall **submit their improvement plans within sixty (60) days of close of escrow** and complete all landscaping improvements on the lot within **sixty (60) days** following Association approval. These, as well as all other exterior improvements, must be approved by the ARC prior to installation.
 - The use of drought-resistant, low-water-usage plant material, appropriate to the desert climate, is encouraged.
 - Location of trees shall be limited to areas that will not encroach on, or interfere with, or create a nuisance to neighboring properties upon maturity. **PLEASE NOTE:** Some trees may have invasive root systems, which may cause problems when they mature. All grass must be fescue blend, hybridized Bermuda blend, or annual rye grass, developed for use in the desert. **Bermuda grass is not permitted.**
 - Owners are required to maintain their property in good condition at all times. Owners are responsible for ensuring their trees and landscaping does not cause damage.
 - Notwithstanding any other draining requirements landscape drainage, as needed, must be installed so as to prevent water runoff on to adjoining properties.
- L. Exterior Painting:** Requires review and Approval by the Architectural Review Committee or its representative.

M. Retracting Screens: May be used on windows or patio covers and must harmonize with Dwelling color.

N. Roofing Material: Repair, replacement or new installations shall be of the same material and color as originally installed.

O. Signage:

- one (1) sign for each Unit, not larger than eighteen (18) inches by thirty (30) inches, advertising the Unit for sale or rent. Section 10.14 of the CC&R's
- Signage placed on any Common Element Lot will not be tolerated.

**** No contractor signage during or after home improvement installations will be allowed.**

P. Solar Equipment: Design should be integrated into existing roof and impact view from neighboring yards and Common Element Lots will be considered. All connections and plumbing attached to the Dwelling shall be painted to match.

Q. Windows: May be replaced or added and must match those in existing Dwelling.

- **Screens:** Mesh solar screens are permitted in the following colors: tan, sand, beige, bronze, and charcoal grey. Frame must match window trim color.
- **Tint:** Green or Blue is permitted. No reflective or mirror tint will be allowed.
- **Window Coverings:** Temporary window coverings of white sheets, paper, black plastic or temporary blinds are not permitted.
Tin foil is not allowed in any window. All permanent window coverings shall be maintained to keep from looking unsightly including; avoiding damage or fading.

4.3 Type II Review Guidelines: The following Guidelines are for more complex Improvements that require adherence to more specific restrictions as well as submittal of detailed plans and samples. Review of these Improvements may require an additional fee for review by a professional consultant.

A. Fencing: It is the homeowner's responsibility to repair, replace and maintain the rear yard fencing. Please refer to Section 9.6 of the CC&Rs for additional information.

B. Fireplace/Fire pit: Requires review and Approval by the Design Review Committee or its representative. Must be order and smoke free

C. Gates: Screening must be the same color of the fencing.

D. Patios/Decks/Patio Covers: Patio/Deck surfaces may be constructed of paving stones or flagstone and must harmonize with the Dwelling. Wood decking, posts or railing is not permissible. Lattice covers may be installed in rear yards, subject to review and setback requirements. Paint must match the Dwelling color scheme. Posts must be a minimum of 4"x 4" in size, constructed of "Aluma-wood". Canvas, redwood or any other type wood structures are prohibited. Requires review and Approval by the Design Review Committee or its representative.

E. Sports/Play Equipment: Require ARC Approval. Sports and play equipment (including swing sets) are allowed in the rear yard with proper setbacks (minimum five (5) feet from dwelling, fence or wall).

- Height restrictions may affect the approval depending on requested sports/play equipment.
- Portable equipment will be allowed in the front during use only and stored out of view when not in use.
- Sports/play equipment shall not be used between the hours of 7pm to 7am the next morning.
- All sports/play equipment is prohibited from being mounted/attached to or on dwelling, wall/fence.

F. Ground Cover: The ground surface of all yards must be covered in total with a combination of inert material. **NO BARE GROUND IS ALLOWED.** Inert materials, which must be of a type that is impervious to water degradation, may include:

- Decomposed granite, 1/4" minus in size
- Crushed rock sized 3/8 inch to 3 inches.
- Minimal native river rock up to six inches in size
- Colors must be pre-approved color's that are compatible and match with the surrounding native area. Shades of gray are acceptable for the river rock.

All rock mulches must be those that do not decompose when exposed to water and are compatible with the natural environment. No artificially colored rock, white rock, sandstone, red lava rock, or wood chips will be allowed as mulch ground cover for accent.

G. Boulders: Use of landscape boulders is encouraged. They should be installed securely so that a minimum of 1/3 of the mass is below grade and extend no more than 30 inches above grade.

H. Synthetic Turf: Installation is allowed as long as the product meets minimum established requirements for quality and durability. "Astroturf" is not permissible. Synthetic turf should not exceed 75% of yard area.

Note: Professional assistance for design, selection and installation of landscape in this arid desert environment is highly recommended and will result in the most cost effective and maintenance efficient yard usage.

I. SETBACKS: Setback minimums are designed to meet building and safety codes, as well as to minimize intrusion and nuisance issues between properties and along the community walkways.

J. POOLS, SPAS AND RELATED EQUIPMENT:

- Submittal of complete construction plans showing placement of pool or spa and all related equipment is required.
- Setbacks must be clearly indicated on the site plan, and meet all governing building code requirements.
- Placement of pool equipment must take into consideration the proximity of neighbors and the potential for creating a possible noise disturbance to adjoining property.

K. Rear Yard: Minimum set back of five (5) feet from any foundation, slab, wall or fence.

SECTION V: SUBMITTAL PROCESS

5.1 Applications: Applicant shall submit the Application to the ARC with one (1) complete duplicate set of all landscape and or building plans, (as applicable), preferably 8-1/2" x 11" in size. All plans and applications must be legible or the application will be automatically denied.

5.2 Form and Fees: A completed Submittal Form with owner contact information must accompany each Improvement Submittal. If fees are required, the fees for Section 4.2 will be waived, unless the plans require review by an expert. If fees are required, the Owner will be notified within seven (7) business days of the submittal to the ARC. Additional fees may be charged if complexity of plans requires expert review. Fees are subject to change as deemed necessary by the ARC.

5.3 Plans and Samples: A complete set of installation plans, showing the Lot, footprint of the Dwelling and all required setback measurements, as well as the location of the planned Improvement, is required. Color samples of hardscape, concrete, rock, tile, etc. are required. Pictures are preferred to physical samples. Catalog sheets showing design of equipment, lighting, etc. and any other items depicting the character and intent of the Improvement will accelerate the review process.

5.4 Response Time: Each Submittal will be reviewed by the management company for completeness. Complete Submittals will be date stamped and referred to the ARC. Within 45 days of receipt of a complete Submittal, a written response will be provided to the Owner. Conditional approvals will not be given. Instead, the

Submittal will be returned with comments noting areas needing clarification and requiring re-submittal for an Approval. Final decision may take up to the maximum days as set forth by the CC&Rs.

Approved and Adopted by the Desert Bloom Community Board of Directors at the Board Meeting held on July 17, 2024 and will go into effect 30 days from the date of final mailing.