

**VALLEY CREST HOMEOWNERS ASSOCIATION**

**ARCHITECTURAL STANDARDS**

**and**

**GUIDELINES**

## TABLE OF CONTENTS

	<b>PAGE</b>
INTRODUCTION	1
PURPOSE	1
CC&R VIOLATION AND ENFORCEMENT	1
GENERAL GUIDELINES	2, 3
ARCHITECTURAL DESIGN AND MATERIALS STANDARDS	
I.    LANDSCAPING	4
II.   FENCING AND GATES	5
III.  PATIO SLABS, PATIOS, OTHER CONCRETE SLABS, PATIO COVERS, AND GAZEBOS	5, 6
IV.   POOLS, SPAS AND RELATED EQUIPMENT	6
V.    OTHER STRUCTURES	
A.  ROOM ADDITIONS, DECKS AND BALCONIES	6
B.  STORAGE SHEDS AND UTILITY BUILDINGS	7
VI.   OTHER MODIFICATIONS	
A.  SECURITY BARS	7
B.  EXTERIOR LIGHTING	7
C.  SCREEN DOORS	7
D.  SOLAR SCREENS	7
E.  WINDOW TINTING	7
F.  PLAYGROUND EQUIPMENT	7
G.  OTHER TYPES OF PLAY OR SPORT EQUIPMENT	7
H.  BASKETBALL BACKBOARD	8
I.  SKYLIGHTS AND SOLAR ENERGY EQUIPMENT	8
J.  AWNINGS	8
K.  AIR CONDITIONING UNITS OR EQUIPMENT	8
L.  SATELLITE DISH AND ANTENNA	8
M.  EXTERIOR PAINT COLORS	8
N.  RECREATIONAL VEHICLES	8
O.  SIGNS	8
VII.  PROCEDURES FOR OWNERS WITH INSTALLED OR CONSTRUCTED IMPROVEMENTS WITHOUT "ARC" APPROVAL	9
VIII. AMENDMENTS – ARCHITECTURAL STANDARDS/GUIDELINES	10
IX.   LIABILITY - "ARC"	10
X.    SETBACK REQUIREMENTS (Exhibit A)	11

**TABLE OF CONTENTS**  
**(continued)**

	<b>PAGE</b>
XI. SATELLITE DISH CRITERIA (Exhibit B)	12
XII. "ARC" SUBMITTAL CHECKLIST (Exhibit C)	13
XIII. NEIGHBORHOOD IMPACT STATEMENT (Exhibit 0)	14
XIV. ARCHITECTURAL "REVIEW REQUEST FORM" (Exhibit E-1 & 2)	15,16
XV. "INDEMNIFICATION AGREEMENT" (Exhibit F)	17

**VALLEY CREST ASSOCIATION  
ARCHITECTURAL STANDARDS AND GUIDELINES**

**INTRODUCTION**

As provided in the By-Laws of the VALLEY CREST Association, the Board of Directors has appointed an Architectural Review Committee ("ARC") to implement the duties of the Board as defined in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for VALLEY CREST (CC&Rs)

The committee has developed the VALLEY CREST Architectural Standards and Guidelines to preserve the architectural style established by the builder in the construction of the homes in the community as provided in the CC&Rs, and to assist property owners in the architectural review process.

These guidelines are intended as a supplement to the requirements of the CC&Rs. They do not embody the CC&Rs in its entirety.

**YOU ARE ADVISED TO READ THE CC&RS**

**PURPOSE**

The ARC has been established to assure continuity in design (as defined by "IMPROVEMENTS" below, which will aid the preservation of property values at the community of VALLEY CREST

The ARC reviews all plans for exterior improvements contemplated for lots in the VALLEY CREST community. "Improvements" include, but not limited to, additions, modifications, and alterations (including paint colors) to residential dwellings, fences, walls, patio covers, gazebos, pools and spas, play and sport equipment, as well as landscape planting, sidewalks or other concrete, masonry work and gates.

The ARC meets on a regular basis to review requests. Architectural Review Request forms (Exhibit E) must be completed and submitted to the committee. All required documentation must be attached (i.e., plans, Neighborhood Impact Statements, color samples). The forms can be obtained from the Association's property management company.

**CC&R VIOLATION AND ENFORCEMENT**

Failure to submit complete plans to the ARC for review and approval prior to beginning construction or completion of improvements, or installation of improvements which have not been approved by the ARC, are violations to the CC&Rs and subject to action by the Board of Directors.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

**GENERAL GUIDELINES**

1. Any condition or material not specifically defined herein shall become a matter for the consideration and approval of the ARC.
2. Approval of the ARC does not constitute waiver of any requirements of applicable governmental agencies.
3. ARC approval does not constitute compliance with any technical or engineering specifications or governmental requirements. The function of the ARC is to review each submittal for conformity to the intent and provisions of the CC&Rs.
4. Approval of plans does not constitute authorization to proceed with improvements on any property other than the applicants.
5. An oversight by the ARC regarding the CC&Rs or the Standards and Guidelines does not constitute a waiver.
6. ACCESS THROUGH COMMON PROPERTY IS PROHIBITED WITHOUT ARC APPROVAL. Access for equipment used in construction must be over or through the applicant's property except as provided herein. Building equipment and materials must be contained on the applicant's property, if possible, and must not obstruct streets. See: IV. Pools and related equipment/A. Submittal.
7. In the event construction requires use of adjoining property, written permission from the adjoining property owner must be included in the submittal to the ARC, along with a minimum deposit of \$2,000.00 payable to the Association. A refund of the deposit will occur upon acceptance of repairs to the adjoining property by a field inspector.
8. All work must be performed in a manner consistent with the quality and appearance standards of the original residence construction. Any work performed that is substandard in construction materials or appearance to the established community or VALLEY CREST as (defined in the "Architectural Design and Materials Standards") must be redone to acceptable materials and appearance at the owners expense.
9. Any and all improvements affecting setback requirements must be reviewed by Clark County Planning and Development Division prior to submitting application to ARC.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

**GENERAL GUIDELINES**

(continued)

10. Submittal of color samples of any paint or stain is required when they deviate from the original colors of the residence.
11. NEIGHBORHOOD IMPACT STATEMENT (Exhibit B). This Statement is designed to obtain input from neighbors regarding any improvements which may have an effect on the use, enjoyment, or value of their property, as well as to promote communication and avert potential problems. The ARC uses the form for advisory purposes only.

The Neighborhood Impact Statement must be completed and submitted with the Architectural Review Request (Exhibit E) for improvements that will effect neighbor(s). Improvements such as:

basketball standards  
gazebos that exceed the perimeter wall height request  
for variances  
building additions satellite antennas concrete work  
exterior color changes

are the types of items that need this Statement. The property management company or a member of the ARC will be happy to assist in determining the need for a Neighborhood Impact Statement.

Terms used in the statement are defined as follows:

FACING refers to the neighbor(s) directly across the street. In the case of a corner lot; FACING also refers to two or three neighbors across the street facing the side of the residence.

ADJACENT refers to ADJOINING properties.

REAR refers to properties adjoining the rear property line.

The ARC may deem it necessary to request additional Neighborhood Impact Statements from other neighbors in the vicinity of the proposed improvements.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

**ARCHITECTURAL DESIGN AND MATERIALS STANDARDS**

Improvements must be designed in general conformance with the original architectural style of the residence and the community at large.

This section further defines appropriate materials for use in modifications and other improvements, which are considered typical, and are "pre-approved" by the ARC. Plans for items that meet the following criteria EXACTLY, need not be submitted to the ARC. However, any deviation from these items requires written ARC approval.

**I. LANDSCAPING**

The CC&Rs provide for approval of landscape plans, the timeframe in which landscape must be installed and maintenance after installation.

Failure to install or maintain landscape is violation of the provision of the CC&Rs and will be enforced by the Board of Directors.

- A. Landscaping is considered an integral part of the overall residence. As a design element, consideration must be given to the relationship of a property owner's landscaping to that of adjacent houses and the surrounding area.
- B. All landscaping, plantings, and installation of permanent irrigation systems shall remain aesthetically consistent with the design and plan of the community.
- C. Berms less than 3 feet above grade, decorative "logs" less than 12 inches in diameter, and boulders no larger than two feet in diameter are permitted without prior approval.
- D. Professionally installed decorative concrete curbing, plastic or wood edging, and bender board installed with less than 6 inches of the material exposed above grade are permitted without prior approval.
- E. The use of decorative rock and gravel is permitted and encouraged. However, the complete landscape plan including colors, must be submitted for approval. Weed control must be addressed on the landscape plan.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

**ARCHITECTURAL DESIGN AND MATERIALS STANDARDS**

(continued)

- F. Front yard "desert landscaping" consisting of ONLY rock and/or gravel is prohibited.

II. FENCING AND GATES

- A. All fence or wall construction, extensions, and finish materials not installed as a part of the original construction of the residence require prior written approval of the ARC.
- B. Fences, hedges, tennis court-type fences (constructed of woven-wire), vinyl-clad mesh exceeding 7 foot in height (but no higher than 10 feet measured from the highest adjacent lot) may be approved. The ARC must evaluate and approve the location and feasibility of the lot accommodating the structure without being an annoyance to or have a detrimental effect upon adjoining lots. A Neighborhood Impact Statement is required.
- C. All gates must be constructed of Wrought Iron. Installation of wrought iron gates and gate screening do not require approval if they meet the following specifications:
1. spacing must comply with governing agency ordinances;
  2. gates not to exceed the height of the adjacent wall;  
and
  3. color is consistent with the original gate installed by the builder.

(NOTE: Decorative arches, double gates, and security bars require written approval of the ARC.)

III. PATIO SLABS, OTHER CONCRETE SLABS, PATIO COVERS, AND GAZEBOS

Each owner is responsible for providing proper drainage. Approval of plans granted by the ARC will be based upon the assumption that the owner has established or provided for proper drainage. The ARC will assume no responsibility therefore.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

(continued)

- A. All plans for patio slabs, patio covers, and gazebos must be submitted to the ARC for review and approval.
- B. Minimum setback requirements must meet those established by the governing agency.
- C. Preferred finish materials for patio covers are wood or stucco. All natural wood surfaces must be finished.
- D. The materials used in the construction of the house are acceptable. All others must be approved by the ARC.
- E. Surface colors and finish materials must match or harmonize with the existing colors and materials of the original residence.
- F. Minimum size for wood or stucco support posts is 4" X 6".

IV. POOLS, SPAS, AND RELATED EQUIPMENT

- A. Submittal of a complete construction plan showing placement of pool and/or spa, and equipment on the property, is required. Before any construction, your contractor must provide a cash deposit or a "Performance Bond" in the amount of \$2,000.00. This amount to be held throughout the course of construction as assurance that any damage to public or private property caused by your construction will be replaced or repaired to its original state. Exhibit F "Indemnification Agreement" is required with your submittal for approval by the ARC.
- B. Pool/spa equipment must be screened from the view of adjacent properties and the street.
- C. Rear and side yard setbacks must meet the requirements of the governing agency.

V. OTHER STRUCTURES

- A. PERMANENT STRUCTURES, ROOM ADDITIONS, DECKS, BALCONIES or any exterior alteration to any building require approval by the ARC and the members of the Board of Directors. Plans for such improvements must be drawn by a licensed architect. Structures must be built to match the

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

(continued)

residence in materials and architectural style. Said structures may be visible from public street or common area. Neighborhood Impact Statements must be submitted and minimum setback requirements must be met.

- B. TEMPORARY STORAGE SHEDS AND UTILITY BUILDINGS require approval by the ARC. Such sheds or utility buildings must not be visible from public streets or common areas. Neighborhood Impact Statements must be submitted and minimum setback requirements must be met.

VI. OTHER MODIFICATIONS

- A. SECURITY BARS on windows and doors require approval of the ARC. The material should be painted to match the original color of the residence or to match the original window frames.
- B. EXTERIOR LIGHTING, including landscape accent lighting, must be approved by the ARC. Low wattage lights are recommended where the fixture will effect a neighbor. Holiday lighting that does not create an annoyance to a neighbor is permitted without ARC approval but must be removed at the close of the holidays, not later than January 15th.
- C. SCREEN DOOR installations colored to match the residence door or window frames do not require approval of the ARC.
- D. SOLAR SCREENS do not require approval of the ARC if the color is Silver Grey, Bronze, Dark Bronze, Charcoal or Gold. All other colors must be approved by the ARC.
- E. WINDOW TINTING does not require the approval of the ARC if the color is either light, medium, or dark smoke grey. All other colors must be approved by the ARC. Mirror or reflective finishes are prohibited.
- F. PLAYGROUND EQUIPMENT. Commercially constructed swing sets and jungle gyms which are installed in the rear yard are not higher than any portion of the property's rear yard fence, and adequately screened from street view by a gate or landscape material, do not need approval of the ARC.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

(continued)

- G. OTHER TYPES OF FLAY OR SPORT EQUIPMENT. Play equipment not defined in item #F above, including but not limited to large swing sets, gymnastic and climbing apparatus structures, and playhouses, need prior approval of the ARC. A minimum setback of 5" from any property wall is required. A Neighborhood Impact Statement is required.
- H. BASKETBALL BACKBOARDS. The installation of sport equipment and related cement areas must be approved by the ARC. A Neighborhood Impact Statement is required.
- I. SKYLIGHTS AND SOLAR ENERGY EQUIPMENT. The installation of any roof-mounted system to accommodate solar energy equipment, or any other equipment must be approved by the ARC. A Neighborhood Impact Statement is required. Specific concerns of the committee will be the color of the materials used in relation to the roof color, and visibility from other properties in the general vicinity.
- J. AWNINGS require prior approval of the ARC. Design, material and color must be harmonious with the existing architecture.
- K. AIR CONDITIONING UNITS OR EQUIPMENT. Any exterior air conditioning equipment, other than the equipment installed as a part of the original residence, must be approved by the ARC.
- L. SATELLITE DISH AND ANTENNA. The written approval of the ARC must be obtained for satellite dish, antenna, poles, masts, and flag poles.
- H. EXTERIOR PAINT. Any change in color from the original exterior colors of any residence must be approved by the ARC \*
- N. RECREATIONAL VEHICLES. No recreational vehicles are to be parked in the community.
- O. SIGNS. The CC&Rs provide for the use of one customary 18" X 30" "For Sale" type sign on a residential lot. All others must be approved by the ARC.

VALLEY CREST HOMEOWNER ASSOCIATION  
ARCHITECTURAL STANDARDS AND GUIDELINES

PROCEDURE FOR OWNERS WITH INSTALLED OR CONSTRUCTED  
IMPROVEMENTS WITHOUT ARC APPROVAL

\*\*\*\*\*  
THE CC&R' S REQUIRE THAT ANY IMPROVEMENT MUST BE APPROVED BY THE BOARD OR ARC PRIOR TO INSTALLATION. ANY INSTALLED IMPROVEMENTS THAT HAVE NOT BEEN APPROVED ARE IN DIRECT VIOLATION OF THE CC&R'S. THE ASSOCIATION MAY USE ANY REMEDIES PROVIDED IN THE CC&R'S TO ENFORCE THESE PROVISIONS.

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The ARC will make every effort to approve improvements that meet the criteria of the Architectural Standards and Guidelines.

VII. Cooperation with the following process is necessary to ensure compliance with the provisions of the CC&R's and to circumvent the possibility of applicable penalties for violations.

1. IMPROVEMENT WITHOUT A PERMIT. In the event the improvement was installed or constructed without a building permit, the owner must obtain a permit and submit it to the committee with a complete submittal package as if no construction had taken place.
2. IMPROVEMENT WITH A PERMIT. In the event the improvement was installed or constructed with a building permit, the owner should submit the following:
  - A. Architectural Review Request
  - B. Neighborhood Impact Statement, if applicable
  - C. Notice of Completion
  - D. Two photographs of the completed improvement; take from two separate angles. (Photographs of a Satellite Dish should be taken from the street view, and adjacent and rear properties view)
3. PATIOS, PATIO COVERS, AND GAZEBOS. The standards employed by the ARC for reviewing patios, patio covers, and gazebos which were installed without ARC approval are as follows:

Any patio, patio cover, and/or gazebo that corresponds to a structure erected by the builder at the model homes, which is similar in architectural style, materials, workmanship, size and appearance, will be acceptable.

The owner should submit the same items as under Provision #2 above.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

**AMENDMENTS TO ARCHITECTURAL STANDARDS AND GUIDELINES**

- VIII. The Architectural Standards and Guidelines may be modified from time to time pursuant to the following criteria:
1. Amendments must be approved by the Board of Directors.
  2. A property owner, delegate, or other member of the association may submit recommended changes to the ARC for consideration.
  3. Recommendations shall be reviewed by the ARC and, if approved by two-thirds of the ARC members, the recommendations shall be forwarded to the Board of Directors for consideration.
  4. Upon approval and adoption by the Board of Directors, the change shall be incorporated into the Architectural Standards and Guidelines. Notice of such adopted amendment will be made in the association newsletter and copies of the amendment will be available to the membership upon request.
  5. All amendments shall become effective upon adoption by the Board of Directors, but shall not be retroactive.
  6. In the event of any conflict between an amended provision of the Architectural Standards and Guidelines and the CC&R's, the provisions of the CC&R's shall prevail.

**NON-LIABILITY FOR APPROVAL OF PLANS**

- IX. ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices, zoning and building ordinances, or governmental agency regulations or restrictions. By approving such plans and specifications, neither the ARC (any members thereof) the Associations (any member thereof) the Board of Directors (any member thereof) or the Declarant assume any liability or responsibility therefore or for any defect in the structure constructed from such plans or specifications. Nor shall any of the above be liable to any member, owner, occupant, or other person or entity for damage, loss, or prejudice suffered or claimed on account of U) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (ii) the

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

construction or performance of any work, whether or not pursuant to the approved plans, drawings, or specifications (as provided by the CC&R's)

**MINIMUM SETBACK REQUIREMENTS**  
**EXHIBIT A**

- X. THE FOLLOWING SETBACK CRITERIA IS SUBJECT TO CHANGE. OWNERS SHOULD CONTACT THE ARC TO ASCERTAIN ACCEPTABLE SETBACK CRITERIA.
1. PATIO COVERS and other home improvements attached to the residence.
    - a. 10" from rear property line, 5' from side property line.
    - b. 5' from rear property line if the property wall is a minimum 5' in height). 5' from side property line (if improvement is less than 1/3 the area of the rear yard. Option B requires a Neighborhood Impact Statement.)
  2. FREE-STANDING STRUCTURES such as gazebos, patio covers, and play equipment. If the structure is higher than the nearest property walls, a Neighborhood Impact Statement is required.
    - a. 3' from rear property, 3' from side property line, 10' from residence.
  3. SWIMMING POOLS
    - a. 5' from water line to property walls, 5' from water line to the residence or any other structure (such as patio)
  4. STORAGE AND UTILITY SHEDS
    - a. 3' from rear property line, 3' from side property line and 10' from residence.
  5. VARIANCES. The ARC may consider requests for variance from the above minimum setbacks. The following requirements must be satisfied.
    - a. Neighborhood Impact Statement.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

- b. Compliance with all other Architectural Standards and Guidelines.
- c. Evidence of building permit with applicable variance.
- d. A request for a variance must be approved by the ARC and the Board of Directors.

**SATELLITE DISH CRITERIA**  
**EXHIBIT B**

- XI. The CC&R's state that the written approval of the Board of Directors is required for any antenna or satellite dish (including "poles" flag pole, mast, or outdoor antenna)

The following general guideline will be used by the ARC when reviewing a request for approval of the installation of a satellite dish or receiver to assist in reaching their decision:

- 1. Roof mounted equipment is prohibited.
- 2. Equipment should not be visible from street view.
- 3. When fully extended, the dish should not exceed the height of the nearest property wall.
- 4. Equipment should not be visible from adjacent properties (line of sight 6" from grade on adjacent property, or other properties in the community.)
- 5. In selecting a location for the equipment, consideration should be given to the visual impact of the equipment on the visual harmony of the neighborhood.

The following suggestions should be considered when preparing a submittal for the ARC:

- 1. The foundation for the pedestal can be installed below grade to lower the overall height of the equipment.
- 2. If the dish will be visible from the street view or other properties in the neighborhood, landscape materials such as trees and shrubs can be installed to provide a screen.
- 3. Screen material can be installed on side-yard gates.
- 4. Acceptance by affected neighbors (Neighborhood Impact Statement)
- 5. Consider dishes that are constructed of less conspicuous mesh-type materials and sand or earth-toned colors.

**VALLEY CREST HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND GUIDELINES**

Property owners are cautioned that these guidelines are not designed to supersede the provisions of the CC&R's, but are presented to assist the homeowner to harmoniously integrate a satellite dish into the residential environment and to facilitate the review process.

The ARC will evaluate each request using the above criteria, and will consider each request individually.

**SUBMITTAL CHECKLIST**  
**EXHIBIT C**

XII. Pursuant to the provisions of the CC&R's, detailed drawings, site plans, specifications, topographic elevations, drainage plans and requests for approval must be submitted to the ARC for approval.

**AN INCOMPLETE SUBMITTAL PACKAGE WILL DELAY THE REVIEW PROCESS**