

***HERITAGE ESTATES  
HOMEOWNERS  
ASSOCIATION  
DESIGN GUIDELINES***

*Reviewed and Adopted by the Heritage Estates Homeowners Association Board of Directors  
On July 20, 2015 and effective September 1, 2015*

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## INTRODUCTION

7.2(b) Architectural Guidelines. The Architecture Committee(ARC) or (Board of Directors (BOD) in the absence of and ARC) may issue rules or guidelines setting forth procedures for submitting plans, or stating factors which the ARC/BOD will take into consideration in reviewing submissions.

The following minimum standards restrictions shall apply to all improvements made on the property:

1. All improvements shall be constructed in full compliance with all applicable zoning laws, building codes and other laws, ordinances and regulations applicable to the constructions, use and occupancy of improvements; and
2. All improvements shall be constructed in accordance with the design guidelines.

Drawings must include site plan, setbacks, materials, colors and any information pertinent to the proposed improvement such as brochures, pictures, etc.

Upon review of your plans by the ARC/BOD, you will receive written notice of their approval, conditional approval or denial.

3. Prior to the commencement of any work for any improvement on any residential lot, a neighbor awareness form signed by adjoining neighbors will be required.

Within 15 days of completion of approved improvements, you must notify the Heritage Estates HOA management company that the project is complete.

To avoid delays, ensure all forms and plans are complete prior to submittal.

Any incomplete submittals will be returned without action.

### **Architectural Design Guidelines And Fees**

Any homeowner in Heritage Estates HOA that does any improvements or changes to the exterior of their homes or landscaping without an approved Heritage Estates HOA Architectural Application may be subjected to a \$100.00 (one hundred dollar) fine. All fines are reviewed on a case-by-case basis and solely up to the board of the Heritage Estates Homeowners Association to enforce such fines.

These guidelines are intended as a supplement to the Covenants, Conditions and Restrictions (CC&Rs) of the Heritage Estates Homeowners' Association, referred to within these guidelines as HOA. However, if there is any conflict between the (CC&Rs) and these Architectural Guidelines, the CC&Rs determine the resolution of the conflict. **IT IS TO YOUR ADVANTAGE TO READ THE CC&Rs THOROUGHLY.**

1. The Architectural Review Committee ("ARC") does not seek to restrict individual creativity or personal preferences, but rather to assure the continuity in design as this will preserve and improve the appearance of the Community and the property values therein.
2. The ARC reviews all plans for exterior improvements and additions to residential lots and dwellings in the HOA. These improvements include, without limitation, additions, modifications,

and alterations to residential dwellings such as pools, spas, patios, patio covers, room additions, gazebos, and installation of hardscapes, landscaping and lighting.

3. Prior to the commencement of any work for any improvement on any residential lot, an application for approval (hereinafter referred to as ARC form) of such work, must be submitted by the property owner to the management company. No work is to begin prior to receipt of approval from the ARC/BOD.
4. All submittals must be in accordance with ARC forms, and must include detailed and complete plans of the improvement. The ARC may request such additional information from the homeowner(s) as it deems necessary for its review of the proposed improvement.
5. Approval of plans by the ARC/BOD in no way constitutes verification or certification of structural integrity of any design. It is the sole responsibility of the homeowner(s) to ensure the structural integrity and soundness of any improvement. It is also the homeowner's responsibility to ensure conformance with all government regulations and building codes, as well as the Declaration, and to obtain all necessary permits.
6. No Owner shall store or permit to accumulate any construction materials such as dirt, rock, pallets, sod, plants, trees or construction equipment on the streets or in common areas within the community for periods longer than 72 consecutive hours.
7. Homeowner MUST notify HOA Management upon completion of the project.

Variances – From time to time the architectural committee may grant variances based on individual plans and submittals.

The ARC will use the Architectural Guidelines for the purpose of reviewing proposed improvements, but may individually consider the merits of any improvement due to special conditions that are felt to provide benefits to the adjacent area, the specific site, or to the community as a whole.

## **ARCHITECTURAL AND MATERIAL STANDARDS**

### **SECTION I: LANDSCAPING – GENERAL**

1. Dust control. Protecting the air we share. In order to mitigate the dust/dirt due to winds that may cause illness in our Community, a minimum backyard landscape MUST be installed.
  - (a) The minimum backyard landscaping MUST be installed and continually maintained.
  - (b) ARC applications must be completed and submitted to the management company for ARC approval prior to commencement of improvement. Homeowners are subject to violation letters, hearing notices, and fines being assessed to their account up to \$100 per week if compliance is not met within the time provided.
  - (c) The minimum level of acceptable backyard landscape is coverage of all bare dirt with landscape rock (decorative rock) not smaller than three-quarters of an inch (0.75") in size and a depth not less than two (2) inches.
  - (d) The color of the landscape rock (decorate rock) must be in earth tone colors. (see below).
2. 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. White edging material and caliche used as decorative rock are NOT permitted.
3. No owner shall further landscape or otherwise improve any property owned by the HOA.
4. Decorative rock (not smaller than 0.75" in size) or boulders, in natural earth tone colors, are permitted. No gravel is permitted.

5. 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.
6. The use of drought-resistant, low-water-usage plant material, appropriate to the desert climate, is encouraged.
  - Trees NOT permitted:
  - Olive Trees
  - Mulberry Trees
  - Cottonwood Trees
  - Weeping willows
7. Location of trees shall be limited to areas that will not 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. I.e. Cottonwood trees are not permitted.
8. All artificial turf must have samples of material reviewed PRIOR to installation and must be maintained so as to have the appearance of natural live grass.
9. Owners are required to maintain their property in good condition at all times. This includes regular lawn mowing, pruning of trees and shrubs, fertilizing, watering, removal of dead or diseased plants, replacement of plants and over seeding of lawn areas and removal of debris. If, after being requested to appear at an Executive Session hearing, you have not corrected a landscaping violation, the HOA may impose fines to your account and/or have a private landscaping company correct the violation and bill the expense to your account. Bushes and trees are to be maintained at a reasonable size. Decorative rocks are to be kept on the property in a neat manner with no dirt visible. If your landscaping rocks are in the street or on the sidewalk they must be swept out of the street and back into your landscaping. Driveways, sidewalks and streets are to be kept clear of rocks and dirt.
10. Trees are not to be trimmed so far as to leave only a tree trunk visible. Trees that consist of only a trunk must be replaced. (ARC Form required)

## **SECTION II: DECORATIVE LANDSCAPE ELEMENTS**

1. Statues, outdoor art, fountains, birdbaths, and all other decorative landscape elements, including decorative landscape lights, if visible from any street or from any other property, must be approved by the ARC.
2. Low voltage landscape lighting is encouraged as follows:
  - (a) The voltage does not exceed 24 volts or less AC/DC.
  - (b) The amperage does not exceed 20 Amps.
3. Solar operated landscape lights are encouraged as follows:
  - (a) Compatibly with the home in terms of design and color.
  - (b) Solar lights must always be maintained in satisfactory condition.

## **SECTION III: PATIO SLABS, PATIO COVERS AND GAZEBOS**

1. Due to particular concern about proper drainage, ARC approval is required prior to pouring any concrete.
2. Setbacks must be clearly indicated on any plans submitted to the ARC for approval and must meet all City and County building code requirements.
3. Patio covers and gazebos may be of "Alumawood" or stucco construction, which may include other materials. All exposed wood surfaces must be finished per to match existing colors and materials of the dwelling.
4. Patio covers and gazebos must meet minimum setback requirements.
5. Acceptable roofing materials are:

- Open Lattice (Alumawood).
  - Solid Metal (Alumawood).
  - Roof tile to match dwelling. (Alumawood, stucco)
6. Exposed surfaces must match or harmonize with the existing colors and materials of the dwelling.
  7. Gutters and downspouts, if used, shall be painted to match adjacent roof and/or wall material, or the trim color of the dwelling.
  8. Metal pipe supports are not permitted. The minimum size for wood or stucco support posts is six (6") inches by six (6") inches.
  9. The following materials are not permitted in the construction of patio covers or gazebos:
    - Sheet metal or sheet aluminum. (except Alumawood)
    - Corrugated plastic, fiberglass or metal
    - Composition shingles
    - Exposed rolled roofing.
    - Tarps.
    - Canvas fabric covers.

#### **SECTION IV: POOLS, SPAS AND RELATED EQUIPMENT**

1. Submittal of complete construction plans showing placement of pool or spa and all related equipment is required.
2. Setbacks must be clearly indicated on the site plan, and meet all governing building code requirements.
3. Solar energy equipment: Rooftop solar energy equipment (for home or pool/spa) is permitted but must be submitted for approval. The solar energy equipment must be kept in satisfactory condition at all times. All piping and materials below the roof line must be painted to match the exterior color of the home. Roof mounted panel only and no solar panels will be permitted to be mounted to walls or block walls.
4. No above ground pools permitted: Definition: Above or on the surface of the earth; or top of water level is above ground.

#### **SECTION V: PERIMETER AND ADJOINING WALLS, FENCES, GATES AND HARDSCAPES**

1. **Perimeter walls**
  - (a) Perimeter walls, defined by the CC&Rs, are not owned by the HOA and are the responsibility of the perimeter lot owners to maintain.
  - (b) No changes or alterations shall be made to the perimeter walls without prior approval of the ARC.
  - (c) No permanent removal, partial or otherwise, of perimeter walls / party walls for any purpose, is permitted.
2. **Adjoining walls /fences**
  - (a) No fence or wall shall be erected or altered without prior approval of the ARC.
  - (b) All walls or fences shall match adjacent walls and residences and must be maintained, repaired, restored, and replaced, as necessary, at the owner's expense
  - (c) Any walls removed or damaged must be restored to their original condition and specifications.
3. **Gates** - No gate shall be altered without ARC/BOD approval. All gates are to be made of wrought iron and aesthetically maintained. Gates will be considered for compatibility with the home in terms of design and color proposed by the homeowner. Unacceptable materials for gates are chicken wire or plastic, chain link, plastic webbing, reeded or straw-line materials, corrugated or flat plastic and fiberglass panels, rope or other fibrous materials. No wooden gates are permitted.

4. **Hardscapes** - Textured surfaces, such as brick, stone and stamped or exposed aggregate concrete require samples for review.
5. **Driveway extensions** – Driveways extensions are commonly allowed, however specifications and measurements must be submitted for review.
6. No asphalt or water-based paints.
7. No outdoor carpet or grass carpets.

## **SECTION VI: OTHER STRUCTURES AND ADDITIONAL MODIFICATIONS**

1. Solar screens may be installed with prior ARC/BOD approval. Solar screens must always be maintained in satisfactory condition.
2. Electrical solar energy Panels MUST be approved by the ARC.
  - (A) All pipes and materials must be painted to match the exterior of the home.
  - (B) The phase inverter MUST be installed in the garage or behind a block wall.
  - (C) The electrical solar energy equipment MUST be kept in satisfactory condition at all times.
  - (D) Roof mounted panels only and no electrical solar energy panels will be permitted to be mounted to walls or block walls.
3. Flagpoles and American flags: (The ARC must not prohibit the display of the flag of the United States).
  - (a) Homeowners may display either one (1) Wall Mounted flagpole or one (1) Freestanding (in-ground) flagpole.
  - (b) Wall mounted (on-home) flagpoles must be mounted at an angle, to an exterior wall of a residence and may not exceed six (6') feet in length.
  - (c) Freestanding (in-ground) flagpoles, or any flagpoles not attached to a residence must be installed within the boundaries of homeowner's property.
  - (d) Only the American flag can be displayed.
  - (e) Flagpoles may not exceed twenty-five (25') feet in height.
  - (f) Flags may not exceed four (4') feet by six (6') feet.
  - (g) All freestanding (in-ground) flagpoles must be of satin-brushed aluminum finish.
  - (h) If flags are going to be displayed 24-hours a day the flag must have proper lighting at night.
  - (i) Homeowners must follow the "Federal Flag Code".
4. All playground equipment shall be placed in the rear yard and not closer than five (5') feet from any side or rear property line. Play equipment must be maintained in satisfactory condition at all times. All torn, worn or missing canopies must be replaced.
5. Basketball backboards and hoops must be attached to a free standing portable structure and must be located in the rear yard when not in use. Portable basketball hoops may NOT be kept out in front yards or driveways when not in use. Reasonable steps shall be taken to ensure that residents of neighboring properties are not disturbed when the basketball equipment is in use, including proper controls to ensure that basketballs do not strike any adjoining structures or damage adjoining landscape and buildings. All equipment must be properly maintained.
6. Window installed portable fans/air conditioners, or heaters are not allowed.
7. A garage conversion to living space is not permitted.
8. Garage Doors: All changes to existing garage doors must be submitted for approval; garage door must be painted original color.
9. Storage units/sheds/structures are allowed provided that they have prior ARC approval and meet the following criteria:
  - (a) It is manufactured or painted in a color scheme to match the residence, including the roof.
  - (b) It is not placed within three (3') three feet of any property lines.
  - (c) Must NOT be higher than 10 feet at the peak.
  - (d) May not be more than 170 sq feet in overall size
  - (e) Flat roofs are prohibited.

- (f) It conforms to all applicable government codes and ordinances.
  - (g) A proper cement foundation must be installed and shed or storage unit must be properly anchored to foundation and cannot be anchored to perimeter wall.
  - (h) Shed or storage units cannot be installed on dirt, rock or pavers etc.
  - (i) Pre-manufactured sheds must be kept in satisfactory condition at all times, not showing any rust, fading, etc.
10. Satellite receivers are permitted in accordance with the Code of Federal Regulations. The following is HOA's position on size, color, and location of such: Satellite & TV receiving antennas are permitted without ARC approval provided they meet the Federal Regulation criteria. Any modifications to these criteria require an application to the ARC. Satellite dishes and antennas of any kind cannot be mounted on the block walls.
  11. Awnings for windows or doors are not permitted.
  12. Decorative exterior window shutters are to be painted to complement the existing home and must be approved. The exterior window shutters must be maintained in satisfactory condition at all times.
  13. Reflective window tint materials which create a "mirror" effect on the windows from the outside are prohibited.
  14. Window Coverings: Prohibited for window coverings include but are not limited to: Aluminum foil, newspapers and bed sheets. All permitted window coverings must be maintained in aesthetically pleasing condition.
  15. Exterior door color must match the exterior trim around the front door opening or house; or wood grain. The color of the front door may not be white. An ARC form must be submitted and approved prior to replacing, modifying, or repainting exterior doors.
  16. Exterior doors must be maintained in satisfactory condition.
  17. The following items are prohibited:
    - Boat shelters.
    - Carports.
    - RV/vehicle shelters.
    - Portable structures.
    - Canopies.
    - Canvas and fabric covers.
    - Structures such as the above.

#### **SECTION VII: EXTERIOR PAINTING**

1. An ARC request form is required for a home which is being repainted.
2. Color Changes: An ARC request form is required for any proposed change in exterior paint color(s) or the locations of existing colors.
3. The homeowner must include paint chips and complete a sample plan with the ARC request form for color changes.
4. The ARC/BOD reviews applications for exterior painting to determine that color choices are consistent with the Architectural Guidelines and standards.

#### **SECTION VIII: STUCCO**

Stucco is allowed on perimeter block walls following ARC form submission and written approval. The Architectural Committee will review the application and determine if color choice is consistent with the Architectural Guidelines and Standards. All colors are reviewed on a case-by-case basis for compatibility with the home and subdivision. The stucco walls must be maintained in satisfactory condition at all times.

#### **SECTION IX: SECURITY DOORS/WINDOWS**

1. Security doors are approved with the following guidelines:
2. They must be maintained in satisfactory condition.



3. Color must match the exterior trim around the front door opening or house. The color of the front door may not be white.
4. They shall not be massive or ornate in design, but must be consistent with the architecture of the home.
5. Security bars are not permitted on any windows or doors. Rolladen type security shutters are permitted as long as the above-noted stipulations in 2, 3 and 4, are followed.

#### **SECTION X: SECURITY LIGHTING**

1. All security lighting must be installed on the home in a position where it will not create an annoyance to the neighbors or to the community. The body color must blend with the color of the house.
2. Lighting mounted higher than 10 (Ten) feet must be directed downward to avoid spillage of light onto adjoining property, streets, sidewalks, and common areas.
3. Security lighting may not exceed 300 watts total per fixture.
4. Security cameras/CCTV must be installed in a professional manner. No exposed wiring. All housing must be painted to match the color they are mounted on. The cameras must be secured to the home with screws.

#### **SECTION XI: DECORATIVE LIGHTING**

1. Lighting installed on the exterior of the house that is not designed specifically to ward off intruders is considered "decorative." For example, lighting fixtures placed to frame a garage door or to illuminate access doors fall under this guideline.
2. The wattage of light bulbs used in decorative lighting may not exceed a total of 100 watts per fixture.
3. Compact fluorescent and LED bulbs are encouraged.
4. Change of decorative exterior light fixtures are considered on a case-by-case basis after an ARC form has been submitted and written approval is provided.
5. All commercial and industrial-type lighting is prohibited, i.e. wall packs, high pressure sodium, metal halide, mercury vapor, etc...

#### **SECTION XII: ADDRESS PLAQUE**

Must be in working order (a number plaque is required on every home) and must be maintained.