

# *ARCHITECTURAL GUIDELINES FOR SAN SEVERO HOMEOWNERS ASSOCIATION*

Adopted on: March 23, 2021

## **INTRODUCTION**

The San Severo Homeowners Association (“Association”) Board of Directors (“Board”) and the Architectural Review Committee (“ARC”) have developed and adopted Architectural Guidelines, along with an Architectural Application (“ARC AP”), which is enclosed. Please make additional copies of the enclosed ARC AP for your use, or you may obtain additional ARC APS from the Association’s management company.

Though few of us initially like the fact that we must submit our plans to an ARC for review and approval, many homeowners discover that the ARC review process is very helpful. Through the review process homeowners may discover that a particular improvement they are proposing will interfere with or alter drainage and cause flooding or water damage to the foundation, stucco, block walls, or other property belonging to the homeowner or his neighbors. At other times, homeowners are grateful that an improvement that was not properly permitted and constructed next door to them will have to be removed and redone in accordance with building codes and duly inspected by the building department, because the Association’s CC&R's require compliance with all governing agencies regulations and codes.

The ARC's purpose is NOT to impose the personal likes and dislikes of the members of the ARC on their neighbors. Section 12 of the CC&R's describes what the ARC does and information the ARC may require from you in order to review your request in a timely manner and be able to make an informed decision about your proposed project. Beginning construction prior to receiving written approval from the ARC, or failure to complete improvements in accordance with the approved plans and in compliance with all applicable governing agencies and building departments codes, ordinances and requirements are violations of the CC&R’s.

Always keep in mind that violations of the CC&R's and these Architectural Guidelines are subject to action by the Board, which may include fines, penalties, or immediate restoration of the property to its condition prior to the unapproved work being done.

Please be reminded that work must NOT begin on any construction, alteration, addition, grading, excavation, removal, relocation, exterior repainting, demolition, installation, modification, exterior decoration, exterior redecoration, reconstruction of an improvement, improvement, or structure (be it permanent or temporary) UNTIL the homeowner submits a completed ARC AP to the ARC, in care of the Management Company (Epic Association Management), along with all

required information about the proposed plan(s), drawings and specifications that describe in sufficient detail what it is that you propose to do, processing fees and deposits required by the ARC, AND receives written approval of proposed plan from the ARC. (Please see Section 12.2 of the CC&R's).

## **I.GENERAL GUIDELINES**

- A. Approval by the ARC is required prior to any excavation, construction, alteration or erection of any Improvement (including landscaping) that consists of any of the following:
  - 1. All exterior alterations or improvements, whether visible from the street or not, in the front, side or rear yards. (Examples: doors, windows, planters, walkways, driveways, lighting, paint color changes, basketball backboards, screen doors, security doors, flagpoles, pools, spas, sheds, patio covers, fountains, water features, play structures, etc.)
  - 2. All mechanical equipment. (Example: air conditioners, spa/swimming pool equipment, waterfall pumps)
  - 3. All landscaping improvements.
  
- B. Failure to obtain the necessary approvals prior to installation may:
  - 1. Constitute a violation of the (CC&R's).
  - 2. Result in a fine being assessed against the property.
  - 3. Require modification or removal of unauthorized work at the expense of the homeowner.

## **II.ARC APPLICATION PROCESSING AND PROCEDURE**

- A. The ARC has 60 days to approve or disapprove a completed Architectural Application. If the ARC fails to respond within 60 days, the item is deemed disapproved. The 60 day period begins to run on the date a complete application is received.
  
- B. **Approved Requests:** All homeowners will be notified in writing of the ARC's decision. Plans and specifications are not approved for engineering design. The ARC's approval of proposals or plans and specifications shall not constitute a representation, warranty or guarantee, whether express or implied, that such proposals or plans and specifications comply with good engineering design or with zoning or building ordinances, or other governmental regulations or restrictions. By approving such proposals or plans and specifications, neither the ARC, the members thereof, the Association, nor the Board, assume any liability or responsibility therefore, or for any defect in the structure constructed from such proposals or plans or specifications. Neither the ARC, any member thereof, the Association, nor the Board, shall be liable to any Member, Owner, occupant, or other Person or entity for any damage, loss, or prejudice suffered or claimed on account of (a) the approval or disapproval of any proposals, plans and specifications and drawings, whether or not defective, or (b) the construction or performance of any work, whether or not pursuant to the approved proposals, plans and specifications and drawings. The

applicant is responsible to ensure the original drainage pattern is not disturbed or altered to adversely affect neighboring properties.

1. Approval of any project by the ARC does not waive the necessity of obtaining the required Clark County permits. In turn, obtaining Clark County permits does not waive the need for approval by the ARC prior to construction or installation of any improvements.
2. All work must be done in a manner consistent with the architectural standards and color palette established by the original construction. Any work that does not comply with the architectural standards and color palette established by the original construction must be reworked to comply and all work will be done at the owner's expense.
3. Homeowners must start work on the approved improvements no later (3) months from the date of approval or the approval is void and a new ARC AP must be submitted. (**NOTE:** This does not extend the time period in which the backyard landscaping needs to be completed. Per Section 9.6 of the CC&Rs, landscaping needs to be installed within six (6) months from the close of escrow).
4. Approval of plans is not authorization to proceed with improvements on any property other than the applicant's.

C. ACCESS THROUGH PRIVATE STREETS, THE USE OF HEAVY MACHINERY, ANY BREACH OF BLOCK WALLS, AND ACCESS OVER ANY COMMON PROPERTY NOT ONLY REQUIRES PRIOR WRITTEN APPROVAL OF THE ARC, BUT ALSO A CASH DEPOSIT. Access for equipment used in construction must be over or through the applicant's own private property. Building equipment and materials must be contained on the applicant's own private property. Streets may not be blocked with equipment or building material. The amount of the deposit will be set by the ARC Committee and must be paid prior to approval being granted and work beginning. The deposit will be determined by the type of construction that is submitted. The minimum for a deposit for a pool and/or in ground spa installation is \$1,000.00. The deposit is to ensure that any damage done to the Common Area and block walls is repaired in a timely, workmanship manner acceptable to the Association and to assure that any damage done to streets, block walls or Association Common Areas and amenities are properly repaired in a timely manner.

1. In the event construction requires use of adjoining property, the applicant must first obtain written permission from the adjoining property owners and submit that written permission with the ARC AP.

### III.DESIGN GUIDELINES AND STANDARDS

***THE FOLLOWING INFORMATION IS INTENDED AS A HELPFUL GUIDE TO THE MOST COMMONLY ASKED QUESTIONS REGARDING INSTALLING SOME TYPES OF IMPROVEMENTS TO A HOME. THIS LIST IS NOT MEANT TO BE ALL INCLUSIVE. PLEASE REFER TO ARTICLE 9 AND 12 OF THE CC&R'S FOR MORE DETAILED INFORMATION.***

- A. AIR CONDITIONING UNITS OR EQUIPMENT:** The ARC must approve exterior air conditioning equipment other than the equipment installed as a part of the original construction, unless the item being installed is an exact replacement of the original item installed. Any new or replacement air conditioning systems must be placed behind the return wall. Window mounted units are strictly prohibited.
- B. AWNINGS:** Awnings and shade coverings are subject to review and approval according to location, color and design. Only solid colors are acceptable (no stripes, prints, etc. are permitted). Awning material must always be maintained in like-new condition.
- C. BASKETBALL POLES AND BACKBOARDS (Including Portables):** Must receive prior written approval from the ARC.
1. No backboards may be attached to the residence or garage.
  2. Portable sporting equipment may be used; however, it must be stored from street view when not in use and overnight. **NOTE:** The typical height of an outdoor portable Basketball Hoop has an adjustable height between 7'6" to 10'. Therefore, they should not exceed a height of ten feet (10').
  3. A permanent basketball pole or backboard may be installed in the rear yard, with a minimum setback of ten feet (10') from the property line.
  4. May not be used after 9:00 p.m. or before 7:00 a.m. Reasonable steps shall be taken to ensure that residents of neighboring properties are not disturbed when the basketball equipment is in use, including (i) proper care to ensure that basketballs do not strike any adjoining structures or damage adjoining landscape, and (ii) reasonable hours of use.
- D. BALCONIES:** Must receive prior written approval from the ARC.
1. Location, impact on adjacent neighbor's privacy, and architectural compatibility will be an important consideration. All balconies and decks must match the architectural design, materials, and color of the house and should incorporate an area of open rail, and other architectural features, to resemble or complement the builder installed features in the neighborhood.
  2. Landscape screening to reduce the impact on adjacent properties will be an important consideration in reviewing balconies.
- E. DRAINAGE:**
1. Each owner must not interfere with, alter or impede the natural or established drainage on the property. Approval of plans granted by the ARC will be based upon the owner's assurance that he/she has not changed the drainage or has consulted with professionals to insure that positive drainage is maintained and that no alteration is being made that could potentially result in flooding or water damage. **THE HOMEOWNER IS SOLELY RESPONSIBLE FOR ANY RESULTING DAMAGE TO: 1) THEIR OWN PROPERTY (INCLUDING, BUT NOT LIMITED TO, DWELLING, FOUNDATION, BLOCK WALLS,**

LANDSCAPING, AND PERSONAL BELONGINGS), 2) THEIR NEIGHBORS' PROPERTY (INCLUDING, BUT NOT LIMITED TO, DWELLING, FOUNDATION, BLOCK WALLS, LANDSCAPING, AND PERSONAL BELONGINGS, AND 3) THE COMMON AREAS.

2. To help prevent and/or control water damage to foundations and/or walls, each Owner covenants, by acceptance of a deed to his or her Lot, whether or not so stated in the deed, to not cause or permit spray irrigation water or sprinkler water or drainage on his or her Lot to seep or flow onto, or to strike upon, any foundation, slab, side or other portion of Dwelling, wall (including, but not necessarily limited to, Party Wall and/or Perimeter Wall), and/or any other Improvement.

**F. DRIVEWAY EXTENSIONS.** Driveway extensions for purposes of creating additional parking in the front yard adjacent to the driveway are strictly prohibited. The only driveway expansions that will be considered are Sierra Blend paver expansions of no more than thirty inches (30") in width on each side of the driveway for enhanced ingress, egress and access. Concrete slabs or expansions of any kind are prohibited. NOTE: In some cases, expanding the driveway as described above, may require the homeowner to relocate or replant shrubs, bushes, ground plants, to maintain minimum required landscape standards. If Owner requires access to park additional vehicles in the rear yard of the property, Owner must submit an ARC AP with the proposed dimensions, materials and location.

**G. EXTERIOR LIGHTING (Additional):** Must obtain prior written approval from the ARC.

1. Subtle, low wattage lights are recommended where the fixtures may affect a neighbor. This lighting, including bistro lighting and other exterior lighting, shall be located, directed, and shielded so that light rays and glare, to the greatest extent practicable, do not extend beyond Unit boundaries.
2. Holiday lights do not need ARC approval; however, lights must be removed no later than thirty (30) days after the end of the holiday.

**H. EXTERIOR PAINT:** Prior written ARC approval is required for any proposed CHANGE to the original exterior paint colors originally established by builder. No ARC approval is required for repainting the exterior of your home with the exact same colors established by builder. If owner does not have a copy of the original color palette, owner may request the same from the Association's management company.

**I. EXTERIOR PATIO FURNITURE VISIBLE FROM STREET:** Patio furniture that meet the following requirements do not require prior written approval from the ARC:

1. Must be in harmony with the community's architectural design.
2. Must be in good repair.
3. Must be of a pre-approved color AND in harmony with the color scheme of the home. Pre-approved Colors: Tan, beige, bone, grey, charcoal, creme or dark green

4. Must be made of pre-approved materials. Pre-approved Materials: Wood, canvas, wrought iron and/or powder coated metal
5. Must be limited to no more than 3 pieces of furniture that properly fit on the front porch and/or patio decks.
6. Cannot be placed anywhere other than the front porch and/or patio decks (i.e. not the driveway, front yard, between houses, etc.).
7. Plastic and folding chairs must be stored out of street view when not in use (beach chairs, lawn chairs, etc.).

Otherwise, prior written approval from the ARC is required.

**J. RV GATE SCREENING:** Recreational Vehicles must be behind a screened gate as to not be visible from the street. Prior written approval is required to make any changes to the gates consistent with Section 9.23 of the CC&Rs.

**K. FENCING, GATES AND WALLS:**

1. All fences, walls, gates, and gate screening or extensions that were not part of the original construction require prior written ARC approval.
2. Unacceptable gate screening and fence materials include aluminum, sheet metal, wire, plastic, reeds, bamboo, glass block, panels, or woven board.
3. Block and retaining walls must be sealed and properly waterproofed, if applicable, in accordance with industry standards. Any water damage to the perimeter block wall is the sole responsibility of the homeowner and repairs are to be made to restore block walls to its original condition.
4. Block walls between homes and within homeowner property lines is the responsibility of the homeowners. Any maintenance or replacement of the block walls will need to be coordinated with the homeowners impacted. An ARC form will need to be completed and approved before any changes can be made to block walls.
5. Gates and/or decorative iron work will be considered for compatibility with the residence in terms of design and color. They should take into consideration prominent architectural features of the residence (i.e. archways, door heights, etc.) and should not exceed six (6) feet in height unless the architectural features of the residence suggest a design variation.

**L. GARAGE DOORS.** All changes to existing garage doors must be submitted for approval. Any proposed windows must be installed in the top section/panel of the garage door.

**M. LANDSCAPING:** Changes to the landscaping must be submitted and approved by the ARC EXCEPT that: Normal maintenance of landscaping or replacement of dead or dying plants, shrubs or trees does not require approval of the ARC, unless you are altering the previously approved landscape plan in any way that might affect drainage, reduce the number of trees and shrubs, or change the dominant elements of the plan. For example: If you are adding a raised planter, concrete paths or pads, mounds, or replacing grass with

desert landscaping (or vice versa), or reducing the amount of plant material, you must receive written approval from the ARC prior to work beginning.

**1. GENERAL LANDSCAPE STANDARDS THAT MUST BE MET:**

- a. Automatic irrigation system must be used to water plant material and said system must be maintained in good working order. The automatic irrigation system must also remain aesthetically consistent with the design and plan of the community.
- b. Canopies of those trees abutting or overhanging the community walkways, common areas and private streets shall be kept trimmed to insure that seven (7) feet above said walkways, common areas and private streets are kept clear of foliage and limbs.
- c. All shrubs and plant material shall be trimmed to insure they do not encroach upon community walkways and private streets.
- d. Plant material shall not exceed the height of twenty-four (24) inches in sight visibility zones, which are typically located on corner lots.
- e. All plant material must remain eighteen (18) inches away from any concrete paving.
- f. All tree and plant materials must remain five (5) feet away from any block wall and dwelling and plant materials must remain three (3) feet away from any block wall and dwelling.
- g. To help prevent and/or control water damage to dwelling, foundations, stucco and/or block walls (including, but not necessarily limited to, Party Wall and/or Perimeter Wall):
  - 1) No mounding, no grass, spray/pop up irrigation or sprinklers may be located within five (5) feet of block walls, fences, dwelling and/or any other Improvement; and
  - 2) Each Owner covenants to not cause or permit spray irrigation water or sprinkler water or drainage on his or her Lot to seep or flow onto, or to strike upon, any foundation, slab, side or other portion of Dwelling, wall (including, but not necessarily limited to, Party Wall and/or Perimeter Wall), and/or any other Improvement.
- h. All trees planted within five (5) feet of hardscape (driveways, sidewalks, patio slab, etc.) require a root barrier to be installed.
- i. The use of decorative granite landscaping rock and gravel is permitted and encouraged. The complete landscaping plan, including type and color of decorative landscaping rock and color of other materials, must be submitted for approval.
- j. All statues, temporary ornamentation and embellishments homeowner proposes installing in front yard must be submitted for approval prior to installation.

**2. FRONT YARD LANDSCAPING MINIMUM STANDARDS:** If a homeowner wishes to add additional front yard landscaping, then an ARC AP must be submitted

to the ARC for review. Front yard landscaping **shall** consist of at least the following:

- a. 2 – trees 1-24 inch box & 1 -15 gallon
- b. 10 - plants or shrubs (5 gallons)
- c. 3/8” decomposed granite rock - two inches deep (same color installed by builder OR other color in harmony with the color scheme of the home) over all dirt areas.

3. **ARTIFICIAL TURF:** Artificial turf may not exceed 60% of the front yard landscaping. Artificial turf must be installed in a manner consistent with natural turf installation. Combinations of grass and artificial turf will not be permitted, nor will any combinations of different types of artificial turf be permitted.
  - a. All plans to install artificial turf must be submitted for and approved by the ARC prior to installation. Each application for installation must be supported by the specifications of the product, the method of installation and a sample measuring six inches by six inches (6"x 6").
  - b. **Specifications.** Turf must be natural in appearance. Turf uniformity must be maintained for all areas that are visibly linked. No indoor/outdoor astro-turf or similar materials not in keeping with the community standard will be permitted.
    - 1) Pile height must be at least 2 inches.
    - 2) Pile weight must be at least 40 ounces per square yard.
    - 3) Turf must have a minimum of an 8-year product warranty.
    - 4) Turf should have a minimum 1-year installation/workmanship warranty.
    - 5) Turf should have UV protection.
    - 6) Turf must provide adequate drainage.
    - 7) Turf must be adequately secured – no ripples or seams showing.
    - 8) Turf edges must be finished.
    - 9) No felt backing.
  - c. **Installation.** Turf must be placed over sand and other fine aggregate that measures at least two inches (2") in depth and it must be mechanically compacted. No concrete or reject sand will be permitted under the turf. Drainage across the Lot cannot be altered nor impact a neighbor's Lot.
  - d. **Edging.** The preferred edging for Artificial Turf and the division of different landscape treatments or materials is decorative concrete curb. Metal & composite material & masonry materials will be considered provided the installation is permanent in nature and restricts the edging from any movement.
  - e. **Maintenance.** Artificial turf must be maintained in like new condition and not allowed to fall into disrepair. During the life of the artificial turf, the ARC, in its sole discretion, determine if the turf has deteriorated below acceptable standards of color and/or condition.



4. **BACKYARD LANDSCAPING GUIDELINES:** Homeowner must submit an ARC Application for and obtain approval of plans for rear yard landscaping and complete installation of such landscaping within six (6) months from the close of escrow date. The ARC will take under consideration the time of year when considering extensions for completion dates. However, plans must be submitted and approved by the ARC prior to original deadline for completion. If a landscape proposal includes installation of a pool and/or spa, the ARC may consider reducing the landscape requirements if the ARC deems such a reduction is appropriate. Back yard landscaping shall consist of at least the following:
  - a. 6 – plants/shrubs
  - b. Appropriate ground cover (i.e., decomposed granite rock, sod or combination of both, etc.) over all dirt areas.

5. **LANDSCAPE MATERIALS NOT PERMITTED:**

- a. White or artificially colored rocks, sandstone rocks (Decorative stones must be decomposed granite in earth tones harmonious with decorative stones installed by Declarant).
- b. Cactus or plant material with thorns located within eighteen (18) inches of public walkways, private streets or common areas.
- c. Common Mulberry, Common Olive, Cottonwood, Weeping Willow, Poplar.  
**NOTE:** Although the builder installed Palo Verde trees on some lots, the Association recommends homeowner's not plant them, as they are difficult to maintain.

N. **PATIO SLABS:** Patio slabs/decks must be installed so as not to alter the drainage of the lot. Owner must receive prior written approval from the ARC.

O. **PATIO COVERS AND GAZEBOS:** These structures should be of materials and colors, which match or complement the existing residence. Size and design must be compatible with the lot and the immediate neighborhood. **WHITE IS NOT PERMITTED.** No portion of a Gazebo shall exceed the height of twelve (12') feet at its highest point.

1. The following materials are not acceptable: corrugated plastic or corrugated metal, plastic webbing, split bamboo, reeded or straw-like material, asphalt shingles, rolled roofing unless on a flat roof with a tile wrap. (This material list is not all-inclusive.)
2. These improvements may encroach no closer than any setback required by the municipality from all property lines. Greater setback distances may be required depending on the improvement.
3. The homeowner must submit copy of building permit, where required, **BEFORE** work begins.

P. **PLAY EQUIPMENT:**

1. Play equipment including, but not limited to, swing sets, jungle gyms, trampolines, and playhouses are considered Improvements when placed on an Owner's property. These Improvements will be approved on a case-by-case basis with respect to design, location, and visibility considerations which the ARC, in its discretion will deem appropriate, as well as lot layout. Therefore, an ARC APP must be submitted to the ARC and approved prior to placement or installation of these Improvements. The ARC will not consider approval of the installation of play equipment unless:
  - a. These structures must be constructed, located and screened to minimize the impact on the adjacent neighbors' privacy, as well as the visibility from the street.
  - b. If the playhouse, play structure, or trampoline (or the surround for the trampoline) exceeds the height of the property line wall, then the minimum setback requirement is five (5) feet from all perimeter walls.
    - 1) It is anticipated that play equipment, play structures, or similar improvements that are below the height of the neighboring walls and the use of which does not cause the person using the play equipment to be above the height of the walls will be approved.
    - 2) It is anticipated that in ground trampolines with netting that is not above the height of the perimeter walls will be approved.
  - c. Owner is responsible for making sure that all play equipment is properly constructed and affixed to the ground, such that it is immovable in high winds. Owner understands and agrees that Owner is solely responsible for any damage to persons or property caused by their play equipment.

**Q. POOLS AND SPAS:** Must receive prior written approval from the ARC.

1. Rear and side yard setbacks must meet requirements of the governing agency.
2. Positive drainage, as established per code must be provided to assure that neither water damage, nor flooding will occur
3. Waterfalls and other features must be built or placed no less than three (3) feet away from all property line walls, fences and gates, and must comply with requirements of governing agency.
4. Water slides and/or other related pool accessories must have ARC approval, and must comply with requirements of governing agency.
5. A minimum cash deposit of \$1,000 must be submitted with the ARC Application and pool/spa contractors plans. It is recommended that the contractor pay the deposit, as these monies will be used to repair any damage the contractor, his subcontractors, agents or assigns does to the streets, curbs, gutters and sidewalks. Additional cash deposit may be required prior to ARC approval being granted.

**R. POTTED PLANTS VISIBLE FROM STREET:** Do not require prior written approval from the ARC, provided there are no more than four (4) potted plants, the plants are live vegetation and the color of the pots are in harmony with the color scheme of the home. The plants need to be properly maintained.

- S. RAISED OBSERVATION DECK/SUNNING DECK:** Any proposed raised observation deck should be of materials and colors which match or complement the existing residence. Size and design must be compatible with the lot and the neighborhood and shall be painted or stained to match the color of the home or the trim color of the home. Raised observation decks are allowed in the rear yard only. Any raised deck originating at grade level of the residence must be setback from all perimeter walls a minimum distance of at least five feet (5'). No deck may exceed twenty-four (24") in height above the grade of the building pad.
- T. ROLLING SHUTTERS:** In accordance with NRS 116.2111(3), requests for the installation of roll-up shutters must be submitted to the ARC in accordance with the procedures set forth in the governing documents. Rolling shutters that face a street or a Common Area must be designed to the maximum extent practicable to be compatible with the style of the common-interest community. They must be of a contrasting color consistent with the color palette on the home and must be mounted in a manner that does not conflict with or hide the architectural features of the home, including but not limited to door or window trim and pop-outs, arches, mullions, etc. Rolling shutters must be maintained in like-new condition at all times. WHITE IS NOT PERMITTED
- U. SATELLITE DISHES/RECEIVERS/ANTENNAS:** For antenna that are protected under 47 C.F.R. Section 1.4000, including (1) dish antennas one meter or less in diameter (39.37") designed to (a) receive direct broadcast satellite service or (b) receive/transmit fixed wireless signals via satellite; (2) antennas one meter or less in diagonal measurement designed to receive video via broadband radio service (wireless cable) or receive/transmit fixed wireless signals other than by satellite; and (3) an antenna of any size designed to receive local TV broadcast signals (collectively "Protected Antenna"), the following rules apply:
1. Residents wishing to install a Protected Antenna must submit the proposed location to the ARC prior to installation.
  2. To the extent possible, Protected Antenna should not be visible from the street adjacent to the Lot, but should be screened by a wall or landscaping. If the Protected Antenna must be located above ground level within 20' of the front of the house, the homeowner must provide written documentation from licensed installer that the Protected Antenna must be located in a specific location in order to receive adequate signal.
  3. Each Owner of a residence receiving signals through a Protected Antenna shall (1) make reasonable efforts to conceal all cords from view of the neighboring properties, the streets, and Common Element to the extent possible, or (2) paint all cords, cables, and conduit to match the color of the applicable stucco or material upon which the cords, cable or conduit run. All cords must be properly attached to the supporting structure and must follow the contour of the building in a manner

that completely prevents slack in the cord and is not visible from the street fronting the home;

4. If a Protected Antenna (and the related cables) is installed in full compliance with the foregoing requirements, then the Protected Antenna (and the related cables) shall be deemed to have been approved by the ARC.

Please note that CB Radios and HAM Radio antenna are not considered to be Protected Antennas under OTARD. Any antenna for those purposes must be approved by the ARC.

**V. SCREEN DOORS/SECURITY DOORS/STORM DOORS:** Must receive prior written approval from the ARC. Screen doors must be maintained in like new condition at all times. Color must match an exterior trim color or other color on the home, other decorative iron on the residence, or the color of the front door itself. **WHITE IS NOT PERMITTED.**

**W. SECURITY BARS:** Must be painted to match the original color of the residence or the window frame. Designs must be compatible with the general architectural style of the community. Must receive prior written approval from the ARC.

**X. SECURITY CAMERAS:** Security cameras are permitted provided all cabling is painted to match the color of the surface to which it is attached, and view of the cameras is strictly confined to within your own lot boundaries.

**Y. SKYLIGHTS:** Skylights will be considered based upon location and number of skylights. Skylight domes may be bronze, clear or white. All visible manufacturer labels shall be removed prior to installation.

**Z. SOLAR SCREENS**

1. Fixed solar screens shall be one of the following pre-approved colors:
2. Pre-approved colors are: Beige, Desert Sand, Brown, Grey, Black,
3. Frame design shall match window design including layout of mullions. Mullions shall be of a contrasting color consistent with the trim colors of the home. Color of frames shall match existing window frames. You must submit a color sample of the solar screen you wish to install with the ARC Application form. **WHITE IS NOT PERMITTED.**

**AA. SOLAR PANELS:** Rooftop solar energy equipment (for home or pool/spa) is permitted, but must be submitted for approval. An Owner applying for a rooftop solar shall submit the following: (a) A graphic or map that shows in detail the location and arrangement of the proposed solar panel system and includes the azimuth and tilt (in degrees) of the solar panels and any balance of system equipment, such as safety, electrical storage or power conditioning equipment which will be installed on the exterior of the residence; and (b) contractor schematics of the proposed system that include the wattage of the individual solar panels and the azimuth and tilt (in degrees) of the proposed system.

Once approved, the solar energy equipment must be kept in like new condition at all times. All piping and conduit located below the roof line must be painted to match the color of the home. At no time shall the solar panels be allowed to create a nuisance for surrounding properties. Owner should take any required actions to prevent pigeons from nesting under solar panels causing a nuisance.

**BB. STORAGE SHEDS AND UTILITY BUILDINGS:**

1. Must receive prior written approval from the ARC).
2. Cannot be visible from the street or Common Area unless reasonable landscaping is provided to alleviate the visual impact. Storage sheds that exceed the height of the property line wall must be setback a minimum of five (5) feet from all perimeter walls.
3. These structures should be of materials and colors, which match or complement the existing residence. Size and design must be compatible with the lot and the immediate properties.
4. Minimum setbacks requirements must be met (per governing agency).

***THE BOARD MAY IMPOSE FINES AND PENALTIES FOR VIOLATIONS OF THE GOVERNING DOCUMENTS, INCLUDING THESE ARC GUIDELINES.***

***THE ARC GUIDELINES ARE SUBJECT TO CHANGES, ADDITIONS AND/OR AMENDMENTS UPON APPROVAL OF A MAJORITY OF THE BOARD OF DIRECTORS.***

## **AMENDMENTS TO THE ARCHITECTURAL GUIDELINES**

The Architectural Guidelines may be modified from time to time pursuant to the following criteria:

1. Amendment must be approved by a majority of the Board of Directors.
2. Owners are welcome to submit their written recommendations for changes to the ARC Guidelines to the Board of Directors.
3. Upon adoption by the Board, the Board shall cause the revised ARC Guidelines to be mailed to all homeowners and the revised ARC Guidelines shall become effective **thirty (30) days** after the date they were mailed.

In the event that there is a conflict between the Architectural Guidelines and the CC&Rs, the CC&Rs shall prevail.

## **NONLIABILITY FOR APPROVAL OF PLANS**

The ARC's approval of proposals or plans and specifications shall not constitute a representation, warranty or guarantee, whether express or implied, that such proposals or plans and specifications comply with good engineering design or with zoning or building ordinances, or other governmental regulations or restrictions. By approving such proposals or plans and specifications, neither the ARC, the members thereof, the Association, nor the Board, assumes any liability or responsibility therefore, or for any defect in the structure constructed from such proposals or plans or specifications. Neither the ARC, any member thereof, the Association, the nor the Board, shall be liable to any Member, Owner, occupant, or other Person or entity for any damage, loss, or prejudice suffered or claimed on account of (a) the approval or disapproval of any proposals, plans and specifications and drawings, whether or not defective, or (b) the construction or performance of any work, whether or not pursuant to the approved proposals, plans and specifications and drawings.