

Canyons Community Association

Design Guidelines

DESIGN GUIDELINES

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INTRODUCTION

These guidelines are intended as a supplement to the Covenants, Conditions and Restrictions (CC&Rs) of the Canyons Community Association, referred to within these guidelines as the Association. However, if there is any conflict between the CC&Rs and these Design Guidelines, the CC&Rs determine the resolution of the conflict. **The Covenants, Conditions and Restrictions (CC&R's) addresses specifically this topic, IT IS TO YOUR ADVANTAGE TO READ THE CC&Rs THOROUGHLY.**

1. The Association, through its Design Review Committee ("DRC"), does not seek to restrict individual creativity or personal preferences, but rather to assure the continuity in design which will preserve and improve the appearance of the Community and the property values therein.
2. The DRC reviews all plans for exterior improvements and additions to residential lots and dwellings in the Association. These improvements include, without limitation, additions, modifications, and alterations to residential dwellings such as pools, spas, patios, patio covers, room additions, gazebos, and installation of hardscape and landscaping.
3. Prior to the commencement of any work on any improvement on any residential lot, an application for approval of such work must be submitted by the property owner to the management company. No work is to begin prior to receipt of approval from the DRC.
4. All improvement submittals must be in accordance with the Architectural Submittal Checklist of the Application and must include Exhibit A with detailed and complete plans of the improvement. Exhibit B must be submitted if a patio cover is included in the improvement. The DRC may request such additional information from the homeowner(s) as it deems necessary for its review of the proposed improvement.
5. The Committee, if one is created by the Association, is composed of not less than three and not more than five members. Additionally, a licensed, professional architect may serve or provide consultation to the DRC at the expense of the homeowner(s), if requested in writing by the DRC.
6. Approval of plans by the DRC or by the Board in no way constitutes verification or certification of structural integrity of any design. It is the sole responsibility of the homeowner(s) to ensure the structural integrity and soundness of any improvement. It is also the homeowner's responsibility to ensure conformance with all government regulations and building codes, as well as the Declaration, and to obtain all necessary permits.
7. No Owner shall store or permit to accumulate any construction materials such as dirt, rock, pallets, sod, plants, trees or construction equipment on the streets or in common areas within the community for periods longer than 72 consecutive hours. Any such

action may not impede ingress/egress by any other owner, Declarant or authorized personnel or organization.

8. **Disclaimer of Responsibility** - Provided that the DRC members act in good faith, neither the DRC nor any member thereof shall be liable to any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of the review of any plans, specifications or materials. The review, and any subsequent approval or disapproval, is not to be considered an opinion as to whether or not the plans, specifications, or materials are defective or whether the construction methods or performance of the work proposed therein is defective, or whether the facts therein are correct or meet the applicable building codes.

Remedies - Failure to submit a plan to the DRC or to complete improvements according to approved plans is a violation of the CC&Rs. If an Owner fails to remedy any non-complying improvement, the Board of Directors of the Association shall request the owner's presence at a scheduled hearing. If the issue is not resolved or the Owner does not appear at the scheduled hearing, the Board may initiate reasonable and appropriate actions, including but not limited to monetary fines to ensure that the non-complying improvements are modified or removed.

Variances - Subject to the CC&Rs, the DRC may recommend, but the Board, only, may approve variance to any provision contained in the CC&Rs or these guidelines when circumstances, such as topography, natural obstructions, health, or environmental consideration may require such variances.

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

Appeal Process - If the DRC disapproves a submittal, an owner may appeal the adverse decision to the Board. This appeal must be in writing and received by the Board no later than thirty (30) days following the date of the letter indicating disapproval of the plans, as submitted. The Board will have forty-five (45) days to consider the appeal. If no decision is communicated to the owner within that forty-five (45) day period on the forty-sixth (46) day the owner may consider the appeal approved.

NOTE: During Declarant control period, there is no appeal process.

Any architectural element may be reviewed, as installed, by the Board of Directors. If any such installation is found to be non-compliant with the CC&Rs or these Guidelines, the Board may require that installation to be modified or removed, *at the Homeowner's expense.*

ARCHITECTURAL AND MATERIAL STANDARDS

I. LANDSCAPING - GENERAL

- A. All landscaping work, plantings, and installations of irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community and climatically and culturally appropriate to Southern Nevada.
- B. No owner shall further landscape or otherwise improve any property owned by the Association.
- C. Decorative rock, gravel, or boulders, in natural earth tone colors, are permitted. White, green, blue, or other non-earth tone colors are not permitted.
- D. No grading, excavation, planting or removing of any tree or existing landscape shall be commenced until the plans showing the nature, kind, shape, height, and location of the same shall have been approved by the DRC.
- E. The Association strongly recommends a minimum of a three-foot (3') setback from any block wall in rear yards. Homeowner shall be solely responsible for any damage to or weakening of any block wall resulting from homeowner's failure to comply with the foregoing recommendations. Homeowner should consult with appropriate landscaping, engineering, or other professionals to ensure that damage does not result from planting vegetation within any setback.
- F. As it pertains to rear yards, each owner shall **submit their improvement plans within one hundred eighty (180) days** of close of escrow and complete all landscaping improvements on the lot within **three hundred sixty-five (365) days** following close of escrow. These, as well as all other exterior improvements, must be approved by the DRC prior to installation.
- G. As it pertains to front yards not provided by builder, each owner shall **submit their improvement plans within ninety (90) days** of close of escrow and complete all landscaping improvements on the lot within **one hundred eighty (180) days** following close of escrow. These, as well as all other exterior improvements, must be approved by the DRC prior to installation.
- H. The use of drought-resistant, low-water-usage plant material, appropriate to the desert climate, is encouraged.
- I. Location of trees shall be limited to areas that will not encroach on, or interfere with, or create a nuisance to neighboring properties upon maturity. **PLEASE NOTE:** Some trees may have invasive root systems, which may cause problems when they mature. All grass must be fescue blend, hybridized Bermuda blend, or annual rye grass, developed for use in the desert. **Bermuda grass is not permitted.**
- J. Owners are required to maintain their property in good condition at all times. This includes regular lawn mowing, pruning of trees and shrubs, fertilizing, watering, removal of dead or diseased plants, replacement of plants and over seeding of lawn areas and removal of debris. Owners are responsible for ensuring their trees and landscaping does not cause damage.
- K. In accordance with the CC&Rs, there are no protected views within the Association. The DRC will not consider views in determining the approval of any landscape plans submitted.

- L. Landscaping (trees and plants) may not encroach upon any adjacent lot at planting through maturity. Run-off and landscape drains may not drainage encroach upon any adjacent lot.
- M. Artificial turf is permitted in both the front and rear yard. Artificial turf shall be of a high-quality material, installed per manufacturer's recommendations, carry a minimum of a 10-year warranty, and must be approved by the DRC.

II. LIGHTING

- A. General Provisions (See also, the Exterior Lighting section in the CC&Rs)
 - 1. All exterior lighting must be placed in a manner where it will not create an annoyance to the neighbors or to the community. Lighting must be directed to avoid spillage of light onto adjoining property, streets and sidewalks, and common areas.
 - 2. For purposes of this guideline, lighting installed on the exterior of the house that is not designed specifically to ward off intruders is considered "decorative." For example, lighting fixtures placed to frame a garage door or to illuminate access doors, other than the main entrance, fall under this guideline.
 - 3. Lights mounted higher than six (6) feet off the ground must be pointed downward and away from neighboring residences.
 - 4. Any lighting may be reviewed, as installed, by the DRC. If any lighting installation is found to be out of compliance with the CC&Rs or these Guidelines, the Board may require such lighting to be modified or removed.
- B. Landscape
 - 1. Indirect low-level lighting is encouraged.
 - 2. The wattage of light bulbs used in decorative lighting shall not exceed 60 watts.
- C. Security
 - 1. Security lighting is defined as lighting installed on the exterior of the building designed to preclude access to the property by unauthorized persons. Lighting designed to provide for the safety of authorized occupants of the property is included in this definition.
 - 2. Security lighting must be intermittent; it cannot be installed to be on all the time during darkness. Either manual or automatic controls may be used to control lighting, but security lighting may not remain on continuously.
 - 3. Security lighting must be installed so as to minimize impact on neighbors.
 - 4. Security lighting may not exceed 300 watts per fixture.

III. DECORATIVE LANDSCAPE ELEMENTS

- A. Statues, outdoor art, fountains, birdbaths, and all other decorative landscape elements, if visible from any street or from any other property, must be approved by the DRC.
- B. Flagpoles must be mounted at an angle, to an exterior wall of a residence and may not exceed six (6') feet in length. Free standing flagpoles, or any flagpoles not attached to a residence, are not permitted.

IV. PATIO SLABS, PATIO COVERS AND GAZEBOS

- A. DUE TO PARTICULAR CONCERN ABOUT PROPER DRAINAGE, YOU MUST ENSURE YOU HAVE DRC APPROVAL IS REQUIRED PRIOR TO POURING OF ANY CONCRETE.
- B. Setbacks must be clearly indicated on any plans submitted to the DRC for approval and must meet all City and County building code requirements.
- C. A completed Patio Cover Checklist (Exhibit B) must be included with any patio cover or gazebo plans submitted for approval by the DRC.
- D. Patio covers and gazebos may be of “Alumawood” type material or stucco construction, which may include other materials, as may be permitted by governing building codes. All exposed wood surfaces must be finished per Paragraph F, below.
- E. Acceptable roofing materials are:
 - 1. Open Lattice (Alumawood type material)
 - 2. Solid Metal (Alumawood type material)
 - 3. Roof tile to match dwelling
- F. Exposed surfaces must match or harmonize with the existing colors and materials of the dwelling.
- G. Gutters and downspouts, if used, shall be painted to match adjacent roof and/or wall material, or the trim color of the dwelling.
- H. Metal pipe supports are not permitted. The minimum size for wood or stucco support posts is six (6”) inches by six (6”) inches.
- I. The following materials are not permitted in the construction of patio covers or gazebos:
 - 1. Sheet metal or sheet aluminum. (except Alumawood type materials)
 - 2. Corrugated plastic, fiberglass or metal
 - 3. Plastic webbing, reed or straw like materials
 - 4. Composition shingles
 - 5. Exposed rolled roofing.

V. POOLS, SPAS AND RELATED EQUIPMENT

- A. Submittal of complete construction plans showing placement of pool or spa and all related equipment is required.
- B. Setbacks must be clearly indicated on the site plan, and meet all governing building code requirements.
- C. Placement of pool equipment must take into consideration the proximity of neighbors and the potential for creating a possible noise disturbance to adjoining property.
- D. The Association requires a **\$2,000.00 refundable deposit**. A check or money order made payable to the Association must be included with your application.
- E. Before photos of the Common Areas, including streets (from center of the street to the curb), curbs, gutters, sidewalks, party walls, common area landscaping (if applicable), utility collars and boxes, etc. need to be included for deposit to be refunded. Photos must be emailed, not faxed. Photos of your front and rear yard and completed pool are NOT required.
- F. After photos of the same Common Areas as the “before” photos must be submitted after the pool is completed and at the time the deposit refund is requested.

- G. Engineers Report required – These plans must state where the pool pump equipment will be located and the neighbor that is directly next to the pool equipment **MUST** sign off by the pool equipment.
- H. Building Permit required.

VI. PERIMETER AND ADJOINING WALLS, FENCES, GATES AND HARDSCAPE

A. PERIMETER WALLS

- 1. Perimeter walls, defined by the referenced Section of the CC&Rs, are owned by the Association and the Owner of the adjoining Lot. The Association will maintain the exterior portion and the Owner of the Lot will maintain the interior portion of the wall.
- 2. No changes or alterations shall be made to the perimeter walls.
- 3. No removal, partial or otherwise, of perimeter walls for any purpose, is permitted.

B. ADJOINING WALLS / FENCES

- 1. No fence or wall shall be erected or altered without prior approval of the DRC. Fences installed between the Owners Lot line and the adjacent Lot requires approval of the adjoining Lot Owner in accordance with the CC&Rs.
- 2. All walls or fences shall match adjacent walls and residences and must be maintained, repaired, restored, and replaced, as necessary, at the owner's expense.
- 3. Any walls removed or damaged must be restored to their original condition and specifications.

C. GATES - No gate shall be installed, removed or altered without DRC approval.

D. HARDSCAPES - Textured surfaces, such as brick, stone and stamped or exposed aggregate concrete, are encouraged.

E. DRIVEWAY EXTENSIONS - Driveways may be extended, however, planter areas are required along the property line to break up the area. Extension may be limited by local ordinance and/or the DRC opinion based on architectural integrity of the community.

VII. AWNINGS/SHUTTERS & WINDOW COVERINGS

- A. Window awnings must be of a durable canvas or other approved fabric and be of solid color which compliments the existing dwelling. Awnings must be replaced if they become frayed, split, torn, or faded.
- B. Decorative exterior window shutters, painted to complement the existing dwelling, are permitted.
- C. Acceptable window coverings include vertical blinds, mini-blinds, draperies, and curtains in a neutral color.
- D. Solar screens in a neutral color that is similar in color to the color of the home are acceptable. DRC approval is required prior to installation.
- E. Aluminum foil, newspaper, sheets, cardboard, reflective tint, paint, etc. are not permitted.

VIII. OTHER STRUCTURES AND ADDITIONAL MODIFICATIONS

- A. Installation of screen doors does not require prior DRC approval. This exception does not apply to security bar doors, Rolladen (style) shutters, or storm doors.
- B. Solar Panels must be approved by the DRC. All pipes and materials must be painted to match the exterior of the home.
- C. Play equipment, if taller than the rear and side yard walls, requires DRC approval. All playground equipment shall be placed in the rear yard and not closer than five (5') feet from any side or rear property line.
- D. Basketball backboards and hoops must be attached to a free-standing structure and must be located in the rear yard and require DRC approval. Portable basketball hoops are considered preapproved by the DRC. Portable basketball hoops may be kept out in front yards or driveways when in use and stored out of sight or in the rear yard when not in use.
- E. Garage conversions are not permitted.
- F. One (1) storage shed is allowed provided that it meets the following criteria:
 - 1. The shed does not exceed six (6') feet in height at the eaves and eight (8') feet at the highest point of the roof.
 - 2. It shall not exceed six (6') feet by eight (8') feet in area unless approved by the DRC Committee.
 - 3. It is manufactured or painted in a color scheme to match the residence, including the roof.
 - 4. If taller than the side or rear yard walls, it is not placed within five (5') feet of any side or rear property line.
 - 5. It conforms to all applicable government codes and ordinances.
- G. Satellite TV receiving antennas are permitted provided they meet the following criteria, and have been submitted to and approved by the DRC in accordance with the CC&Rs.
 - 1. Ground Mounted Dishes
 - a. The maximum allowable diameter of a ground mounted satellite dish is **one meter** (1 m).
 - b. Maximum allowable height from the ground to the top edge of the dish is five (5') feet from for ground mounted dishes.
 - c. Satellite dishes must be fully screened from view from adjacent streets, sidewalks, and common grounds as much as reasonably possible. Ground mounted dishes may not protrude above the surrounding property fence.
 - d. Shrouded "umbrella style" satellite dishes may be acceptable depending on location and style, and provided that such dishes are neutral in color, and compatible with the surrounding construction.
 - 2. Above Ground Mounting Dishes
 - a. Satellite dishes or receivers of 18" in diameter or less will be permitted to be installed on to the structure above the fence.
 - b. Such dishes must be located to minimize visibility from any streets, sidewalks, and common areas.
- H. Holiday lighting may be installed without DRC approval. It must not be installed more than four (4) weeks prior to the recognized holiday and must be **removed** within two (2) weeks after the recognized holiday.

- I. All outbuildings must match in color and style (including roof pitch and material) to the main house.
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FRONT YARD LANDSCAPING INSTALLATION

These guidelines only apply to front yards and pertain to lots that do not have builder-provided front yard landscape packages.

LANDSCAPE SUBMITTAL REQUIREMENTS/PROCESS

All landscape improvements and designs for the front yards including side yards, as required, must be submitted and approved by the CANYONS COMMUNITY ASSOCIATION Design Review Committee (DRC), prior to beginning of construction or installation.

Landscape plans are to be submitted to the DRC within **ninety (90) days** of close of escrow and installed within **one hundred eighty (180) days** after close of escrow. Extensions beyond these time frames specified will be reviewed and maybe granted on a case by case basis by the DRC. Submittal plans include the installation of all trees, shrubs, ground covers, artificial turf, borders, screening, planter pots and hardscape materials. All lots must follow the approved plant list and may not install any plant material listed on the Prohibited Plants List (listed below).

Common Elements (C.E.) as identified on the Final Improvement Plans for the Association shall be owned and maintained by the Association. Owners shall not be permitted to make any modifications to such Tract areas.

GRANITE

Decomposed granite colors that will be permitted in the front yards and end block conditions, as required are Apache Brown, Vista Gold, and Rebel Red. The minimum granite size is 3/4" screened. Any other granite color or size must be submitted to the DRC for review and approval.

All granite areas must be treated with a pre-emergent weed control at regular intervals to retard weed growth. The use of landscape fabric under the granite and river rock is not allowed within the front yards. Ground cover, inert material and other landscaping, softscape, or hardscape shall not be used to spell out or form words, images or symbols of any kind.

RIP-RAP

Rip-rap may be used for erosion protection, storm-water management or aesthetic applications subject to the following criteria:

Rip-rap must be fractured granite or river rock that matches or complements the decomposed granite used within the landscape area. Rip-rap may not be grouted unless necessitated due to erosion or drainage conditions (subject to the approval of the DRC). Maximum size of rip-rap

cobbles shall be 3"-5" inches in diameter unless erosion or drainage conditions require larger material (subject to approval of the DRC).

BOULDERS

Use of granite boulders to match or contrast the decomposed granite and to create a natural setting is permitted subject to the following criteria:

Boulders must be granite boulders or surface select boulders to match or contrast the granite and must be buried with one-third of the boulder being underground. Boulders shall be installed in a naturalistic manner (groupings) and integrated within the landscape including other boulders or landscape materials such as plants, decomposed granite and contouring.

MOUNDING

Mounding and other proposed grade changes will be closely scrutinized by the DRC to assure mounding appears natural. Mounds should be a maximum of 24" in height and have natural looking shapes. Berms must not impede drainage in any way. Maintain a minimum of 24" from property lines and structures for all mounding. Maximum allowable slope on mounding to be 3:1.

POTS AND PLANTING CONTAINERS

Pots and planting containers are encouraged to provide additional color, accents and additional structure in the landscape. All pots and plant containers shall be selected in colors and materials that complement the architecture and hardscape forms. Irrigation must be provided to pot locations with the use of drip irrigation. Pots and planters must always have live foliage at all times.

ARTIFICIAL TURF

Only artificial turf will be allowed within the front yards providing the following conditions are met:

- Artificial turf shall avoid small strips and unusable shapes (minimum dimensions are six feet (6') wide and ten feet (10') in length);
- Artificial turf shall not to exceed thirty-three percent (33%) of the front yard;
- Artificial turf shall connect to the hardscape, drives, and walks;
- Artificial turf shall maintain a minimum setback of thirty-six inches (36") from walls, retaining walls, or building; and
- Artificial turf to be contained with one of the following: four-inch by four-inch (4"x4") concrete header, grouted stone, side-by-side brick header, or steel edging set flush with grade.

Artificial turf shall be of a high-quality material, installed per manufacturer's recommendations, carry a minimum of a 10-year warranty, and be maintained in like-new condition at all times and shall be approved by the DRC. A sample of the product and a copy of the warranty must be submitted.

BORDER MATERIAL

Border material may be used to maintain separate maintenance and separation of decomposed granite colors and sizes along adjacent lot's the use of borders along the property lines is allowed. Approved border material is brick, concrete and flush steel borders. These border materials are for containing artificial turf, lot boundaries and granite areas. Wood and plastic edging is prohibited. The use of plant material to make a solid hedge along an adjacent property line is prohibited. The selected plant material should blend and compliment with the adjacent lot if it is installed.

IRRIGATION

Owner shall install landscaping improvements, together with any underground drip irrigation system sufficient to adequately water the landscaping Improvements in the front yard of their Lot. All landscape irrigation must be underground, automatic and low water use drip systems, except for flowerbed areas, which may use spray systems. Overspray onto sidewalks, walls and streets is strictly prohibited. Great care should be taken to avoid spray of walls, fences and other structures that may cause damage and void any warranty. In no case should irrigation be closer than 24" from house or walls.

LANDSCAPE LIGHTING

Landscape lighting shall be low-voltage only and is encouraged to be LED if possible. Landscape lighting must be controlled with an electric clock or photo-cell device. Light sources must be shielded from pedestrian and vehicular view.

Fixtures must be constructed of metal. Plastic fixtures are prohibited. All wiring for light fixtures must be buried below grade per the manufacturer's requirements. Controller equipment must be located in a discrete location or screened from view from the street or adjacent property. Lighting must be kept in good working condition at all times. A maximum of forty (40) watts per fixture is allowable.

PLANT MATERIAL AND SPECIFICATIONS

Plants must be selected from the approved plant list. Minimum requirements for the Front Yards are as follows:

Trees

<u>Lot Width</u>	<u>Canopy Tree</u>	<u>Accent Tree</u>
70' – 90'	1 - 24" Box	1 – 24" Box Tree
91' – 120'	2 - 24" Box	1 – 24" Box Tree
121' – 160'	3 – 24" Box	1 – 24" Box Tree

Lot width will be based on the linear front foot from property line to property line along the front right of way as specified on the plot plan supplied to the Homeowner by the builder.

Shrubs

- One (1) plant per forty (40) square feet of landscape area (excluding walks, driveways and patios);

- Shrubs shall be a minimum of seventy percent (70) five-gallon and thirty (30) percent one-gallon;
- Trees, shrubs or annuals selected from approved plant list should complement the architecture elevation and enhance the aesthetic appeal of walls, planters, walks, etc. The landscape design should be designed to “flow” from one yard to the next allowing an open feel along the street frontage;
- 2” deep decomposed granite to all landscape areas; and
- No plant material greater than 24” in height to be planted within sight visibility triangles.

Trees should be placed no closer than eighteen (18’) feet apart unless they are of the same species.

Trees are to be planted no closer than 6’-0” from street, sidewalk, driveways, structure or property line. All trees to have root barriers installed when 6’-0” from hardscape. Root barrier to extend 24” beyond root ball, both sides.

All plants and irrigation must be setback a minimum of two (2) feet from all house foundations, concrete slabs including driveway, sidewalks and walls because of potential damage that can occur as a result of expanding soils.

Each front yard is to contain a maximum of eight (8) different species as selected from the approved plant list. Plant massing’s shall be used in groupings of similar species to provide overall mass and structure to the yard.

Foundation planting shall be used to screen visible portions of the house base, including backflow preventers at one (1) year’s growth.

Flower Gardens

The ARC will consider annual flower gardens not exceeding 30 square feet in size for front yards.

Any architectural element may be reviewed, as installed, by the Board of Directors. If any such installation is found to be non-compliant with the CC&Rs or these Guidelines, the Board may require that installation to be modified or removed, *at the Homeowner’s expense.*

PROHIBITED / INVASIVE PLAT SPECIES LIST

Baccharis sarothroides – Desert Broom
Olea Europa – Olive (fruit producing)
Pennisetum sataceum – Fountain Grass (green variety)
Morus alba – Fruiting Mulberry
Tamrix spp. – Tamarisk
Oleanders spp. – Oleander

APPROVED PLANT LIST

Please contact community association for plant list.