



# **Design Review Guidelines**

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## **Welcome and Introduction**

Welcome to Inspirada! Created under new urbanism planning guidelines, Inspirada allows residents the opportunity to reclaim the idea of “neighborhood” that many experienced growing up. This new urban village provides the opportunity to live in a close knit community with all the conveniences of modern life. These guidelines have been established to promote a sense of community through common sense standards for design, landscaping and maintenance.

### **Overview**

Inspirada is a master planned community consisting of distinct villages and interconnected neighborhoods focused around communal open space and community facilities, blended together to promote walkability, connectivity and neighborly interaction.

Based on traditional town planning principles and practices, the South Edge Master Plan Development Standards (“Development Standards”) establish general concepts and provide direction for the expression of community character and vision in Inspirada. They are intended to provide a vehicle to protect and maintain the long-term quality and value of the community. The Development Standards apply to all construction within Inspirada, including, but not limited to, commercial and residential product, new construction, remodels and additions, landscaping, signage and neighborhood amenities.

In addition to the Development Standards, the Inspirada Community Association Charter (“Charter”) establishes Community Standards with regard to architecture, landscaping and aesthetics.

The Inspirada Community Association Design Guidelines (“Guidelines”) have been written to provide guidance to homeowners, their architects and contractors on exterior modifications to their Units (“Improvements”), consistent with the Development Standards, and the Charter. In the event that there is a conflict between the Development Standards and the Design Guidelines, then the Development Standards shall prevail. If there is a conflict between the Charter and the Design Guidelines, then the Charter shall prevail. In the event of a conflict between the text of the Design Guidelines and any heading, drawing, table, figure, commentary or illustration in the Guidelines, the text shall control. Both the Development Standards and the Charter are “living” documents, subject to amendment from time to time. Likewise, the Guidelines may also be amended based on changes to the underlying Standards and Charter or to provide clarification as the community evolves and new home improvement products enter the market.

The capitalized terms used in the Design Guidelines shall, unless defined otherwise, have the same meaning as the term is defined in the Charter. Compliance with these Guidelines, which are based on the Development Standards and Charter, and the underlying Development Standards and Charter is mandatory. Failure to comply may result in fines or other sanctions.

## **1.2 Land Use – Impact on Design Guidelines**

Inspirada Community Association (ICA) is divided into seven residential Villages consisting of several “pods” or neighborhoods which vary in size from approximately 20 to 60 acres. The South Edge Master Plan incorporates multiple land use and zoning categories for each Village and pod. Within these use and zoning categories, different types of housing product, architecture and density help define the character and intent of the neighborhood.

## **1.3 Design Review Authority**

Initially, the Founder (“Founder”) and subsequent to Founder control, a Design Review Committee (“DRC”) appointed by the ICA Board of Directors, hereinafter referred to collectively as “Committee”, shall have discretion to make conclusive and binding determinations on matters of aesthetic judgment and such determinations shall not be subject to the review so long as they are made in good faith and in accordance with the outlined procedures; notwithstanding the homeowner’s right to appeal an adverse decision to the Board of Directors. The Committee may consider any factors it deems relevant in making a determination, including without limitation, harmony of the proposed external design with surrounding structures and environment. This jurisdiction shall extend only to the external appearance of any Improvement and shall not extend to structural integrity, method of construction, or compliance with building code or other applicable legal requirement or the requirement of any governmental authority.

The Committee may establish and charge reasonable fees for processing and review of applications and may require such fees, including a non-refundable processing fee, to be paid in full prior to review of any application. Such fees may include the reasonable costs incurred in having an application reviewed by architects, engineers, or other professionals.

## **1.4 No Waiver of Future Approvals**

The Committee will change from time to time and opinions on aesthetic matters, as well as interpretations and applications of the Design Guidelines, may vary accordingly. In addition, it may not always be possible to identify objectionable features until an Improvement is completed. While the Committee may decide not to require changes to the approved, but objectionable features, the Reviewer may refuse to approve similar proposed Work in the future. Approval of applications or plans shall not constitute a waiver of the right to withhold approval on similar proposed Improvements subsequently or additionally submitted for approval.

## **1.5 Right to Inspect**

The Committee or his agent may enter and inspect Units from time to time during the course of construction for the purpose of determining whether the Improvements are being constructed and installed as approved. These inspections may be conducted during normal business hours without prior notice to the homeowner. The right to inspect expires when the project passes its final inspection confirming that the Improvements have been installed as approved. DRC inspections do not relieve the Owner of obligations to obtain inspections required by the City or other governmental authority with jurisdiction.

# **2 General**

## **2.1 Prior Written Approval Required**

All exterior modifications to the Unit: that is, all site work, landscaping, structures, improvements and other items visible from outside of existing structures (“Improvements”) or (“Work”) including the interior of screened porches, patios and other portions of a structure visible from outside of the structure require the prior written approval of the Committee.

## **2.2 Exceptions**

No prior approval is required to:

- Repaint the Unit exterior using the most recently approved color scheme. When repainting all or a substantial portion of the Unit exterior, Owner shall not color match to existing paint as paint fades. Owners must request the most recently approved color scheme from Association. “Touch-ups” may be color matched to existing paint.
- Rebuild or restore damaged structures to most recently approved plans and specifications.
- Replace dead or damaged plant material with the same.
- Install a satellite dish which meets the criteria of 7.42 Satellite dishes.
- Place outdoor furniture in the courtyard or private area to meet the criteria of 7.34 Patio Furniture.
- Place accessories in the yard or on the patio if they blend in with the natural colors of the home and landscaping. See 7.2 Accessories.

## **2.3 Assumption of Risk**

No exterior modifications to the Unit may begin without prior written approval and Work must be installed as approved. Should Owner commence Work without prior written approval or fail to install Work as approved; Owner understands that he may be required to remove unapproved Work and restore the area to its original condition. In addition, Owner may be subject to fines or other sanctions for failure to obtain prior written approval or install as approved.

## **2.4 View Impairment**

The Charter explicitly states that there is no guarantee or representation that any view over or across any portion of the community will be preserved without impairment. There are no expressed or implied easements for view purposes or for the passage of light or air. Consistent with the Charter, the Reviewer shall not consider view when determining whether or not to approve an architectural request.

## **2.5 Computation of Time**

References to days are calendar days unless otherwise stated.

## **2.6 Time Limits to Commence Work**

Work is expected to begin almost immediately after written notice of approval is given. If the Owner anticipates a delayed start due to weather or other considerations, the anticipated start date should be noted in the application. The Reviewer may require that construction commence within a certain time period. If construction does not commence within the time period granted, the approval shall expire and the Owner must re-apply for approval.

## **2.7 Time Limits to Complete Work**

The construction phase of any project can be highly disruptive to the neighbors. Once construction has commenced, it must be diligently pursued to completion. The maximum amount of time to complete work shall be one year, unless a greater or lesser time period is specified in the approval letter. To promote a positive, neighborly environment, the following time limits will be specified in approval letters unless there are mitigating circumstances. The Reviewer shall make the final determination in classifying a proposed project.

### **2.7.1 Initial Landscape Installation – 180 days from close of escrow**

For any home that does not have builder-installed landscaping in the front, rear and side yard, Owner must submit a landscape plan for the un-landscaped portions, obtain approval and complete installation within 180 days from close of escrow.

#### **2.7.2 Type 1 Modification - 90 days from date of approval**

Type 1 Modifications are simple, short term projects that do not require building permits and usually require only a single review that will be conducted by staff. An illustrative list is provided in Exhibit A.

#### **2.7.3 Type 2 - 5 Modifications – 90 days from date of approval. Should additional time be needed, homeowner may request an extension from the committee.**

Type 2 – 5 Modifications are more involved projects which require Reviewer consideration and Founder or DRC approval or a grouping of Type 1 projects that when taken together require a more extensive review process. Certain projects may require approval from local building authorities in addition to the Committee.

Type 4 & 5 Modifications may require multiple reviews where project is considered in stages. These stages may include a conceptual, preliminary and final review. An illustrative list is provided in Exhibit A.

### **2.8 Extensions**

The Owner may request an extension of the time allotted to complete the Improvement. The Reviewer will have sole discretion as to whether to approve or disapprove the extension request, but any such approval shall be in writing. If the Work has not been completed within the applicable time period, fines and/or other sanctions may be levied until the Work is brought into compliance.

### **2.9 Changes to Approved Work**

From time to time, the Owner may want or need to make changes to the approved Work. All changes must be submitted for review and are subject to written approval prior to continuing or beginning the changed Work. Close cooperation between the Owner and the Committee may be required for a timely consideration of proposed changes. If during the City approval process (if applicable), changes to the plans are required by the governmental authority, then the Owner shall promptly notify the Committee of same, and shall obtain written approval of the Reviewer prior to implementation of such changes by the Owner.

### **2.10 Neighbor Notification**

Neighbor notification is required when proposed Work would require a Variance from the Design Guidelines. See 3.6 for information on Variances. The Applicant shall be responsible for obtaining the written acknowledgement of the front, side and rear neighbors that they have been made aware of the variance request.

## **3 Application Process**

### **3.1 Application Completeness**

Only an Owner, or his designated representative, may submit an application. An application will be considered complete if it is submitted on the required form, includes all the mandatory information and is accompanied by the applicable fee. See Exhibit B for forms and fees. The time allotted for the Committee to make a final decision on the application shall not commence until a completed application has been submitted.

In the case of proposed Improvements such as a room addition, that requires multiple reviews, the time allotted to make a final decision does not commence until final, required information has been submitted.



### **3.2 General Requirements**

Owner must submit a complete set of all landscape or building plans (as applicable), at a minimum of 1/8" scale. When color boards or other sample materials are required, information and samples must be provided in a size and form that can be electronically mailed. The DRC will retain one copy of the final approved plan and samples for its records.

**Plans must include the following general information:**

- North Arrow
- Street Names
- Name, address, and phone number of Owner
- Name, address, office telephone number, Nevada Contractor's License (NCL) and license number of Owner's Architect, Landscape Architect, Contractor, or other consultants, if applicable.
- Sheet number and description
- Legend of material
- Dimensions and elevations of submitted property
- For projects that will require conceptual, preliminary and final review, required or requested changes from previously reviewed plans must be "clouded". Failure to properly identify changes through clouding may result in the invalidation of any subsequent approvals for Work.
- Site visibility restriction zones - areas shown on the plot plan in which the height of landscaping and/or hardscape is restricted so as to allow drivers a clear view of approaching traffic.
- Setback information - each type of home (Village, City, Garden, Estate, Live/ Work, Mansion) has specific setbacks that must be adhered to when proposing Improvements. A table of setbacks is included in Appendix A.
  - All setbacks are minimum dimensions and are subject to site visibility requirements.
  - All setbacks are measured from the property line (PL) unless otherwise noted. The PL varies by home type. See appropriate table in Appendix A.
  - Architectural projections may project a maximum of 3 feet into the required front, rear or side setback however, in no case shall the projection be closer than 3 feet to the PL. The encroachment may be supported by a foundation.

### **3.3 Submission Deadlines**

For the convenience of Owners, a DRC meeting schedule will be published annually; however, if there is no business to consider, the meeting will be cancelled. The DRC may limit the number of applications it considers at each meeting in the aggregate and by category (Initial Landscaping, Type 1, Type 2 Type 3, Type 4 & type 5). To be eligible for review at a particular meeting, a completed application must be submitted by 12 pm on the Friday prior to the scheduled meeting.

### **3.4 Notification Following Review**

Owners will be notified via electronic mail as to the outcome of their application within five (5) business days following the meeting. To avoid costly misunderstandings that can occur with verbal approvals or denials, please do not call the Association for DRC meeting results

**With regard to an application, the Committee may:**

- Approve with or without conditions;
- Approve a portion of the requested Improvements and reject other portions;
- Advance Type 4 projects to the next phase of review with or without changes;

- Disapprove the entire application.

### **3.5 Stalled Applications**

Any application submitted and waiting for additional information to be provided by the Owner more than 30 days from the date of the first inquiry shall be deemed to be stalled and will be returned to the Owner. Application fees are non-refundable and the application will be deemed void. The Reviewer will treat the application as if none were submitted and a new application will be required with an additional application fee.

### **3.6 Variances**

A variance is an approved deviation from the Design Guidelines. The Committee may recommend variances from the Guidelines when it determines that circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations justify the variance. Approval of a variance in one circumstance does not prevent denial in another circumstance. Variances may not be approved that are contrary to the Charter.

A request for variance must be submitted in writing. See Exhibit B for forms and fees. The Committee will evaluate the variance request and make a recommendation to the Founder to approve or deny, as appropriate. During the Development and Sales Period, the Founder must approve all variances. Thereafter, the ICA Board of Directors DRC must approve all variances.

As variances represent a departure from the standards that homeowners agreed to follow when they purchased property in Inspirada, the Applicant shall submit with the variance request form the written acknowledgement of adjacent property Owners for Units located to the rear, on each side and across the street that the adjacent Owners have been made aware of the variance request.

A variance request form will not be considered complete unless it includes the written acknowledgement of adjacent property Owners.

Adequate time for community input and decision by either the Founder or ICA Board of Directors is required therefore Owners should plan for additional time during the review stage when proposing Work that does not conform with the Design Guidelines.

### **3.7 Re-consideration**

If an application or request for variance has been denied, the Owner has fourteen (14) days to request reconsideration by submitting a written request for reconsideration to the DRC, together with any reasons or new evidence supporting such request. If the Committee again denies the request, the Owner may submit a written request of appeal to the Inspirada Community Association Board of Directors. The decision of the Board is final.

### **3.8 Notice of Noncompliance; Remedies.**

If the Work in progress or completed is found to not be in compliance with the Design Guidelines or the approved application, then the Committee may take certain action(s) to obtain compliance from the Owner. Such action may include, but is not limited to issuing a written notice(s) of noncompliance or delivering a Stop Work Order. Depending on the nature of the non-compliant Work, its stage of completion and other pertinent factors, the Committee shall, in its sole discretion, determine which remedy is appropriate for the situation.

#### **3.81 Notice of Non-Compliance**

The written notice of non-compliance shall specify in reasonable detail the points of non-compliance and shall require the Owner to correct all items within a specified period of time or potentially be subject to fines and/or other progressive and

continuing sanctions. If the Owner fails to remedy the violation within the given time period, then the Community Standards Coordinator will notify the Owner that action may be taken to levy fines, suspend membership privileges, remove or correct the non-complying item(s), seek injunctive relief, and/or to recover any losses or damages through legal action. The length of time granted to correct the non-compliant work is at the sole discretion of the Reviewer, but generally does not exceed fourteen (14) days.

### **3.8.2 Stop Work Order**

A Stop Work Order shall be hand delivered to the job site and subsequently mailed to the Owner's billing address. The Stop Work Order shall specify in reasonable detail the points of non-compliance and shall require the Owner to cease Work or potentially be subject to fines and/or other progressive and continuing sanctions. Following a Stop Work Order, further performance of Work by the Owner is prohibited (unless the Reviewer specifies in writing certain aspects of the Work are specifically permitted to proceed), until the non-complying items have been brought into compliance. If the Owner fails to remedy the violation within the given time period, then the Reviewer will notify the Owner that action may be taken to levy fines, suspend membership privileges, remove or correct the non-complying item(s), seek injunctive relief, and/or to recover any losses or damages through legal action. The length of time granted to correct the non-compliant work is at the sole discretion of the Reviewer, but generally does not exceed fourteen (14) days.

### **3.83 Hearing Notice.**

If the Owner fails to correct the non-compliance by the date specified, a notice calling the Owner to a hearing before the Covenants Committee which has been appointed by the ICA Board of Directors for the purpose of imposing fines or other sanctions will be mailed to the Owner's billing address.

### **3.84 Fines**

See Exhibit C for current fine schedule.

## **3.9 Inspections at Completion of Work**

It is the Owner's responsibility to request an inspection of completed Work. No refunds of deposits, if applicable, will be made prior to a successful final inspection.

## **4 Contractor Related Matters**

Owners are solely responsible for the conduct of their Contractors while within the community. The failure of a contractor to comply with regulations governing their actions may result in fines or other sanctions imposed upon the Owner. If a deposit was required, the cost of any damage or other action which results in an expense for the Association may be deducted from the deposit.

### **4.1 Licensing**

Each contractor or consultant (collectively, "Contractor") of Owner must possess all licenses necessary to do business in the State of Nevada, including but not limited to a Nevada contractors and/or business license.

### **4.2 Work Hours**

All Owner-contracted Work, including site access, shall be limited to the following hours only: Monday through Saturday, 6:00 a.m. – 6:00 p.m.

No Owner-contracted work that is conducted outdoors and/or generates noise that can be heard beyond the confines of the Owner's property will be permitted on Sundays or the following holidays:

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

#### **4.3 Equipment, Supplies and Cleanup**

Owners are responsible for ensuring that their Contractors properly store all material, supplies and equipment from the job each day after work and leave the area neat and clean. Materials may not be stored on the street, sidewalk, common area or adjacent lots without the prior written approval of the Association. Any materials authorized for temporary "offsite" storage must have a tarp or plywood underneath and be marked by safety cones with reflective tape.

Owners are responsible for ensuring that their Contractors keep streets, gutters and adjacent properties clean and free of dirt, trash, debris, or other material related to or caused by the work, and promptly clean up all street spills. Owners should be aware that governmental restrictions prohibit water clean-up of landscaping or construction debris.

#### **4.4 Contractor Conduct**

Owners are responsible for ensuring that their Contractors control the conduct of all employees while on site. Profanity, loud music, or offensive behavior will not be tolerated at any time or under any circumstances. Contractors are not permitted to have alcohol, drugs or firearms in the community. Personal trash shall not be left anywhere on the properties.

#### **4.5 Sanitary Facilities**

When required, a portable sanitary facility must be located on the lot under construction, kept in good repair and cleaned regularly. Portable sanitary facilities may not be placed on any street or sidewalk within the community.

#### **4.6 Vehicles & Parking**

Vehicles must obey all common courtesy traffic and safety rules. Drivers must refrain from exceeding the posted speed limit, parking against the flow of traffic; blocking driveways, mailboxes or fire hydrants; impeding traffic; parking on sidewalks or in front of occupied homes and/or driveways.

#### **4.7 Damage**

Any damage to streets, adjacent property or common area facilities by an Owner's Contractor or its employee or agent must be reported to the Association and corrected immediately at the Owner's expense. If the damage is not repaired in a timely manner to the satisfaction of the Inspirada Community Association, the damage may be corrected or repaired, and costs assessed to the Owner.

### **5 Landscape Guidelines**

#### **5.1 Planting Design - General**

For individual lots, the main principle is to reinforce the urban feel with the use of complementary plants that define the neighborhoods. Plantings selections should be in scale with the house and area to be landscaped.

In front yards, areas of importance such as entries and architectural features should be accented by plant selection. The use of smaller, pedestrian friendly plantings and limited hardscape is encouraged.

Plant variety is important to create a diverse xeriscape that will emphasize texture, color and height. Plant selection and the density of plant materials should complement the adjacent uses. For example, where lots have exposed areas or view fencing adjacent to Desert Open Spaces, the proposed plant palette should complement the natural desert landscape zone. Conversely, where front yards adjoin the more formal central parks and streetscapes, front yard designs shall reflect that increased formality through the use of symmetry and simplicity.

## **5.2 Public Areas and Private Zones**

With regard to landscaping, lots are divided into public and private zones. Not all lots will have private zones. A private zone is an area completely enclosed by a building and/or a four-foot high or taller solid wall or fence. Private zones may be located in the front yard (an enclosed courtyard) or the rear yard (a rear yard fully enclosed by a solid wall). A rear yard area enclosed fully or partially with a view fence does not qualify as a private zone.

For public areas, Owners must select plants from the approved plant palette included in Appendix B. Within private zones, trees must be selected from the approved plant palette, but shrubs and other plant materials not on the approved list may be proposed. **However, all plant materials regardless of location are subject to Committee approval.**

## **5.3 Prohibited Plant Materials**

Certain plant materials are prohibited and may not be installed by Owners in either the public or private zones of their lot. If found in the residential landscape Owner must remove and replace with approved plant material at his expense. See Prohibited Plant List for list of plants that may not be installed within Inspirada. This list may be amended from time to time.

## **5.4 Landscaping Standards – Front Yards located along Greenbelts and Community Streetscapes**

To maintain a consistent landscape theme throughout the Greenbelt system, front yards located along Greenbelts and Community Streetscapes shall conform with the guidelines outlined below.

- Grading – level planes with elevation changes created by low retaining walls. Maximum allowable slope is 3:1. No sharp transitions or unnatural shapes, particularly along lot lines.
- Entry walk – three (3) foot minimum width; five (5) foot maximum width.
- Inert Groundcovers – ground covers must related to streetscape selection; all bare dirt must be covered.

### **5.41 Planting Standards**

Landscape design - shall follow patterns and species used in the Greenbelts and Community Streetscapes.

Trees – 24" box. One (1) for lots of less than 30' in width; two (2) for lots 30' or greater in width. Must be planted a minimum of three (3) feet from sidewalks, curbs, driveways, fences, foundation and walls. Root barriers are required.

Shrubbery – 1 plant per 20 SF. 50% five (5) gallon or greater; 50% one (1) gallon or greater. Minimum two (2) foot setback from house. All utilities and irrigation equipment must be screened from street view.

## **5.5 Landscape Standards – Front Yards NOT located along Green belts and Community Streetscapes**

Front yards not facing greenbelts or community streetscapes shall follow a transitional theme which blends the character of the streetscapes with desert adaptive species. Harmony with neighboring properties is critical.

- Entry walk – three (3) foot minimum width; five (5) foot maximum width.
- Inert Groundcovers – ground covers must relate to streetscape selection; all bare dirt must be covered.
- Rear yard access – must be maintained through side yard.

### **LANDSCAPE GUIDELINES**

#### **5.5.1 Planting Standards**

Landscape design - shall follow patterns and species used in the Greenbelts and Community Streetscapes.

Trees – 24" box. One (1) for lots of less than 30' in width; two (2) for lots 30' or greater in width. Must be planted a minimum of three (3) feet from sidewalks, curbs, driveways, fences, foundation and walls. Root barriers are required.

Shrubbery – 1 plant per 20 SF of landscapeable area, excluding turf area.

50% five (5) gallon or greater; 50% one (1) gallon or greater. Minimum two (2) foot setback from house.

#### **5.6 Planting Standards - Corner Lots – Additional Requirements for Front Yard Landscaping**

Corner lots shall be landscaped as an addition to the Front Yard. Consistent plant species and densities shall wrap around the corner. All exposed walls shall be screen planted to break up the expanse of wall. An additional 24" box tree is required. Site visibility restrictions, which limit the mature height of plant materials in certain areas, may apply.

#### **5.7 Planting Standards - Alleyways**

The primary purpose of the alleyway is to provide ingress and egress for Owner and emergency vehicles. Thus no structure or plant may be placed in the landscape area along the alleyways that would interfere with that purpose. Landscaping in this area shall consist of:

##### **5.7.1 Planting Standards**

Within three (3) feet of the alley pavement, shrubbery, not less than 1-gallon in size at installation, whose mature height shall not exceed eighteen (18) inches planted three feet on center.

Overall shrub density shall be 1 plant per 25 SF with a mix of 25% five-gallon plants and 75% one-gallon plants or better.

Inert ground cover consistent in color with surrounding landscape areas. Turf, artificial or natural, is not permitted.

24" box tree, per the following schedule:

- Lot width 30' or greater – two trees.
- Estate and Village Homes only with lot widths of less than 30' – one tree per lot on one side of alley or staggered one side to the other. An individual lot may or may not require a tree depending on the scheme used by the builder at the time of construction.
- No trees are required for City Homes: shrubs should be used instead.

#### **5.8 Planting Standards – Rear Yards – No Privacy Zone or Limited Privacy Zone**

Front yard planting standards apply with the exception that natural turf is permitted. Turf must be edged and setback a minimum of three (3) feet from any walls, fences or the home's foundation.

## **5.9 Planting Standards – Private Zones**

For areas that meet the definition of private zones provided in the section entitled, Planting Design – General, Owners have more leeway in the selection and placement of plant materials. While Owners are encouraged to select from the approved plant palette and must do so for trees and any plant with a mature height of six (6) feet or more, other plant materials may be proposed.

## **5.10 Landscape Maintenance**

With the exception of Owners whose yards are covered through a service area that includes front yard maintenance as a common expense (City Homes), all other Owners have the responsibility to maintain their landscaping, including the alley zone, to the Community Standard. Regular maintenance shall include: weeding, watering, fertilizing, pruning, mowing, edging, mulching and keeping the landscape areas free from disease, pests and weeds. Also required is the following: removing fallen leaves from deciduous trees, trimming fruit and brown fronds from palms, routinely removing trash, tumbleweeds or other debris that may blow into yard, replenishing depleted ground cover, and maintaining irrigation system to minimize water waste or overspray.

### **5.10.1 Tree Trimming Standards**

According to the City of Henderson standard rules, all trees must be pruned not lower than 15 feet high to have a clear path on all streets and Alleyways for a Fire Truck to go through without tree branches hitting the fire truck.

## **5.11 Grading, Drainage Swales**

Drainage patterns established by the engineering requirements shall be maintained. However, earth mounding and contouring at slopes of between 4:1 and 8:1 are encouraged to create a realistic xeriscape design provided that it does not interfere with typical lot drainage.

Public drainage easements have been constructed for flood control and shall not be considered an extension of a private yard and may not be landscaped or otherwise altered.

## **5.12 Boulders, Cobble and Dry River Beds**

Boulders and cobble/river beds can provide interesting accents for a desert landscape when used in natural patterns and clustered to accent grade changes. However, use of rounded river rock is not permitted; larger granite cobble may be used to create a dry river bed effect. Boulders must be set with at least 1/3rd of their height into the ground and should not exceed 30" above ground level. Manufactured or faux boulders are not permitted in front yards. Colors must compliment the color of decomposed granite groundcover.

Boulders and river/cobble beds are allowed in the front yards of homes that face the Residential Greenbelt to the extent that they are consistent with the formal garden character that is being emphasized in these locations.

Consistent with the landscape theme for the community, rounded river rock beds are not permitted; however, the use of natural granite cobble as an accent is encouraged in this area.

## **5.13 Ground Cover – Inert Materials**

Bare dirt is not permitted. All planting areas must be covered with a minimum of 2" of decomposed granite. Where planting areas abut sidewalk or other hardscape, decomposed granite must be installed to a depth that will provide a smooth, trip-free transition between hardscape and decomposed granite.

With the exception of boulders and cobble accents, decomposed granite used in front yards must be 5/8" in size and of the standard builder-installed color. Granite colors shall not be mixed. If an adjacent property has an existing granite color, this color must be maintained until there is a natural transition formed by a street or sidewalk. Standard builder installed colors are listed in Appendix C. Rear yard and private zone granite color and size may vary from front yard requirements.

#### **5.14 Edging and Mow Strips**

To create a unified and more expansive feeling through the neighborhood, hard edges such as mow strips, edging and walls are not permitted between lots, unless required due to grade changes to retain soil.

#### **5.15 Irrigation and Root Barriers**

Water smart irrigation systems must be installed with landscaping and specifications provided with landscape plan.

All landscape areas adjacent to hardscape including, but not limited to, walls, sidewalks and curbs shall utilize a deep-watering irrigation system.

Flower beds, turf or planting beds requiring overhead spray shall be restricted to the rear yard or, if front yard placement is desired, placed in pots with drip irrigation installed through the bottom/side of the pot so that irrigation lines are not visible from public view. Overhead spray heads shall be located far enough from and its spray pattern oriented so as not to spray water onto walls and cause deterioration.

See diagram of deep watering irrigation system and table of drip irrigation standards.

#### **5.16 Turf – Natural**

Natural turf may only be installed in the rear yard. Set back from hardscape (i.e. walls, sidewalks, etc.) a minimum of three (3) feet to minimize overspray which will discolor sidewalk and damage walls. The **minimum dimensions for lawn areas are 6 feet wide by 10 feet long** and must conform with the following specifications:

Kept at least 3' from a building face or wall, including side yard retaining walls; and bordered by a minimum of 4" of concrete, grouted stone or masonry product or steel edging that is flush to grade.

##### **5.16.1 Turf - Artificial**

Artificial turf is permitted in both the front and rear yard. Artificial turf must be SynLawn product or an acceptable alternative. A sample and product specifications must be submitted with landscape application.

#### **5.17 Massing/Layering**

Massing is the grouping of similar plant materials for effect. For example, five lantana planted in close proximity will create a greater impact than the same number of lantana spread across the yard. Layering is the placement of plant material based on height, color and texture to create sweeping forms and plant hierarchy. Landscaping plans submitted for approval shall incorporate these concepts for plant placement.

#### **5.18 Number of plant species – minimum and maximum**



The plant palette must include a minimum of five (5) but not more than ten (10) species. Screen planting of hedges and espaliers should be used to provide relief to large expanses of hardscape such as privacy walls.

Foundation plantings, five gallon minimum planted four-feet on center, are required to screen areas of the house just above the finished grade. Foundation planting may be hedged or used in irregular massings.

### **5.19 Trees**

When selecting trees from the approved plant palette, the full grown size of the species should be taken into consideration and the tree positioned so as to minimize future problems caused limbs overhanging roofs, sidewalks or neighboring lots or roots damaging sidewalks, foundations or walls. **Root guards are required for all trees installed within ten (10) feet of the right of way and within five (5) feet of walls, sidewalks or the home's foundation.**

### **5.20 Vegetable gardens**

Vegetable gardens are permitted, but must be located on the Lot so as to minimize view of the garden from the street; however, no vegetable garden shall be approved for the front yard. Raised beds are permitted so long as the height of the bed does not exceed 30" from original grade. Height restrictions apply for any vegetable gardens proposed to be installed in designated low planting zones on the lot. Vegetable gardens shall be maintained weed-free at all times and after harvesting plant material shall be removed, turned under the surface or cut back to maintain a neat appearance.

## **6 Hardscape Guidelines**

### **6.1 Concrete**

When colored concrete is proposed, an integrated color is required. When a color or stain is proposed for application to existing concrete, color coats shall coordinate in style and color with the Unit's color scheme and architectural style. Owners are required to maintain the surface coating by promptly recoating chips and scrapes to match existing color. The total amount of additional concrete used in either the front or rear yard shall be limited so as to be in proportion to the size of the Unit and the square footage of the lot.

### **6.2 Driveways**

Permitted driveway materials vary with the architectural style of the Unit. Depending on the architectural style, the following materials may be proposed: smooth concrete (grey or colored), stamped concrete, brick, interlocking pavers or other items as proposed. The color shall coordinate with the color scheme of the Unit. Asphalt, sand, and gravel driveways are not permitted.

### **6.3 Entry Walks**

Front yard entry walks shall be a minimum of three (3) feet in width. Materials and colors shall complement the architecture of the home and surrounding uses. Pavers, flagstone, brick, stained and/or stamped concrete are permitted.

### **6.4 Game Courts/Sports Courts**

Depending on the size of the lot, game courts or sports courts, such as bocce, shuffleboard, horseshoes, putting green, children's game courts, etc. may be approved for the rear yard on a case by case basis. Typically, additional landscape will be required to screen the court from the neighbor's view and the game court or sports court may be subject to additional restrictions regarding the height of apparatus, the installation of lighting for evening use and the establishment of community quiet hours.

## **6.5 Pools and Spas**

See Architectural Criteria, Section 7

## **6.6 Walkways (other than front entry)**

Walkways shall coordinate in style with the Unit's color scheme and architectural style. Depending on the architectural style, smooth concrete (grey or colored), stamped concrete, brick, interlocking pavers, tile or sand-set flagstone may be considered.

## **6.7 Front Entry Steps**

Front entry steps may be painted with yellow safety paint not to exceed 1 & 1/2" on top and 3" on the lip of the step. Other products may be submitted to the Committee for consideration.

# **7 Architectural Criteria**

## **7.1 General**

Variety in housing types and building forms provides diversity and visual interest to the neighborhood. The following design principles shall be kept in mind when considering exterior modifications to a Unit:

- Articulation of wall planes on all four sides of Unit
- Projections and recesses to provide depth and shadow
- Simple, bold forms
- Combinations of multi-story building forms

Certain architectural styles have been approved for use in the community. Improvements shall be consistent with the architectural style of the home. The information provided in this section on various types of Improvements is general in nature. Owners should refer to both the general information that follows and their specific architectural style sheet when proposing exterior modifications. See Appendix E for approved architectural styles and their characteristics.

## **7.2 Accessories**

Accessories are items of a decorative or ornamental nature including, but not limited to, statues, potted or hanging plants, wind chimes, benches, wooden bridges over river beds and wall hangings. Reviewing Committee shall limit the number of accessories in a front yard to five (5) and the number of accessories in a backyard to five (5). A total of three (3) accessories from three (3) feet to six (6) feet in height measuring from grade level are allowed, (two (2) in back and one (1) in front. In the front yard accessories over three (3) feet tall must be set back from the front sidewalk at least ten (10) feet. Accessories may not be attached to any common area walls.

## **7.3 Antennas**

Antennas are restricted to the attic or interior of Unit. Radio antennas installed for the purpose of transmitting or receiving signals are generally prohibited, but must be submitted for approval.

## **7.4 Awnings – fabric**

Main framing shall be one (1) inch steel tubing with corrosion proof finish, minimum. Rib framing shall be three-quarters (3/4) steel tubing with corrosion proof finish. All fabric seams shall be located over ribs. Awnings designed as patio covers shall incorporate a minimum 2:12 pitch as well as side panels. If more than one awning is installed on a Unit, all awnings

shall be the same color. Fabric and framing shall be maintained in good condition. Torn, faded or frayed fabric shall be replaced.

### **7.5 Barbecues – permanent, semi-permanent and portable**

A permanent barbecue is an installed structure that may contain counter space, refrigeration and storage in addition to the barbecue itself. A semi-permanent barbecue looks like a permanent installed barbecue but can be moved by use of wheels or another method. For homes with no back or side yard, barbecues are allowed in front courtyards.

Portable barbecue grills that use charcoal or propane are also permitted. When not in use, portable grills shall be stored next to the house so as not to be visible from the street, common area or neighboring properties.

Please note that City of Henderson fire code does not permit barbecues or portable fire pits to be used within ten (10) feet of a townhouse wall, overhang or balcony.

### **7.6 Basketball goals and hoops**

Portable basketball goals may be used in the rear yard. However, at no time may a portable basketball goal block a sidewalk or be placed in the alley. Basketball goals must be stored out of sight when not in use. Basketball backboards are not allowed.

### **7.7 Chimneys and chimney caps**

Chimneys and chimney caps shall be simple in design so as not to distract from the Unit and consistent with its architectural style.

### **7.8 Color Schemes**

Each single family community has a minimum of nine (9) approved color schemes. Color schemes consist of four (4) different colors, not including the roof color: a base or field color, fascia color, trim color and accent color. Masonry may be substituted for one of these colors on those home styles that permit it. Owners desiring to repaint their Units may propose a scheme from among the approved color schemes, provided that adjacent homes do not use the same color scheme. For this purpose, adjacent homes are defined as the two homes on either side of the Owner's Unit, and the lot directly across the street from it.

Owners desiring a color scheme from other than the approved community color palette may submit a proposal that adheres to the approved four color scheme. The proposal shall show all elevations of the home (front, side and rear) and specifically note on the elevations where each color would be applied. 8 ½ x 11 color samples shall be provided. If masonry is proposed, a color photo of the proposed masonry as it would be applied, and representative samples must be provided. The Committee may require the Owner to paint a sample of the proposed colors on the front elevation and view the color scheme in context prior to approving or denying the request. The Committee shall consider the following factors in evaluating proposed color schemes: harmony (both internal and with neighboring Units); contrast and interest, value ranges and overall compliance with the intent of this section.

When proposing a color scheme other than one of the approved schemes, the Owner shall conform to the following additional requirements upon which the standard color schemes are based:

#### **Field Colors**

- Multiple field (or base) colors may be used only if it is integral to the design of the architecture and on style-appropriate applications such as wainscots (the section forming the lower part of wall when it is finished differently

from the rest of the wall) on Spanish Colonial elevations. Color changes should occur at inside corners only. No more than two field colors may be used.

- Primary field colors shall not be darker than 20% LRV (light reflectance value). Secondary field colors shall have an LRV of 65% or less. If the primary field color has an LRV of 30% or less, the secondary field color shall be lighter than the primary field color. Light Reflectance Value is a measure of how much light is reflected from a colored material. It is given as a percentage where white has a value of 100% and black has a value of 0%.

The LRV between the primary and secondary field colors shall be within a range of 15% to 35%.

#### **Fascia Colors**

- Fascia colors shall have an LRV of 75% or less; however, stucco fascia colors shall have an LRV of not less than 15%.
- Stucco fascias, if colored differently than the field color, should be clearly discernable from the primary field color, but without extreme contrast.
- Wood fascias shall be a different color than the field color and the color shall be clearly discernable from the primary field color. Other types of exposed woodwork, beams, posts, railings, etc. should be colored to match the wood fascia.

#### **Trim Colors**

- Trim colors may be selected from the field or fascia colors; however extremely dark shades are not appropriate for use as stucco trim. Stucco trim shall have a LRV of 15% or greater. Trim color should be used judiciously on understated window trim and recessed window areas. Wood trim colors should be discernable from the field color but without extreme contrast. Stucco trim, if colored differently from the field, should be discernable from the field color, but without extreme contrast.
- Painted over stucco trim shall terminate at inside corners only.

#### **Garage Doors**

Garage door colors with a LRV of 60% or less may be selected from the field, fascia or trim colors.

#### **Accent Colors**

Accent colors appropriate to the architectural style may be proposed. Accent colors are used on ornamentation elements, railings, shutters and front doors. Front doors may also be colored with wood stain colors.

### **7.9 Courtyards**

If consistent with the architectural style of the Unit, courtyards are permitted. Courtyards shall be finished to match the Unit and may be embellished with stone, ceramic tile, steps, recesses, cut-outs, or wrought-iron accents suitable to the Unit's architectural style.

#### **7.10 Decks**

Decks are permitted in rear yards, but may not be constructed of natural wood. Man-made materials, such as Trex, are permitted in colors that compliment the color scheme of the Unit. Railing details and steps must conform to the architectural style of the Unit. The size of the proposed deck shall be proportional to the rear yard size and may not impede conforming with minimum landscape requirements.

### **7.11 Dog runs and animal pens**

Dog runs and animal pens are not allowed.

### **7.12 Doors**

Front doors shall be painted the approved accent color. Alternatively, the Owner may paint or stain the door to look like wood or install a true wood door in stain or finish that compliments the style of the home. Doors shall be appropriately scaled to the size and style of the Unit.

### **7.13 Exterior Finishes**

Permissible exterior finishes are based on the architectural style of the Unit and may include: stucco, masonry or siding. See individual listings for more information.

### **7.14 Fences**

The type and color of fencing shall be restricted to the developer-installed styles, except where the Owner has been approved to install a pool and then the height shall be pool code. Fences shall be re-painted the community color. (Maximum height is 6' from lowest grade)

### **7.15 Flagpoles and American Flag Display**

Due to the small size of lots and the proximity of homes to one another, displaying the American flag from a sleeve and pole 6' or less in length attached to the Unit is preferred. However, consistent with NRS 116, Owners may display an American flag no larger than 4' in its vertical dimension and 6' in its horizontal dimension from a flagpole of roof height or less provided that such flag is displayed in a manner consistent with the US Flag Code and has had prior approval from the Committee. A flag is defined as being made of cloth or fabric and does not include a depiction or emblem made of balloons, flora, lights, paint, paving materials or any other similar building, decorative or landscaping component or material. Ropes and metal fasteners used to attach the flag to the pole must be secured so as not to bang against pole or sleeve and cause a nuisance. Only one (1) freestanding flagpole per lot is permitted. Free-standing flagpoles shall be used only to fly the American flag; no other flags are permitted. No flagpoles are to be used as antennas, nor are guy wires permitted. Seasonal pennants may be flown from a flagpole attached to the Unit. Flag and pole must be well maintained.

### **7.16 Fireplaces - freestanding**

Freestanding fireplaces located on patios or courtyards shall be located so as not to damage neighboring properties and to comply with all local fire codes.

### **7.17 Fountains and Waterfalls**

Freestanding fountains shall not exceed the height of the wall or fence. Submittal must include; color, dimensions, equipment location, picture or drawing. Electrical equipment and motor must be screened from neighbors and street view. Water must not be allowed to stagnate; therefore, fountain or waterfall should run, be chlorinated or drained. Waterfalls may be freestanding or an integrated part of a spa or pool, **but shall not exceed the height of the fence or wall.**

### **7.18 Garage Doors**

Garages shall be treated so as to de-emphasize their visual presence. Therefore, garage door styles shall be standardized to avoid drawing undue attention to this feature. In the event that a replacement door is required and the original style is no longer available, Owner shall propose a style as close to the original builder- installed design as possible.

Each community builder shall initially paint garage doors either the field, fascia or trim colors, as per its City of Henderson approved color schemes. Owners shall maintain this schema when repainting. Paint LRV shall not exceed 60%.

#### **7.19 Garage Spaces**

The number of front facing garage spaces is limited. Where permitted, no more than two (2) front facing garage spaces are allowed on an individual Unit. Additional garage spaces shall be proposed in a configuration in which the garage door is not visible from the front of the Unit. Garages shall not be converted to living space and shall not be used for storage if such use shall preclude Owner from parking the number of vehicles within the garage that the garage was intended to hold.

#### **7.20 Gates – courtyard, side and rear yard**

Gates shall conform in color, height and style to the builder-installed standard in the neighborhood.

#### **7.21 Gates – driveway**

Gates are not permitted across driveways as seen in subdivisions throughout Las Vegas.

#### **7.22 Gazebos/Ramadas**

Gazebos shall be compatible with the architectural style of the Unit and conform to all setback and other requirements.

#### **7.23 Gutters and Downspouts**

Gutters and downspouts shall be painted to match or compliment the color of the area to which the gutter or downspout is attached.

#### **7.24 Lighting – address lights**

House numbers (front and rear) shall be of the standard design and internally illuminated. This is a public safety matter and a City of Henderson requirement. Owners are responsible for maintaining alley house numbers in operating condition at all times and for ensuring that trees and shrubbery do not obscure the address lights.

#### **7.25 Lighting – alleys**

Alleys are illuminated only by the lighting fixtures located on each Unit. Lighting fixtures facing the alley shall be of the standard design, controlled by a timer or photo- cell and illuminated from dusk to dawn. Owners are responsible for maintaining alley lights in operating condition at all times and ensuring that trees and shrubbery do not block the light.

#### **7.26 Lighting – coach lights**

Coach lights (i.e. lamps mounted on the façade of the home often by the garage or doors) must be maintained in good operating condition at all times with all sockets filled and bulbs lit. Replacement fixtures shall be of the same style as those installed by the Developer.

#### **7.27 Lighting – landscaping**

Outdoor landscape lighting enhances the value of the home; however, proper installation and maintenance is required to minimize impact on neighboring properties. Landscape lighting shall be shielded to prevent nuisance glare onto adjacent properties. Motion detector and photocell lights are allowed. Lighting shall be automated and controlled by a timer or photoelectric system. “Uplights” shall be concealed to the degree possible by boulders and/or shrubs, to decrease their

visibility during the daytime. Above grade fixtures shall not be permitted in turf areas; however, completely recessed fixtures are allowed. All outdoor landscape fixtures shall be low voltage. No colored lens or bulbs shall be permitted. Fixtures shall be finished to blend with the area in which they are placed. Walk lights may be used along walkways or driveways and shall project downward only. No exposed bulbs shall be permitted. Lighting controls shall not be mounted on perimeter walls and fences if the controls would be visible from the street or alley.

### **7.28 Lighting – security (flood lights)**

Flood lights mounted to the Unit or courtyard walls shall have a focused beam and not be directed in such a manner as to create a nuisance glare onto neighboring properties. Motion detector and photocells are permitted.

### **7.29 Masonry**

Masonry elements must be integral to the Unit’s architecture and not have the appearance of wallpaper. When used to wrap columns, masonry shall wrap the column in its entirety. Masonry columns on garage corners shall have a return dimension equal to or greater than the width of the material on the garage plane elevation. All other masonry returns, such as those at front doors and windows, shall end at a logical termination point related to the roofline or building massing where feasible; otherwise returns shall be a minimum of three (3) feet.

Both natural and faux stone veneer may be used. Grout colors shall harmonize and blend with the stone rather than contrast with it. Brick veneer shall be in warm or muted shades with modeled faces. Combed or raked surfaces are not permitted. “Weeping” mortar joints are not permitted. Concrete slump block may be used for Spanish Colonial courtyard walls or pilasters, if covered with a stucco slurry coat and colored to match a field color of the Unit.

### **7.30 Mechanical equipment**

Mechanical equipment, including but not limited to, air conditioners, evaporative coolers, heaters, television and radio antennas, shall not be located or mounted on the roof in a position that is visible from any street, walkway, open space or adjacent lot. Ground mounted mechanical equipment shall be screened with landscaping or an enclosure from street view or common area view. Mechanical equipment, including but not limited to, air conditioners and evaporative coolers shall not be mounted in windows or through the exterior walls or doors of a Unit.

### **7.31 Palapas**

Palapas are frond-covered shade structures. Depending on the size of the rear lot, palapas may be approved for the rear yard provided that they are proportional in size to the yard and meet all setback requirements.

### **7.32 Patio Covers**

Patio covers shall be compatible with the architectural style of the Unit and conform to all setback and other requirements. Patio covers shall not be constructed of wood due to the difficulty of maintaining wood in this climate. Alumawood or other similar products may be proposed. The color of the cover shall complement the color scheme of the home. Patio covers are not allowed in front yards.

### **7.33 Patio Doors/Sliding Doors**

The style of patio door or sliding door shall conform to the architectural style of the Unit. If windows are mullioned, patio door shall be mullioned. If windows are not mullioned, patio door shall not be mullioned. The frame color shall be one of the permitted window frame colors and shall match the other windows of the Unit.

### **7.34 Patio Furniture**

The Las Vegas Valley experiences periods of high, gusty winds throughout the year. To avoid damage to the Owner's property or neighboring property, outdoor furniture needs to be heavy enough to withstand the winds. Umbrellas should be closed or removed when not in use. Cushions should be secured to the furniture or removed. Protective covers should be properly fitted and securely attached.

#### **7.35 Patio Drapes**

Patio Drapes must be made out of a "Sunbrella" or similar material. The drapes must be made to withstand the elements while offering the richness of a high quality, durable, attractive fabric. Drapes must be heavy-duty and resistant to staining, fading, rot, mold and mildew. Drapes must be complimentary with the existing color scheme of the house and be a solid color on the outside. Drapes must have heavy-duty, rust & weather resistant grommets that easily slide over the curtain rod and bring indoor elegance to outdoor spaces. Vinyl is not allowed.

#### **7.36 Pet Doors**

Pet doors may be installed as an accessory to a sliding glass door or cut through the wall of the home. When installed as an accessory to a sliding glass door, the frame color of the pet door shall match the frame color of the sliding glass door. When installed through the wall of the home, the frame color shall match the color of the area through which it is installed. When cut through, pet doors shall only be placed in a location concealed from street or common area view. Flap shall be maintained in good condition at all times.

#### **7.37 Pet Fencing/Rabbit Fencing**

Pet fencing is used to keep smaller dogs or cats contained within a fence or gate that has wide openings (generally in excess of four inches) or alternatively to minimize intrusion from nuisance wildlife (rabbit fencing). For wrought iron fences, Owner may propose installing "poodle pickets" which may extend up to 1/3rd of the fence height from its lowest horizontal dimension and which will divide the openings in half or perforated metal panels. Perforated metal panels may be full height on wrought iron gates and up to 1/3rd height on wrought iron view fences. Poodle pickets or perforated metal panels shall be professionally installed and painted to match the fence or gate. For other fence types, Owner may propose a type of pet fencing that is unobtrusive and can be professionally installed. Materials such as chicken wire and orange snow/safety fence are not approvable.

#### **7.38 Play equipment**

Play equipment, including but not limited to swing sets, climbing structures and trampolines, may be installed in the rear yard only and must conform to all setback requirements. Trampolines must have safety screening on the exterior and be placed a minimum of 3' from all walls.

#### **7.39 Pools**

Only in-ground pools are permitted. Pools shall be designed so as to minimize impact of sound on adjoining properties. No portion of the pool walls, hardscape or raised bond beams shall exceed 30" in height as measured from the original grade of the Lot. All pool/spa equipment such as heaters, pumps, filters, piping and electrical must be located and screened from the view of neighboring houses, common area and street. Equipment shall not be mounted to walls or fences. Added features, such as slides, rock waterfalls, etc shall not exceed the height of the wall or fence that separates Units.

Children's inflatable pools (less than 2' in height) are considered "toys" and are not covered under architectural criteria; however, they should be emptied and stored when not in use so as not to become a mosquito-breeding area.

#### **7.40 Porches**



Porches shall be appropriately scaled and consistent in material and detailing of the Unit's architectural style. Porches shall have columns and railings and shall be covered in one of the following ways:

- Roof element and tile matching the Unit
- Trellis
- Second floor balcony or overhang

#### **7.41 Roof – general**

Roof treatments, including form, slope, materials and overhangs, shall be consistent with the architectural style of the Unit. Roof forms shall be relatively simple in order to enhance the overall streetscape

Fascias, which are the horizontal band or board used to conceal the end of roof rafters, may be stucco, wood or tile. Wood must be stained or painted and must be maintained against peeling, fading or deterioration.

Each home style has a designated roof profile which shall be maintained on all proposed additions and any accessory buildings, such as casitas.

#### **7.42 Roof - materials (color and style)**

##### **7.42.1 Permitted materials**

The following materials are permitted for roofs, subject to the Unit's specific architectural style criteria:

- Clay or concrete barrel tiles
- Clay or concrete flat tiles
- Clay or concrete shakes
- Slate
- Low-profile S tiles (Village Homes and Garden Homes only)
- Standing seamed metal roofs as architectural accent only, in muted tones with a LRV between 30% and 50%.
- Photo-voltaic roof tiles subject to additional criteria, See Solar Equipment.
- Flat roofing contained within parapets with a color similar to that of the pitched roof used on the same Unit. LRV shall be 50% or less.

##### **7.42.2 Prohibited materials**

The following roofing materials are prohibited:

- Wood shake
- Asphaltic, mineral, fiberglass or composite shingle
- Simulated tile including fiberglass or metal
- Rolled roofing material

##### **7.42.3 Repairs/Additions**

A limited number of roof styles and colors are approved for each community. In the event that roof tiles are damaged or lost, repairs must be made with matching tiles. The roof tiles for any addition shall match the original roof. If the Reviewer confirms that matching tiles are no longer manufactured, the Reviewer may approve an alternate tile.

If a repair or the proposed addition is to an area of the roof that is visible from the street or other community area, Owner may be required to remove original tiles from a non-visible area to patch or extend the roof and place the alternate tile where it is not in public view.

#### **7.43 Satellite dishes**

Satellite dishes shall be one meter or less in diameter and shall be mounted, whenever possible, in an area that is not visible from the street or other community areas. If adequate reception cannot be achieved in the preferred location, the dish may be mounted where adequate reception can be achieved.

Cables shall be neatly affixed to the exterior wall of the Unit and shall be painted to match the color of the area it crosses.

#### **7.44 Screen/Storm doors**

Screen doors or storm doors shall be the full view style. The frame color shall match the front door or door trim color.

#### **7.45 Seasonal decorations**

Seasonal decorations may be installed thirty (30) days prior and shall be removed two weeks after the holiday. However, Christmas decorations must be removed by January 15th. Due to high winds, decorations shall not be roof-mounted or strung between houses or across streets. Freestanding decorations must be securely fastened to the ground.

#### **7.46 Security shutters (Rolladen and similar types)**

Rolling shutters, finished the base color of the Unit, are permitted.

#### **7.47 Security doors**

Wrought iron security doors, in a style that harmonizes with the architectural style of the Unit, are permitted.

#### **7.48 Sheds and storage buildings**

Owners are encouraged to store landscaping equipment in the garage to the extent that such storage does not preclude using the garage for parking. Where additional storage is required, pre-fabricated sheds, such as TuffShed or Rubbermaid products are permitted; however, the shed must meet the following criteria: the color must be compatible with the color of the Unit. The shed shall be placed in the rear yard in a location that will minimize its view from surrounding properties or common area. If the shed is located next to a fence or wall, the height of the shed shall not exceed the height of the surrounding wall or fence. Additional landscaping may be required to screen the shed from the neighbor's view. The shed shall not have running water, electric or conditioned air/heat.

#### **7.49 Siding**

When siding is consistent with the Unit's architectural style, a cement siding product shall be used. Vinyl and aluminum are not permitted. Siding shall terminate at inside corners or otherwise be properly trimmed at corners.

#### **7.50 Signs**

For consistency of appearance and presentation throughout the community, if not specifically permitted in this section, such signage is prohibited. Prohibited signs include, but are not limited to: Vehicles (of any type) for Sale, Garage or Estate Sale, or Contractor Advertising. Unless otherwise specified, Owners are limited to displaying one of each permitted sign or decal. Hand lettered or "homemade" signs are not permitted.

##### **7.50.1 "For Sale or Lease"/"Open House"**

Signs must be of standard size and placed on a wood post. A clear box dispenser may be attached to the wood post to display house information sheets. All real estate signs shall be removed within two (2) days after the close of escrow. Signs must be maintained in good condition. One (1) "Open House" sign is allowed and may be placed only on the Lot being sold in addition to the "For Sale" sign. The open house sign is of a temporary nature and is allowed to be displayed using a metal

frame. These signs must be removed when the open house is complete for the day. No open house signs are permitted in the common areas.

#### **7.50.2 Neighborhood Watch**

Neighborhood Watch signs shall be permitted in the form of one sign or decal not exceeding thirty-six (36) square inches and displayed in only one window. The preferred location is the lower left corner of the window.

#### **7.50.3 Political**

Political signs pertaining to candidates, political parties or ballot questions may be displayed on the homeowner's personal property. Per NRS 116.325 you may not exhibit more than one political sign for each candidate, political party or ballot question. When installed, signs may not exceed 2' x 3'. Signs may not be placed on common area and may not impede any sight visibility zones. Signs should be removed within one week following the election to which they pertain.

#### **7.50.4 Security**

A security sign may be placed in the front yard and/or rear yard where visible to persons approaching the house or affixed to a window on the front and/or rear of the Unit. A security sign shall not exceed 64 square inches and may be placed on a stake no more than 16" high. A window sign or decal may be placed on a window and shall not exceed 36 square inches. The preferred location is the lower right corner of the window.

#### **7.50.5 No Soliciting**

A single "No Soliciting" sign shall be permitted. The sign in neutral or wood tone colors shall be no larger than approximately 9 inches x 3 inches and may be displayed by attaching to the first point of entry (i.e. front door or wrought iron gate/fence) or by placing sign on a post of 16 inches or less in height adjacent to the first point of entry.

### **7.51 Skylights**

Skylights are permitted on single family homes provided that their installation conforms to the following criteria:

- Designed as an integral part of roof
- Framing material shall be bronze anodized or colored to match roof
- White and/or bubble skylights are not permitted.

### **7.52 Solar Equipment**

Solar panels are permitted provided that their installation conforms to the following criteria:

- Integrated with roof design and mounted flush with roof slope
- Frames shall be colored to match roof
- Support equipment shall be enclosed and screened from view

Photo-voltaic roof tiles are permitted provided that their installation conforms to the following criteria:

- Installed only in conjunction with flat roof tiles. Installation on barrel tile roofs is prohibited.
- Not of a color that unduly contrasts with color of the flat roof tiles.
- Installed in a square or rectangular pattern. An uneven edge where photovoltaic tiles meet regular flat tiles is not permitted.
- Installed only on the rear or side roof planes, provided that such planes are not visible from the streets, parks, paseos or other community spaces. Installation on the front roof plane is not permitted.

### **7.53 Solar Window Screens**

Solar window screens are permitted in the following colors: gray, brown, black or stucco (which has a brown/cream appearance). The frame for the solar window screens shall be flush mounted to the home. Frames that protrude from the window well are not permitted.

#### **7.54 Spas/Hot Tubs**

Above ground, in-ground or partially in-ground spas are permitted. The exterior finish of the spa shall coordinate with the Unit's color scheme. Self-contained spas (except those with stone face) are to match the near color gradation, tone, or shade of the adjacent prominent structural feature when the spa is visible from neighboring properties or common areas. Landscape features can be approved for prominent structural features such as mounds, boulders and water features that provide a strong background and focal point. When the spa does not have a strongly defined prominent structural feature, the standard default color to be used is the base color of the home. All color selections will be reviewed and approved on a case by case basis for the specific location selected.

#### **7.55 Stucco**

Where permitted, stucco textures for wall finishes shall be light lace or smoother. Stucco trim finishes shall be sand finish or smoother.

#### **7.56 Trash cans**

Trash and recycling receptacles shall have tight fitting lids to minimize the possibility of animal intrusion and blowing trash. When not placed out for collection, trash cans shall not be visible from the street or common area and must be maintained so as not to be a smell nuisance to neighbors. Trash and recycling receptacles may be screened with block wall or vinyl fencing material to blend with the existing aesthetics of the community. Additional ideas will be considered by the committee on a case by case basis.

#### **7.57 Trellises**

Trellises used as plant supports may be treated wood, simulated wood, wrought iron or wire attached to the Unit or common property walls. Trellises and plant supports shall not be affixed to Association-owned common walls. The Owner who installs trellises, plant supports or other items on common property walls shall be responsible for all repairs to the walls resulting from damage caused by such items.

#### **7.58 Trim**

Trim plays an important role in projecting the architectural style of the Unit. Materials, color and articulation must be consistent with the architectural character of the home. All window and door openings on front elevations shall feature trim surrounds or headers and sills. The minimum reveal for trim is two (2) inches; except for small decorative windows where the reveal may be 1 ½ inches. Bull nose trim is not permitted; eased edge trim is required. Stucco finished trim elements shall be sand finished or smoother.

#### **7.59 Walls – retaining**

Retaining walls must be designed and built of materials and colors that compliment the architecture of the home. The exterior face must be split face block, slump block or faux stone. Wall caps are required for front and side yard applications. Smooth or engineered color integral block is not permitted in any location that can be viewed from the street or other community open space. Small amounts of stucco wall may be considered. Grey block and wood of any kind are prohibited regardless of location.

All retaining walls must be waterproofed and adequately drained on the surcharge side; that is the side which is in contact with the retained earth.

Free standing retaining walls shall return back to the adjacent product wall or other structure.

Free standing retaining walls visible from the street or any community open space may not exceed four (4) feet in height. If additional height is required, retaining walls must be terraced with a minimum planter width of four (4) feet measured from face of wall to face of wall.

Free standing retaining walls shall be set back a minimum of four (4) feet from the back of any sidewalk.

#### **7.60 Walls – other**

Walls, other than builder-installed walls, courtyard walls for certain architectural styles and retaining walls, are not permitted.

#### **7.61 Windows – replacement**

Primary windows or window groupings shall be vertical in proportion. Smaller decorative windows may be square or vertical in proportion. Bay windows shall have an eighteen (18) inch projection and appropriate architectural detailing.

The “feature” window on the front elevation and rear elevation if visible from the street or community areas shall be maintained. A feature window is a primary window accented with certain architectural detailing. Examples of architectural detailing include, but are not limited to, an overhead trellis, decorative iron grille work or shutters on a rear elevation feature window. Window frames and mullions (if any) shall be white, bone, taupe or tan. Black, brown, bronze frame colors are not permitted. Mill finish aluminum windows are not permitted.

Windows shall be replaced with the appropriate architectural style. Thus in a community with double hung mullioned windows, replacement windows must maintain this style. All windows on a single elevation must match; therefore, if an exact replacement is no longer manufactured, all windows on the elevation must be replaced at the same time.

#### **7.62 Windows – additional**

Owner may propose additional windows that conform to the architectural style. Application shall include a scaled drawing of the elevation in which the additional window would be installed and complete specifications and color photo of proposed window.

#### **7.63 Windows – tinting**

Tinted windows are not permitted on the front or primary elevation. Reflective coating is not permitted. Please note that window tinting may void the window warranty. Owner is responsible for consulting with the builder regarding window tinting and warranties.

#### **7.64 Window treatments**

Window treatments provide privacy, reduce sun fading, help control temperature and enhance security. As viewed from the exterior of the home, window treatments shall be a single color, either wood tone, white or a light color is compatible with the exterior color scheme of the Unit. Use of sheets, paper, aluminum foil or other reflective material is not permitted.

## 8 Prohibited Items

The following items shall not be approved for installation:

- Artificial plants
- Air Conditioners (window or wall)
- Asphalt paving
- Bamboo or plastic sun screens
- Bird baths, birdhouses and bird feeders (except hummingbird feeders)
- Clothes lines
- Compost piles or containers
- Flood lighting with a wide beam covering a large area
- Indoor furniture used as patio furniture
- Roof mounted items
- Swamp Coolers/Evaporative coolers
- Tents or other temporary shelters
- Using patios for storage
- Wind turbines
- Wood decks
- Wood, untreated

## 9 Prohibited Plants

- Desert Broom (*Baccharis Sarothroides*)
- Fruit-producing Olive Trees (*Olea Europea*)
- Green Fountain Grass (*Pennisetum Setaceaum*)
- Fruiting Mulberry (*Morus Alba*)
- Tamarisk (*Tamarix*)
- Oleanders (*Nerium Oleander*) **Not allowed in Front Yards**

**Please note that this list may be amended from time to time.**

## **MODIFICATION TYPES**

### **Type 1**

Accent Lighting (pathway)  
Antennas  
Basketball hoops  
BBQ (portable)  
Flagpole  
Landscape modifications – minor (10 or less replacement plants from approved palette or installing rock only in private area)  
Paint Colors – existing approved scheme)  
Patio Heater  
Pet Door  
Pet Fencing/Rabbit Fencing  
Planters/Pots  
Step Painting (Safety)  
Trellis

### **Type 2**

Awnings  
BBQ (permanent/semi-permanent)  
Concrete Coating  
Fountains  
Gates  
Gutters and downspouts  
Play equipment  
Privacy Panel  
Railings  
Retractable Screens  
Rolling Security Shutters Screen Door  
Security Door  
Skylights  
Solar Equipment  
Solar Screens Shutters  
Window Tinting (rear and side only)

### **Type 3**

Artificial Turf  
Doors – garage, replacement, & patio  
Hardscape (concrete, pavers, tile, etc)  
Initial Landscape  
Landscape Easement  
Landscape Modifications  
Mechanical Equipment – ground or roof mounted. Outdoor  
Fireplaces  
Patio Cover Ramadas/Gazebos/Palapas  
Sheds/Storage  
Spa (Above ground)  
Windows

### **Type 4**

Fence  
Home Addition/Modification  
Masonry (other than approved styles/colors for architectural type)  
Paint Colors (custom - other than an existing approved scheme)  
Patio Enclosure  
Porches  
Roof  
Sport/Game courts  
Walls  
Water Features (built-in plumbing)

### **Type 5**

Pool/Spa (In ground)

Combination of Type 1 projects, projects other than those listed above and variance requests may be classified as Type 2, 3 or 4 depending on the estimate of Reviewer time involved.

**Amendment approved July 17, 2014 by ICA Board of Directors**