

**DESERT SHORES COMMUNITY ASSOCIATION
ARCHITECTURAL POLICIES AND GUIDELINES
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**DESERT SHORES
ARCHITECTURAL POLICIES & GUIDELINES**

INTRODUCTION

These guidelines are intended as a supplement to Article IX of the Master Declaration of Covenants, Conditions and Restrictions (CC&R's) of the Desert Shores Community Association. They do not cover the entirety of the legal documents.

IT IS TO YOUR ADVANTAGE TO READ THE CC&R'S THOROUGHLY

The Architectural Review ARC ("ARC"), made up of Desert Shores Community Association homeowner volunteers, does not seek to restrict individual creativity or personal preferences, but rather to assure continuity in design which will preserve and improve the appearance of our Community and the property values therein.

The ARC meets as required and reviews all plans for exterior improvements and additions to residential lots and dwellings in Desert Shores. These improvements include without limitation, additions, modifications and alterations to residential dwellings such as fences, walls, room additions, patio covers, gazebos, pools and spas and pouring of all concrete; planting of trees as well as certain other landscaping, including all lakefront landscaping.

Failure to submit plans to the ARC prior to start of construction or complete plans according to approval is a violation and may subject homeowner to additional fees or a minimum special assessment of \$40 which may be progressive. (Refer to CC&R's, Article IX, Section 9.07 and By-laws, Article XII "Notice and Hearing Procedure".)

*****IN REGARDS TO BUILDING PERMITS, CITY REQUIREMENTS SUPERCEDE
DSCA RULES AND REGULATIONS*****

*****THANK YOU IN ADVANCE FOR YOUR COOPERATION*****

GENERAL CONDITIONS

1. ANY CONDITION OR MATERIAL NOT DEFINED within these Guidelines shall become a matter for the consideration and determination of the ARC. (Section 9.03 CC&Rs).
2. ARC APPROVAL OF PLANS does not constitute acceptance of any technical or engineering specifications, or requirements of the City of Las Vegas, and Desert Shores assumes no responsibility for such. The function of the ARC is to review submittals for conformity to the Master Plan for the community. All technical and engineering matters as well as applicable permits are the responsibility of the owner. **APPROVALS OR VARIANCES GRANTED BY THE CITY OF LAS VEGAS ONLY SUPERSEDE THE CC&R'S OR THESE GUIDELINES IN REGARDS TO THE EXTENT OF REQUIRING PERMITS. Desert Shores Community Association must receive copies of building plans, pool plans, engineering plans (if required) and City approved permits/variances prior to any/all construction.**
3. APPROVAL OF PLANS is not authorization to proceed with improvements on any property other than the applicant's.
4. AN OVERSIGHT BY THE ARC regarding the CC&R's or Policies & Guidelines does not constitute a waiver or variance; therefore any violation must be corrected upon notice.
5. ACCESS FOR EQUIPMENT used in construction must be through your property. **NO ACCESS THROUGH DESERT SHORES COMMUNITY ASSOCIATION PROPERTY WILL BE ALLOWED.** Building equipment and materials must be contained on the applicant's property. Streets may not be obstructed with equipment or building materials. Contractor signs may not be displayed on your property.
6. USE OF ADJOINING PROPERTY may be allowed if written permission from the adjoining property owner is obtained.
7. ALL WORK MUST BE performed in a manner consistent with the standards of the general dwelling construction and appearance of the community. All work considered to be of an unsightly finished nature or of lesser quality than the prevailing community standards shall be reworked to an acceptable appearance at the owner's expense.
8. ALL REPAINTING OF FIELD AND TRIM COLORS must be pre-approved. The approved Color Palette is available in the DSCA office.
9. NEIGHBOR NOTIFICATION: **Approval or denial is granted solely by the ARC.** The required DSCA Neighbor Advisory form is intended as input from neighbors regarding any improvements which may impact their use and enjoyment of their property. It is intended for **informational use only.**
10. ARC APPROVAL EXPIRES 6 months from the date of **Original** approval. Any revisions/**alterations** must be resubmitted **for approval along with appropriate fees.**

DIRECTIONS FOR ARCHITECTURAL SUBMITTAL

Below is a listing of items that are required to accompany the application prior to review by the Architectural Review ARC.

1) APPLICATION (**Will be returned un-approved if submitted without the following**)

- A) Completed application forms.
- B) Approximate start and completion dates.
- C) Projects being submitted.
- D) Approval from sub association (if there is one).
- E) **\$10 submittal fee in the form of a check or money order.**

2) NEIGHBOR IMPACT ADVISORY

The required DSCA Neighbor Impact Advisory form is intended as input from neighbors regarding any improvements which may impact their use and enjoyment of their property. It is intended as **advisory use only**.

3) PLANS

- A) Detailed drawings showing the height, length, width, color, and what the improvement will look like when it is completed or manufacturer's brochure, or flyer or picture.
- B) Complete site plan showing property walls, fences, diagram of house, location of improvement and setbacks.
- C) Patio Cover checklist if pertinent.

4) LANDSCAPE PLANS:

- A) Site plan showing property walls, fences, diagram of house, location of landscaping improvements and setbacks.
- B) Plant list.

5) MATERIAL SAMPLES:

(Example: type of rock to be used, color chip of paint, pictures of gazebo, pools, patio cover and spa should accompany the plans for the same) A detailed drawing or picture must be submitted.

6) FAILURE TO COMPLY with these requirements and procedures may cause your request to be delayed pending submission of additional information and documentation to the ARC. An incomplete application may affect the time limits for approval.

7) FAILURE TO SUBMIT plans prior to start of construction may subject the homeowner to additional fees or special assessments.

ARCHITECTURAL AND MATERIAL STANDARDS

This section describes appropriate materials for use in modifications and specifies which modifications require submittal to the ARC. Any deviation from pre-approved items requires ARC approval.

I. LANDSCAPING (Refer to Section 8.03 of the CC&R's)

- A. ALL LANDSCAPING WORK, PLANTINGS AND INSTALLATION of permanent irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community and climatically and culturally appropriate to Southern Nevada. If plantings are found detrimental to the community by the Board, homeowners may be required to abate the problem. The following plants are prohibited:

Mulberry, Cottonwood and Poplar Trees
Oleander Bushes & Trees (except Dwarf Oleander which is acceptable)
Weeping Willow Trees (except the Desert Willow which is acceptable)
Olive Trees (except the Olive Swan and Wilson Olive Trees which are acceptable)

When changing out existing landscaping to Xeriscape, the following rule should apply:

Every 25 sq ft (5'x5') of landscaped area should be comprised of either 2 5Gallon or 4 1Gallon Shrubs or Groundcover. Of this, at least 25% should be Groundcover.

- B. DSCA COMMON AREA may not be maintained, landscaped or otherwise improved by any Owner.
- C. ALL TREES AND SHRUBS require ARC approval. (Revised 9/29/2010)
- D. LAKEFRONT PROPERTIES, due to their special location, require ARC approval prior to installation.
- E. ALL DECORATIVE ROCK must be of natural (unaltered) colors and approved by the ARC. Rock colors NOT permitted include: (This list is not all inclusive.) (Revised 3/23/2011)

White	Green	Black
Black and White	Gray Gravel	Artificially Painted Rock(s)
Caliche		

All rock must be at least $\frac{3}{4}$ to 1 inch or larger in size.

- F. ARTIFICIAL TURF requires ARC approval.
1. The length of the artificial turf should be no less than one and one-half inches.
 2. The homeowner accepts responsibility for maintaining the appearance of the artificial turf to at least the level of natural turf.

II. BLOCK WALLS, FENCING AND GATES

- A. ALL BLOCK WALL AND FENCE CONSTRUCTION, extensions and stuccoing require prior submittal and approval of the ARC.
- B. ONE TYPE OF BLOCK WALL OR FENCE will be approved for the entire district if the Participating Builder did not provide block walls or fencing.
- C. NO DOUBLE PROPERTY LINE block walls or fences shall be constructed. Should a block wall or fence be installed by a neighbor adjacent to the property line, said wall or fence shall be the only wall or fence.
- D. INSTALLATION OF WROUGHT IRON GATES does not require approval if they meet the following specifications:
1. Gates must be wrought iron, matching the Desert Shores square, tubular type structure with spacing per City code and without sharp spikes.
 2. Gates may not exceed the height of the wall.
 3. Colors can be white, black, or match the residence colors.
 4. Decorative arches, double gates and security bars require ARC approval.
- E. GATE SCREENING can be perforated metal or solid metal. All gate screening must be painted to match the gate color.
- F. MATERIALS FOR BLOCK WALL AND FENCING construction, extension or repair must be:
1. Accent banding of tile is allowed.
 2. Stucco walls with wrought-iron grilles between pilasters.
 3. Stucco or plaster materials must conform to type, quality and color consistent with the character of the community.
 4. Heavy texture, swirl or heavy trowel are unacceptable.
 5. Stucco must be water sealed and maintained to the satisfaction of the Association.
 6. All block walls must be water sealed below grade level.
 7. Exterior facing block walls within a District must be maintained by the homeowner and painted the approved Desert Shores Exterior Wall Color.
- G. UNACCEPTABLE MATERIALS FOR FENCING are:
1. Aluminum or sheet metal
 2. Chicken wire
 3. Metal or plastic chain link
 4. Plastic or fiberglass panels
 5. Plastic webbing, reed or straw like materials
 6. Wood grape stake
 7. Glass block and panels
 8. Woven bender board
 9. Wood
- H. BLOCK WALLS can be a maximum of 6 feet high from the grade pad (level of lot) for side and rear yards.
- I. A 6 FOOT BLOCK WALL may not extend beyond the living quarters of the house.
- J. A MAXIMUM OF 4 FEET HIGH will be allowed in the front court yard. The top 2 feet must be 50% open masonry block or wrought iron. The front court yard is the distance from the living quarters to the front of the garage. Court yard wall cannot encroach on the front yard setback past the face of the garage. **The front yard setback is 16 feet from the structure to the front property line.**

III. **STONEMWORK** (Added 3/23/2011)

Natural stone/natural stone veneer may be used as an accent or architectural element on the front façade of the residential structure only and must complement the colors and materials of the home. All stonework requires ARC approval.

- A. The use of natural stone/natural stone veneer on a column, post, pilaster, turret, or structural component is permitted.
- B. Natural stone/natural stone veneer is to be installed per manufacturer's specifications and per all local codes and ordinances. A building permit may be required prior to installation. It is the responsibility of the homeowner to inquire and comply.
- C. Natural stone/natural stone veneer must be installed with a finished top course cap or equal architectural finish and transition to the body of the structure.
- D. When applying natural stone/natural stone veneer along corners, only the manufacturer's corner components may be used. No substitutions shall be allowed to the manufacturer's specifications.
- E. Samples of natural stone/natural stone veneer that are approved for use in Desert Shores are available in the DSCA office.

IV. **PATIO SLABS, WALKWAYS AND CONCRETE**

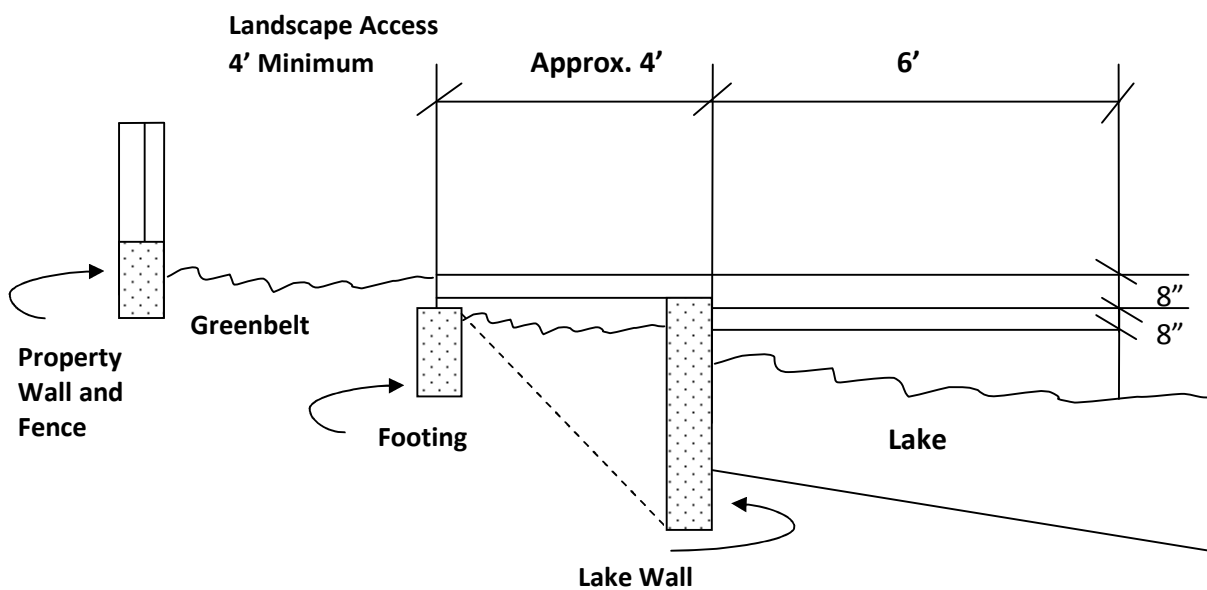
- A. ARC REVIEW IS REQUIRED PRIOR TO POURING OF ANY CONCRETE.
- B. DRIVEWAY EXTENSIONS require prior approval. They shall be allowed on the condition that in front yards a minimum 18 inch strip of landscaping be parallel and contiguous to the property line and that drainage is not hampered. Excessive concrete (hard scape) is not allowed i.e. wide extensions on both sides of the driveway.
- C. Stamped (pattern type) and colored concrete located at the front of Desert Shores Residence MUST have prior approval before installation on driveway and/or sidewalk.

V. **SETBACK REQUIREMENTS**

- A. HOME IMPROVEMENTS, i.e. PATIO COVERS attached to the existing house:
 - 1. Ten feet from the posts to the rear property line
 - 2. Five feet from the posts to the side property line.
 - 3. A maximum overhang of 18 inches will be allowed to encroach into these setbacks.
 - 4. Submittals for less than the ten foot minimum rear setback will be considered with the following requirements:
 - a) An absolute minimum setback of five feet from the rear property line, including any overhang.
 - b) Compliance with all other ARC Guidelines.
 - c) ARC approval prior to construction.
 - d) Proof of Las Vegas Planning & Development Department patio cover encroachment certification form.
 - e) Verification of impacted neighbor notification of variance.
 - 5. Setback requirements for attached housing units in DSRC only, are five feet rear and five feet side, between two separate structures.
 - 6. The court yard wall cannot encroach on the front yard set back, past the face of the garage.

- B. **GAZEBOS AND FREE STANDING ACCESSORY STRUCTURES:**
1. Are subject to Desert Shores ARC and City of Las Vegas approval.
 2. Setback requirements:
 - a) Five feet from both side and rear property lines
 - b) Six feet from the existing house/structure (attached patio cover is considered part of the house).
- C. **ABOVE GROUND PORTABLE SPAS WITH OR WITHOUT GAZEBOS** must be submitted to the ARC.
- D. **INGROUND POOLS/SPAS** must be 3 feet from the water line to the surrounding walls and any structure.
- E. **DOCKS** must be five feet from the side property walls and maintain the four feet required easement between the view wall and the edge of the dock. (See sample drawing below)

**Example of Cantilever Dock
Indicating Min/Max Dimensions**



VI. PATIO COVERS

- A. A COMPLETED PATIO COVER CHECKLIST must accompany all submittals.
- B. VERTICAL PATIO COVER STRUCTURE may be made of:
 - 1. Natural wood which must be stained and water sealed to provide for proper maintenance or painted to match the residence or painted white.
 - 2. Stucco painted to match the residence or white.
 - 3. Aluminum must be a highly embossed, wood grained, heavy gauged manufactured product, factory painted to meet DSCA specifications.
- C. ACCEPTABLE ROOFING MATERIALS are:
 - 1. Open parallel, slats. Minimum slat size, 2"x2".
 - 2. White or red rolled roofing with tile border or stucco border on all exposed sides.
 - 3. Match the roof of existing dwelling.
 - 4. Solid aluminum must be heavy gauged manufactured product factory painted to meet DSCA specifications and not corrugated or coffered.
- D. ALL EXPOSED SURFACES shall match or harmonize with the existing colors and materials of the main dwelling.
- E. GUTTERS AND DOWNSPOUTS shall be painted to match adjacent roof and/or wall material.
- F. THIN POSTS such as a single 4X4 wood or metal pipe supports are PROHIBITED.
 - 1. Minimum post size for lakefront properties is 8"x8". Two 4x4s and two 2x8s or one 4x4 and two 2x4s and two 2x8s may be used to meet the 8x8 requirement.
 - 2. Minimum post size for all other properties is 6"x6". Posts may be made up of a combination of 4x4s with 2x6s and 2x4s.
- G. UNACCEPTABLE MATERIALS for patio covers are:
 - 1. Metal structures.
 - 2. Corrugated plastic and fiberglass.
 - 3. Plastic webbing, shade cloth, canvas, reed or straw like materials.
 - 4. Composition shingles
 - 5. Prefabricated wood lattice.

VII. ALL BALCONIES & DECKS are subject to Desert Shores ARC review.

VIII. INGROUND POOLS, SPAS AND RELATED EQUIPMENT

- A. COMPLETE CONSTRUCTION PLANS showing placement of pool and equipment on property is required. Each will be considered on an individual basis.
- B. ALL EQUIPMENT must be in the rear yard and screened from view.
- C. SETBACK REQUIREMENTS ARE 3' from water to the surrounding structures and walls or per City Code.
- D. No above ground swimming pools are allowed except as provided below. (Revised 3/23/2011)
 - 1. Inflatable pools or any pool of temporary structure will be permitted in the back yard only, from May 1 through September 30.
 - 2. Inflatable pools must be removed from the back yard and stored from October 1 through April 30.

IX. OTHER STRUCTURES

- A. TWO CAR GARAGE CONVERSIONS will not be permitted - the purpose of garages is to store vehicles and belongings. Garages may not be converted into living or commercial space or incur any structural changes. Conversion of the third garage is subject to review by the ARC and will only be considered IF the neighborhood/housing development offered a “Living space ILO (in lieu of) 3rd stall garage”.
- B. ROOM ADDITIONS, EAVES AND BALCONIES or any exterior alterations to any building are major construction items which require ARC approval. They shall be constructed with materials that conform to type, quality, character and detailing established in the existing dwelling. Any addition to the existing dwelling must meet the minimum setback requirements per Section IV. Any deviation to the rule must require a City of Las Vegas “Variance”.
- C. ACCESSORY BUILDINGS, FREE STANDING BUILDINGS AND GAZEBOS, ETC. must be in the rear yard and screened from view. ARC approval must be obtained prior to construction or installation. The design and exterior of the building and/or gazebo must be in harmony with the residence and the surrounding area. See Setbacks, Section IV.
- D. STORAGE SHEDS AND UTILITY BUILDINGS:
1. Are subject to ARC review
 2. Must be in the rear yard only
 3. Must be screened from view.
 4. The design and exterior finish of the storage shed must be in harmony with the residence and the surrounding area.
- E. BOAT DOCKS must be reviewed by the ARC.
1. Docks must conform to the cantilever design due to variances in lake depth along the shoreline and to avoid penetration of the impermeable barrier that seals the lake or may be floating.
 2. Natural wood may be used if stained and water sealed to provide for proper maintenance.
 3. A space of 4 feet must be left between the dock and the homeowner wall to allow room for landscape personnel to maintain the greenbelt.
 4. The minimum cantilever should be 4 feet with a maximum of 6 feet over the lake.
 5. A 5 foot setback is required from the side property boundary.
 6. Care must be taken during construction so as to not penetrate the impermeable barrier sealing the lake when digging footings or constructing the dock. Sketches of this seal can be obtained from the DSCA Architectural office. The lake seal is of clay material and it is important to insure boat hulls or rudders do not penetrate through the seal.
 7. Docks are intended for the use of the individual homeowner only.
 8. All docks require a City of Las Vegas permit and licensed structural engineer sign off prior to submittal.
 9. The irrigation system along the lake edge is the responsibility of DSCA. Do not attempt any adjustments. Call the office at 254-0628 and the DSCA landscaper will work with you or your contractor to adjust the irrigation at your expense. Any damage to the irrigation system must be reported to DSCA immediately and you may be held responsible for any costs incurred to correct the damage.

X. **ADDITIONAL MODIFICATIONS**

- A. WINDOW TINTING does not require ARC approval. Mirror finishes are not allowed.
- B. MANUFACTURED SCREEN DOOR installations do not require ARC approval. This exception does not apply to **SECURITY BAR DOORS** which require ARC approval.
- C. Modification to or replacing of the FRONT ENTRY DOOR must have ARC approval.
- D. SOLAR SCREENING on windows does not require ARC approval if one of the following colors is used:
- | | | |
|-------------|---------------|-------------|
| Silver Gray | Bronze | Dark Bronze |
| Charcoal | Antique White | Gold |
- E. WINDOW COVERINGS such as Rolladen rolling covering must be submitted to the ARC and must match the house exterior color.
- F. EXTERIOR LIGHTING:
1. Exterior lamps may be gas or electric with light given off not to exceed that given off by a single 40 watt bulb and not be an annoyance to the neighbors, as determined by the ARC.
 2. Higher **wattage** lighting may be approved if it is not directed to or if it is placed so as not to annoy the neighbors as determined by the ARC and with neighbor notification.
 3. HOLIDAY LIGHTING AND DECORATIONS may be displayed for 30 days prior to the holiday and must be removed within 15 days following the holiday.
 4. **Installation of lighting of the Association Property between the lake and the homeowner's Lot is permitted if reviewed and approved by the ARC. The lights must be no more than 40 watts, directed downward and may be placed on the wall between the Lot and the Association Property. The lighting must not be offensive or a nuisance to adjacent neighbors.**
 5. All LANDSCAPE LIGHTING requires ARC approval.
- G. PLAY EQUIPMENT (Revised 9/29/2010)
1. All large play equipment, including but not limited to, large swing set gymnastic and climbing structures, playhouses and trampolines must be approved by the ARC. Specific attention will be placed on location and impacted neighbor notification.
 2. All play equipment must be installed not closer than five (5) feet to any property wall.
 3. All play equipment (to include the surround for a trampoline) must be screened with non-deciduous vegetation if visible above the perimeter walls.
 4. Play equipment which cannot be seen above any surrounding fence does not require approval of the ARC.
- H. BASKETBALL BACKBOARDS require approval of the ARC. They cannot be affixed to any structure. They may be mounted on a free-standing pole which can be permanent or movable. Permanent poles are to be installed in the side and rear yards only. They may not be installed in the front of the property.
- I. PORTABLE BASKETBALL BACKSTOPS do not require approval by the ARC and may be used in the front of the residence provided they meet the following criteria:
1. They cannot remain on the sidewalk or street when not in use.
 2. They should be stored on the side of the house or behind the gate when applicable or in the garage.
 3. Be aware of the impact this unit has upon your neighbors.
- J. SKYLIGHTS AND SOLAR ENERGY EQUIPMENT: The installation of any system to accommodate solar energy equipment or skylights must have approval of the ARC.

- K. HOUSE NUMBERS shall be uniform. Only house numbers installed by the Participating Builder, or those approved for Desert Shores by the Board of Directors will be allowed.
- L. AWNINGS, canvas covered frames or similar structures that shelter a window.
1. Awnings require prior approval of the ARC. They must be of canvas or approved fabric and of solid colors. Awnings must be properly maintained to the satisfaction of the ARC and may not be kept where frayed, split, torn or faded.
 2. Awnings must be attached to the structure with no outside ground supports.
- M. AIR CONDITIONERS ARE PROHIBITED FROM ROOF TOPS. Any exterior air conditioner, other than those installed by the builder, must be submitted to the ARC for approval prior to installation.
- N. **EXTERIOR PAINTING: ALL COLORS MUST BE selected from the color palette located in the DSCA Office. All exterior painting of dwelling or walls (including fencing) requires prior submittal and ARC approval. Painting of homes or exterior walls without prior approval is subject to fines and possibly non-compliance liens.**
- O. SATELLITE DISHES must be approved by the ARC.
1. May not exceed a diameter of **one** meter (39.37").
 2. Shrouded "umbrella type" satellite dishes are strictly prohibited.
- P. RECREATIONAL VEHICLES such as motor homes, boats, trailers, campers, and jet skis, etc. may not be parked in the community except within an enclosed structure. The Association does recognize the need for members to prepare such vehicles for use and as such will allow vehicles to be temporarily parked for a period not to exceed 24 hours in preparation for use.
- All recreational vehicles stored on any property must be located behind screened gates or in the garage. A maximum of three (3) feet may protrude above the property fencing. Any construction for concrete parking slab, cover, gates or screening must be reviewed by the ARC.
- Q. INTERIOR WINDOW COVERINGS: Permanent interior window coverings must be installed within 90 days after close of escrow. When using temporary window coverings, please refer to Article VIII, Section 8.07, Unsightly Articles, of the CC&R's.