

**Architectural Design Guidelines**

**And**

**Construction Regulations**

*Updated August 2023*

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**Design Guidelines**

**Introduction**

The Design Review Committee (DRC) at Las Vegas Ranch Estates (LVRE) is tasked with these primary responsibilities:

* Establish and maintain architectural and construction guidelines that preserve and enhance property values.
* Work closely with property owners to address problems, ensure compliance with architectural and construction guidelines, and facilitate the successful completion of construction projects.
* Manage construction vehicle access, protect the roads, and ensure the safety and security of the residents during construction.
* Minimize the impact of construction activities on neighbors and surrounding environs.

To fulfill these important responsibilities the DRC is empowered by the Declaration and the LVRE Board of Directors (BOD) to:

* Amend these Architectural Design Guidelines as necessary.
* Impose other restrictions as required to enforce architectural guidelines, construction requirements, and the construction process (see Appendix D for the Construction Violations Fine Schedule).
* Submit Fine Notices to the BOD for consideration and approval in the event of design or construction violations.

The property owner is ultimately responsible to ensure that the architectural guidelines and construction requirements and regulations are met and that any fines imposed are paid.

Following these Guidelines does not eliminate the need to obtain approval from the DRC. Even if an improvement, modification, or other construction meets the requirements set forth in these Guidelines, is permitted by these Guidelines, and/or is identical to another, which has been approved, it must be submitted for approval unless otherwise specifically noted herein. Because each situation may have different conditions, e.g., different locations, physical conditions, or design considerations, etc., each application will be reviewed on a case-by-case basis. Furthermore, any time these Guidelines mention the requirement of an “approval” from or by the DRC, such approval must be obtained in advance of commencement of the project, and in writing, whether so specified herein. Failure to comply with these Guidelines may result in the imposition of fines or other enforcement action against the offending property owner.

**Design Review Philosophy**

The design review philosophy allows applicants to achieve their individual goals while adhering to the design and development principles used in the development of LVRE.

**Design Attributes**

The LVRE Design Guidelines were created for property owners and their professional designers to identify principles vital to the community’s pursuit of quality development. These following principles, referred to as Design Attributes, form the foundation for each design’s review:

**Visual Impact of Structure**

* Ideally, the structure is inconspicuous in the context of its final setting.
* Generally, the massing is horizontal in nature, and resides primarily at, or below, the height of the surrounding landscape.
* The visibility of structures is considered from vantage points both near and far, and from common ground-level vantage points at, below and above the structure.
* Elements of the structure that are visible above the height of the surrounding landscape shall be rendered less conspicuous by the composition of their color, texture, and massing.
* Existing vegetation shall be integrated into the design to effectively screen visibility of the structures. Additionally, supplemental native trees shall be strategically added for the same purpose.
* The orientation and location of the structure(s) and landscaping respects and/or enhances the privacy of adjacent land uses.

**Site Specification**

* The structure(s) generally appear comfortably integrated into the site and are not artificially perched on or cut into the site.
* Main house livable square footage is to be a minimum of **2,200 square feet.**
* Finished floor elevations and proposed finish grades respond vertically to the slope of the terrain, approximating an on-site balance of cut and fills.
* The building pad(s) for all structures are kept relatively close in elevation to the natural topography.
* The site plan successfully incorporates or avoids significant changes to natural features.

 **Attractiveness/Undoubtable Quality**

* The overall two and three-dimensional composition conveys a sense of order, logic, and integrity.
* The structure(s), and all the components that comprise them, are well proportioned.
* The materials used are commonly recognized as being durable and long lasting.
* Exterior materials that are exposed to weather either maintain their original appearance despite their exposure, or they change gracefully and become more attractive as they age.

**Environmental Responsibility**

* The post development surface drainage is handled in a manner that avoids erosion and a significant increase or redirection of historical flows as they enter and exit the site.
* The selection of landscape plant material avoids non-indigenous species that may proliferate uncontrollably, or that disseminate noxious pollens, odors, or litter.
* Interior and exterior lighting does not create glare from ground vantage points and preserves the ranch’s pre-development darkness without compromising the basic comfort and safety essential to outdoor living. Exterior lightning must also conform to Arizona Dark Sky standards.
* Existing topographical features and vegetation stands are generally preserved and incorporated into the design of the structures.
* Various design and construction factors are considered to help minimize grading outside of the footprint of the improvements.
* The structure(s) are built with materials and techniques that will withstand the aridity, heat, winds, and ultraviolet radiation of the ranch environment without need of frequent maintenance or replacement.

**Architectural Design Code**

**Building Walls**

* Exterior finishes of stone, stucco, stabilized or fire adobe, rammed earth, exposed or mortar washed slump block, and tumbled or used brick, board and batten, and other wood treatments are all acceptable materials. Other materials may also be considered.
* Consideration should be given to the results of direct sun on materials such as board and batten.
* All exterior finishes must be continued to grade.

**Roofs**

* Pitched and flat roof structures are appropriate for LVRE.
* Pitched roofs shall be low-sloped hips, gables, or sheds. Pitched roofs must be designed in a manner that avoids excessive use of “cricketing” to convey drainage. No roof shall have a pitch greater than 8/12.
* Pitched roofs may be clad with a variety of materials including tiles, slate, corrugated weathering steel, cedar shakes, oxidized copper, or other approved materials. Due to the high risk of wildfires, the use of flammable roofing materials is highly discouraged.
* The surface of flat roofs as well as elements such as flashing, vents, skylights and other roof accessories shall be appropriately concealed from all adjacent vantage points by parapets, curbs or fascias.
* Skylights should have minimal glare against the night sky. Skylights must have smoked or tinted glass with shades to comply with the dark sky philosophy.
* Visible vents, flashing, etc. must be painted a color to render them inconspicuous.

**Windows & Doors**

* The character of window and door selections shall complement the character of the home.
* Windows shall be glazed with clear or tinted glass which may not be mirrored or reflective.
* Windows in garages must employ window treatments to prevent glare from garage lighting.
* Mechanical room doors shall be painted to blend in with the adjacent architecture.

**Garden/Site Walls**

* Site walls should be used to define functional spaces, provide appropriate visual screening, and retain grade differentials.
* Fences and walls shall be masonry, iron or split rail, or other material as approved by the DRC.~~DRC~~
* Garden walls, site walls and retaining walls shall be finished with materials complementary to the overall architectural style.
* Site walls shall not be more than 6’ tall from grade as viewed from adjacent properties. The height of walls that are incorporated into the architecture of courtyards, etc., will be considered on a case-by-case basis.
* Gates that are generally visible from adjacent areas must complement the quality and character of the home.

**Building Elements & Details**

* Details shall remain consistent in both quality and character on all elevations of the home.
* Columns and beams shall be of appropriate proportion to convey a sense of strength and support.
* Exterior wood elements shall be stained or otherwise finished in a manner that complements the character of the home.
* Scuppers must be of a material complementary to the character of the home. If Sheet metal scuppers are used, they must be painted/powder coated to match the adjacent structure.
* Chimneys should be architecturally appealing and comfortably scaled in the context of the main structure. Prefabricated sheet metal chimney caps are prohibited. Sheet metal spark arrestors must be made inconspicuous.

**Residential Structure Height Limits**

* There are two critical height restrictions to consider when designing homes for LVRE. The Base Height indicates the height that most of the home must stay at or below. The Maximum Height indicates the maximum allowable height for areas that exceed the base height.
* The maximum Base Height of each building is 18’ measured from the highest natural grade adjacent to that mass
* A maximum of 33% of the building’s total covered area may exceed the Base Height. Covered area includes air-conditioned space, garages and mechanical areas, and covered patios and porches.
* The Maximum Height for a pitched roof mass shall be 26’, as measured from highest adjacent natural grade to that mass.
* The Maximum Height for a flat roof mass shall be 21’, as measured from the highest adjacent natural grade to that mass.
* At no point shall the height of a mass exceed 26' from the lowest adjacent natural grade to that mass.
* It is the responsibility of the Applicants or their representative to verify and abide by Yavapai County building requirements for maximum heights. In the event of a conflict between Yavapai County and LVRE requirements, the stricter shall take precedence.
* The height permitted on structures other than residential shall be generally consistent with these limitations and shall be determined on a case-by-case basis.

**Miscellaneous Items**

* All improvements on parcels shall be of new construction. Modular homes will not be approved by the DRC. Metal shipping containers are not approved for building of any type of structure or use on any lot within LVRE.
* Mechanical equipment shall be ground mounted and screened from view (no roof mounted A/C units). Noise levels and visibility of mechanical areas should be considered when locating and designing enclosures for such equipment.
* Antennae, transformers, and similar equipment should be placed in inconspicuous locations.
* Exterior lighting shall have concealed light sources. Security lighting is allowed, if controlled by a motion detector and timer and oriented in a manner as not to result in excessive glare to neighboring properties. Sports court lighting must be specifically approved.
* Exterior colors and materials will be considered by the DRC in the context of each other and will not be approved individually. The DRC will grant preliminary approval based on the submitted color board. The DRC will not render a decision on such items on a “one-off” basis, but rather, will only render a decision if all exterior materials and colors can be evaluated in the context of one another.
* Upon receipt of approval from the DRC for any construction, installation, addition, alteration, repair, change or other work, the property owner who had requested such approval shall proceed to perform, construct or make the addition, alteration, repair, change or other work approved by the DRC as soon as practicable and shall diligently pursue such work so that it is completed as soon as reasonably practicable and within such time as may be prescribed by the DRC.

**Site Development Code**

The site Development Code serves as a guide to ensure that improvements blend with the natural ranch landforms, topography, and drainage patterns, both aesthetically and functionally. The variety of landforms and topography in LVRE requires sensitively different site development for each parcel.

**Disturbed Area**

* The applicant shall submit to the DRC the area of the parcel proposed for improvements including homes, garages, site walls, parking areas, patios, gazebos, guest homes, barns, arenas, gardens, yards, pools, water features, fireplaces, embellished landscaping, drainage improvements, clearing/grading, driveways, etc. The proposed plan shall clearly indicate which areas of the parcel are to be disturbed and which areas are to remain undisturbed. The DRC may require the applicant to stake the proposed disturbed area for field inspection.
* The proposed disturbed area should be designed to accommodate the contemplated improvements and preserve natural site features and drainage patterns. The DRC will, upon review of the applicant’s submission, determine an approved disturbed area for the proposed parcel development. The area outside of the approved disturbed area shall not be altered unless approved by the DRC. Removal or alteration of vegetation outside of the approved disturbed area to create view corridors is prohibited.
* Unless otherwise approved by the DRC as provided herein, the maximum disturbed vegetation, trees, brush, and grassland is to be no more than 20% of the parcel size.
* Temporary modifications to the non-disturbed area may be granted at the discretion of the DRC for construction and temporary access purposes, as well as for minor grading and drainage requirements. These areas must be restored to approximate the natural topography and planted with native vegetation of appropriate types and densities. When calculating for design review, these temporary areas do not need to be included in the disturbed area but should however be indicated in the exhibits.

**Driveways**

* Prior to the start of construction, an approved driveway apron of asphalt or concrete must be completed to protect the integrity of the LVRE roads. The apron shall be a minimum of 16' wide at the road, with a minimum depth of 8' as measured from the edge of the road.
* The Applicant shall propose the location of the driveway in the overall context of the site improvements and natural features.
* For each parcel, the number of driveways should be kept to a minimum and must be approved by the DRC.
* Driveways should intersect the roadway at an approximate right angle and be flared at the intersection.
* Driveways must have a compacted sub-base of not less than 4” of engineered material at 90% compaction and must have an unobstructed width of at least 12’ beyond the apron.
* If decomposed granite is used for the driveway material beyond the apron, it must be stabilized, treated with dust control, and be a color approximately that of the ground it covers.

**Minimum Building Footprints**

The following refer to the minimum heated and cooled footprint of the primary residence on the Parcel.

* The Residential Unit (i.e., primary residence) shall be constructed with a livable area of no less than 2200 square feet, exclusive of open porches, ramadas, patios, balconies, pergolas, detached garage or attached garage.
* There is no maximum footprint for a house.
* All Single-Family Residences (SFR) in LVRE must have at a minimum, a two (2) car garage with a minimum of 576 square feet (24' x 24' is recommended).

**Guest Houses**

* The DRC, through the Design Review Process, may grant a property owner the right to construct a primary residence and a single guest house on a parcel. A property owner that owns multiple parcels may build the guest house on any of their parcels, however only one guest house per primary residence will be allowed. The guest house must meet minimum size standards imposed by Yavapai County building code requirements and be consistent with the design guidelines presented in this document.
* Primary residences must be completed and occupied prior to construction of guest houses unless specifically authorized otherwise by the DRC.
* A Construction Deposit up to $4,000 (or amounts as adjusted from time to time) may be required if the guest house is designed and built after the primary residence is complete or if a different General Contractor is used for the construction.

**Outbuildings**

* The DRC, through the Design Review Process, may grant a property owner the right to construct outbuildings on a parcel; these include detached garages, barns, workshops, loafing sheds, etc. The outbuilding(s) must meet building standards imposed by Yavapai County building code requirements and be consistent with the design guidelines presented in this document.
* Primary residences must be completed and occupied prior to construction of outbuildings unless specifically authorized otherwise by the DRC.
* A Construction Deposit up to $4,000 (or amounts as adjusted from time to time) may be required if the outbuildings are designed and built after the primary residence is complete or if a different General Contractor is used for the construction.

**Sitework**

* Sitework must achieve an on-site balance of cuts and fills. In many cases, this will require improvements to be stepped to follow existing contours.
* Cuts and fills shall be executed in a manner that results in natural looking transitions from natural to engineered grade.
* Finished grade shall lie against vertical improvements as closely as possible to the original angle and elevation of the slope.
* Significant cut and fill operations should be avoided, and if approved, contained within retaining walls or within the improvements themselves.
* The maximum disturbed area for sitework is to be no more than 20% of the parcel size.

**Drainage**

* The DRC may require the Applicant to provide a grading and drainage plan for the parcel, prepared by an Arizona licensed civil engineer. The plan shall clearly indicate the method of conveyance for drainage flows, as well as identify the rate and velocity of runoff flows, direction and degree of slope, soil characteristics, or other considerations and include any documentation necessary to support the conclusions. The DRC may also require the Applicant to provide a formal engineer’s drainage report.
* Site drainage improvements shall be designed and constructed to result in a minimum disruption of the natural drainage patterns of the parcel. While it will be necessary to direct drainage flows around site improvements, flows entering and exiting the parcel shall remain in their historical locations and reasonably close to their historical flows.
* Surface drainage shall not be redirected onto adjacent parcels or roads except as established in the original undeveloped condition of the parcel. No condition shall be caused that will lead to erosion, pooling or backwater, or redirection of flows on adjacent parcels.
* Soil erosion in disturbed areas shall be controlled using plant materials, native rock, or other effective methods that are natural in appearance. If riprap or other rock-type erosion control is proposed for significant drainage ways, the placement of such materials must result in a natural appearance.
* Existing drainage patterns must be maintained where the driveway intersects the street. The DRC may require a culvert structure to be designed by a registered civil engineer and incorporated into the site drainage analysis.
* Acceptance of a grading & drainage plan by LVRE does not warrant such plan for performance. Such acceptance does not cause the Association, or the DRC to be liable or responsible to the individual property owner or others with respect to the adequacy of the engineering. DRC acceptance does not reduce or eliminate the obligation of the individual property owner to be responsible for damages arising from the changes in existing or engineered conditions, and such acceptance does not reduce, or change the responsibility of the individual property owner for complying with legal and jurisdictional requirements. Any damage that may occur on any other parcel or roadway resulting from the change in the existing drainage will be the responsibility of the individual property owner of the parcel on which the change was made.
* In addition to the standard construction fees and deposits, at the DRC’s discretion, the applicant may be required to pay a $500 fee for the review of the parcel grading and drainage plan to ensure compliance with these standards.

**Landscape Design Code**

Las Vegas Ranch Estates seeks to achieve a developed environment that appears at home in and

compatible with its ranch setting. The parcels and roadways of LVRE have been deliberately sited to preserve existing natural features such as washes, ridges, and stands of pinions, junipers, and Arizona black walnuts. Areas necessarily disturbed as part of a parcel development process (the disturbed area) should be restored and designed using native plants. The area of the parcel outside of the disturbed area is encouraged to remain in its natural condition. Embellishment of this natural area with native plant species may be approved by the DRC. Otherwise, alteration of the non-disturbed area, including for the creation of view corridors, is discouraged.

**Landscape Lighting**

Landscape lighting should be used to supplement the enjoyment of functional outdoor spaces and create a dramatic yet subtle nighttime environment. Landscape lighting should not overwhelm or wash out the romance and tranquility of dark skies enjoyed at LVRE.

* Las Vegas Ranch Estates encourages the use of down-lighting (moonlight effect) where possible in lieu of ground mounted spotlights. This effect can be used in conjunction with up-lighting in areas closer to structures and can also be used by itself to provide a more subtle effect in areas away from structures.
* Bollards or other low fixtures located along driveways or pedestrian paths should be strategically located to avoid a patterned “runway” look. Light sources should be effectively shielded.
* Lighting outside of the disturbed area of a parcel is prohibited.
* Lighting fixtures and associated hardware should be constructed of heavy-duty materials and blend into the landscape.

**Miscellaneous**

* All disturbed areas shall employ landscape grading that approximates the existing topography of the adjacent landscape.
* Revegetated and landscaped areas should be irrigated until able to sustain itself.

**Variances, Diminution**

The DRC may, at its option and in its sole discretion, grant variances to the restrictions in the Design Guidelines, except where a restriction is also contained in the Covenants, Conditions, and Restrictions (CC&Rs). A request for a variance contained in the CC&Rs must be considered in accordance with the provisions of Article 3.29 of the CC&Rs.

**Design Review Process**

The Las Vegas Ranch Estates Design Review Process is structured to provide a timely review of

completed applications, coherent and consistent application of the design guidelines, and practical guidance where needed so a property owner can achieve final approval and implement his development plans.

**Design Review Committee**

* Design Submittals are reviewed by the appointed Members of the DRC, who have demonstrated an appreciation and understanding of Las Vegas Ranch Estates.
* Review Hearings allow Applicants to discuss design issues openly with the DRC, and therefore avoid miscommunication between the Design Review Committee and the applicant.
* The DRC shall have at least one member that also serves on the Board of Directors
* One member will be appointed to chair the DRC and will manage the overall Design Review process.
* The presence of two (2) Committee Members at a Design Review Hearing comprises a quorum.
* The DRC shall be supported by a Design Review Administrator (HOAMCO) whose responsibilities may include scheduling, notifications, correspondence, record keeping, collection of fees, construction inspections and other duties as may be assigned from time to time.

**Design Review Process – For New Construction or Rebuilds of the Main Residence on a Lot**

 **Pre-Design to Approval of Plans**

* A Pre-design Conference with a DRC representative is encouraged if the applicant believes there are unique limitations and opportunities that affect the planning of the proposed construction on their parcel.
* The Preliminary Review focuses specifically on the siting, massing, and general character of the structures, and the disturbed / undisturbed area. A checklist for the Preliminary Submittal items is found in this section.
* The DRC will hold a final design approval meeting for the purpose of issuing written approval of the plans, and the property owner or property owner’s agent may attend the meeting.
* The final review should reflect evolution of those items discussed at the Preliminary Review, plus reflect final landscaping, grading and drainage, and exterior materials and finishes, and any additional items the DRC deems necessary to complete the design review process.
* Informal meetings are available to Applicants to gain feedback from the DRC and discuss design solutions as necessary before spending the resources to assemble official submittal packages.

**Construction Review**

* The DRC will conduct at least two on-site formal reviews during construction for the purpose of determining compliance with the approved plans. One of these on-site formal reviews may be the final inspection discussed below. The property owner or property owner’s agent may attend both formal reviews. Within five business days after the formal reviews, the DRC will cause a written report to be provided to the property owner or property owner’s agent specifying any deficiencies, violations or unapproved variations from the approved plans as amended and that have come to the attention of the DRC.

**Final Inspection**

* Within forty-five days after issuance of a certificate of occupancy for the improvements, property owner must contact the Association’s community manager to request a final inspection to assure compliance with the approved plans. The property owner or property owner’s agent may attend the final inspection.
* Should the improvements be found in compliance with the approved plans, the property owner will be notified and any deposits will be returned, less any permissible deductions.
* Should the improvements not be completed in compliance with the approved plans, the property owner or property owner’s agent will be notified of the deficiencies and the Association may hold any deposits for one hundred eighty days or until receipt of a subsequent report identifying how the improvements have been brought into compliance, whichever occurs first. If a report of construction compliance is received before the one hundred eightieth day, the DRC shall promptly release the deposit monies to the property owner. If a compliance report is not received within one hundred eighty days, the DRC shall release the deposit monies promptly from the trust account to the Association.
* When all improvements have been brought into compliance, as determined by the DRC, the Association will issue a final letter confirming compliance and completion of final inspection procedures.

**Deposits**

The Association will place all construction deposits in a trust account. The cost of the trust account will be shared equally between the Association and the property owner. Any interest earned on the deposits shall become a part of the deposit. If the construction project is abandoned, the Association may determine the appropriate use of the deposit.

**Submittal Requirements**

**Preliminary Submittal Requirements**

**Provide copies of the following as required below:**

* Submittal Fee: **Specified in Appendix F which is adjusted from time to time by the Association.** (Checks made payable to Homeowners Association Management Company-HOAMCO). Please verify with HOAMCO the current fees prior to submitting. At the DRC’s discretion, a Submittal Fee may be required for a guest house or outbuildings if these are designed and built after the primary residence.
* Site Plan (2 copies): indicate site constraints of the proposed disturbed area including setbacks and easements, existing and proposed contours at **four-foot (4')** intervals, significant natural features, drainage plan showing conceptual drainage considerations and improvements, conceptual grading plan indicating cut and fills areas, all proposed improvements including, but not limited to residence, guest house, pavilions, walls, fences, terraces, walks, driveways, parking areas, patios, pools, utilities, barns, garages, stables, arenas, paddocks, etc. Indicate area to be disturbed and area to be undisturbed.
* Conceptual Landscape Plan (2 copies): provide preliminary plant list and planting plan, including tree sizes, show all proposed landscape materials, indicate all hardscape surfaces and proposed materials, indicate location and type of lighting fixtures. Indicate vegetation that is to be salvaged and to remain in place. Ensure that the area to be disturbed coincides with the Site Plan.
* Floor Plan (2 copies): indicate all proposed residential units or structures, clearly defining their function.
* Exterior Elevations (2 copies): provide scaled elevations for all sides of all structures, indicate proposed exterior materials and colors, indicate site or feature walls of any kind shown in plan and elevation, along with both natural and finished grades and top of wall elevations, indicate the elevations of roof peaks and tops of parapets, as well as the elevation of adjacent natural grades, provide two (2) black/blue lines.
* Roof Plan/Height Exhibit (2 copies): provide a roof plan superimposed over existing topo, indicate elevations of all ridges and parapets for each roof mass (including garages, guest houses, barns, and other ancillary structures), existing topo elevations must be clearly visible at 2' intervals, shade the roof area that is above the 18' base height, indicate the square footage of each roof mass, the square footage total for all roof masses, and the square footage total for roof masses above the 18 ' base height, indicate roof drainage methods and routes, indicate the pitch of all sloped roof masses.
* Sample Materials Board (1 copy): provide samples or photos of all exterior materials and colors on an approximately 11" x 17" presentation board, including stucco texture and color, trim work and detailing, roof treatment, stone type and coursing, driveway and other paving, wood treatment.

**Final Submittal Requirements**

* The Final Submittal consists of one (1) complete full-size set of construction documents at scale acceptable to the DRC for all site development, grading & drainage, architecture, and landscaping, with a narrative discussing the changes from the Preliminary Submittal.
* Amendments or changes to any of the Preliminary Submittal items as applicable.
* Building Sections (2 copies): Provide sections where relevant or per the DRC’s request.
* Complete and submit the Final Submittal Certification Form regarding the prohibition of rooftop equipment, reflective glass, exposed antennae or other equipment, or exterior flood-type lighting.
* 11" x 17" colored elevations or perspective with colors referenced to the material submitted.
* If applicable, an updated materials sample board.
* If requested by the DRC, submit a Drainage Report prepared by an Arizona licensed civil engineer, showing drainage calculations and sizing of drainage improvements.



**Appendix A
Premilinary Design Review Application Form**

**Lot #: \_\_\_\_\_\_\_\_\_\_\_ Acct: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Owner:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Architect:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Email:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Civil Engineer:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

***This application is considered complete only if all the documents and submittals, set forth in this document, are included*.**

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For Design Review Committee Use Only:

Submittal Date:

Meeting Date:

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**Preliminary Submittal Requirements**:

See Page 11, of the Design Guidelines for further explanation of the below requirements.

 Submittal Fee: $4,500 Payable to HOAMCO, Check #: \_\_\_\_\_\_\_\_\_\_\_

 Site Plan and Topography Plan (2 Copies)

 Floor Plan (2 Copies)

 Exterior Elevations (2 Copies)

 Roof Plan/Height Exhibit (2 Copies)

 Sample Materials Board (1 Copy)

\_\_\_\_ Conceptual Landscape Plan (2 Copies)

 CAD File (1 Copy)

***Failure to provide the above requirements shall result in the return of the Preliminary Design Review Application and suspension of the application process until compliance.***



**Appendix B
Final Design Review Application Form**

**Lot #: \_\_\_\_\_\_\_\_\_\_\_ Acct: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Owner:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Architect:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Civil Engineer:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

***This application is considered complete only if all the documents and submittals, set forth in this document, are included*.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_C

For Design Review Committee Use Only:

Submittal Date:

Meeting Date:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_C

**Final Submittal Requirements**:

See Page 12, of this document for further explanation of the below requirements.

\_\_\_\_ Complete Full Size Construction Documents (1 Copy)

\_\_\_\_ Amendments or Requirements from Preliminary Review

\_\_\_\_ Building Sections, If Applicable (2 Copies)

\_\_\_\_ Certification of Final Approval, Appendix C

 \_\_\_\_ Materials Sample Board Updated, If Applicable (1 Copy)

\_\_\_\_ Drainage Report, If Applicable (1 Copy)

\_\_\_\_ Project Completion Date Agreed to by Applicant and the DRC: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Failure to provide the above requirements shall result in return of Final Design Review Application and suspension of the Application Process until compliance.***

PROPERTY OWNER or REPRESENTATIVE SIGNATURE Date

 **Appendix C**

**Certification of Final Approval**

I hereby acknowledge and accept the conditions of Final Approval for the Design Review Application for Lot \_\_\_\_\_\_ of Las Vegas Ranch Estates. Unless otherwise approved in writing by the Design Review Committee, the Final Approved Design complies with all aspects of the Design Guidelines, which I have read and understand. I represent that the design has considered and assured the following:

* All mechanical equipment is ground mounted and concealed by site walls and/or gates.
* Skylights must have smoked or tinted glass with shades to comply with the dark sky philosophy.
* All exterior light sources use down-lighting or are shielded.

* The primary residence, guest house, and garage do not exceed maximum heights established in the Design Guidelines.
* Location and scope of improvements comply with the approved site plan.
* All disturbance is contained within the approved disturbed area and areas disturbed by construction which are outside the approved disturbed area shall be re-landscaped in an appropriate manner.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Applicant Signature Date

Include this form with Final Submittal



**Construction Regulations**

**Introduction**

The following construction regulations shall be adhered to for all on-parcel construction within Las Vegas Ranch Estates (LVRE). All builders, subcontractors, property owners and other persons shall be bound by these regulations. At its discretion, LVRE Property Owners Association (POA) may levy fines against the property owner or contractor or initiate legal action for violations of these regulations.

The contractor, property owner or representative thereof shall coordinate and schedule all construction activities to minimize interference, interruption and nuisance to residents and guests within LVRE. This includes, but is not limited to, activities that restrict the use of streets and common areas.

Construction Regulations apply to the construction of the primary residence, guest house, and any outbuildings.

**Pre-Construction Conference**

Prior to commencing construction, the contractor must meet at the parcel with a representative from the Design Review Committee (DRC) to discuss construction procedures and activities. The following must be completed by the property owner or contractor as a part of the Pre-Construction Conference:

* Delineate the area to be disturbed with yellow rope and re-bar or “t-posts.” Areas outside of the ropes must remain undisturbed, unless otherwise approved by the DRC.
* Submit a construction area plan showing the area to be disturbed, all improvements, on-site parking areas, trailer location (must be pre-approved), fire extinguisher locations, nursery, materials storage areas, portable toilets, and dumpster.
* Submit a signed “Acknowledgement of Construction Regulations” (included with this package as “Appendix E”).
* Submit a subcontractor list with subcontractor name and contact information.
* Submit a construction schedule.
* Provide a Construction Deposit as specified in Appendix F; these deposits are required from both the owner and the contractor. Checks should be made to LVRE POA. Deposits are refundable less any charges for road damages and/or construction rules violations upon Final Approval of construction activities. Additional Deposits are required for guest houses and outbuildings designed and built separately from the primary residence or constructed by a different General Contractor.

**Construction Access**

Las Vegas Ranch Estates is a private, restricted access community. All construction personnel must enter and exit the community through the Camp Wood Road gates only. Construction personnel and deliveries are prohibited from using the Fair Oaks Road gates and violations may result in fines. See Appendix D for the Construction Violations Fine Schedule. Exceptions may be allowed under certain circumstances but must be approved in advance by the DRC.

Transponder cards are available for purchase by the contractor, architect, or other such personnel that require more frequent access over the duration of construction.

Contractors, property owners, or representatives thereof shall be responsible for all damages, accidents, injuries, etc., caused by or resulting from the action and/or negligence of any persons or entities permitted access at the property owner’s or contractor’s request.

**Construction Hours**

Construction activities within LVRE are allowed between the hours of 6:00 a.m. and 6:00 p.m. Monday through Friday and from 8:00 a.m. to 3:00 p.m. on Saturday. The DRC maintains the right to amend these hours at any time. If it is necessary to conduct construction activities outside of these hours, approval from The DRC must be gained prior to these activities. If this is not worked out in advance, contractors will not be permitted access to the community until normal construction hours.

Construction activities are not allowed on Sundays or National Holidays. The DRC reserves the right to proclaim additional days as non-workdays. Construction-related deliveries are restricted to established construction hours as described above. Such deliveries are specifically prohibited on Sundays, National Holidays, declared non-working days, and before 8:00 am and after 3:00 pm on Saturdays. Exceptions may be allowed under certain circumstances but must be approved in advance by the DRC.

**Protection of Ranch Environment**

Las Vegas Ranch Estates seeks to preserve the natural landscape to maintain a rural, ranch character throughout the community. Areas of a Parcel that lie outside of the approved area of disturbance are to remain in their natural undisturbed condition, unless otherwise approved in writing by the DRC. At the request of the property owner/contractor, the DRC may approve the trimming or removal of dead or diseased branches and trees outside of the disturbed area. All plant debris resulting from construction must be immediately cleaned up and removed from the construction site.

Thproperty owner or contractor shall not trim or remove vegetation for the purpose of creating view corridors outside of the disturbed area. The DRC reserves the right to require additional, mature trees to be planted if trees were removed without approval.

**Signage**

A “builder” sign containing parcel number, address, and builder and architect information is required for identification purposes for each site. Upon receipt of a building permit, the sign should be placed in conspicuous location at the front of the parcel, at the driveway. As well, attractive, well-kept signs indicating jobsite rules may be placed in a location interior to the site and relatively inconspicuous from the street. Additional address identification, subcontractor, supplier, lender, or other signage is expressly prohibited.

**Inspections**

The DRC reserves the right to inspect parcel construction sites at any time during the construction process. It is the responsibility of the contractor to adhere to approvals gained through the design review process and to abide by construction site regulations. The contractor must pursue changes from the approved design in writing.

**Inspection for Final Approval**

An inspection is required for Final Approval of improvements. All exterior finishes, site work, landscaping and hardscape should be complete at this time and the site should be in its final presentation state. The Inspection for Final Approval will focus on several areas:

* Adherence to technical requirements of the Design Guidelines.
* Adherence to the approved design (material selections, execution of specific conditions resulting from the Design Review Process, etc.)
* Site condition (site clean and free of debris; common areas and road shoulders not disturbed or damaged by parking or other construction activity; graded areas comfortably transitioned to natural areas; no areas disturbed outside of approved area of disturbance; etc.)
* Maximum Height verification - of ridge and parapet elevations to assure compliance to maximum heights.

**Fire Safety**

The natural ranch landscape is delicate a subject to the risks of wildfires; therefore LVRE will aggressively inspect and enforce the following Fire Safety regulations. The LVRE POA reserves the right to a “zero tolerance” approach, and at its discretion, may ban contractors, sub-contractors, supplies or other personnel from the site for violation of the following regulations:

**In the event of a fire, immediately call “911” for emergency assistance.**

* All construction sites are required to have at least two fully always charged seven-pound minimum fire extinguishers on-site.
* **Outdoor smoking is strictly prohibited on construction sites – without exception**. Smoking is only permitted within vehicles.
* All personnel engaging in spark-producing activities such as welding or grinding are required to keep a minimum of two five-gallon buckets of water and a charged, always working fire extinguisher (seven pound minimum) within ten feet.
* Construction vehicles are required to have a minimum of one charged, always working fire extinguisher (seven pound minimum) on board.
* Absolutely no fires for the purpose of construction activities are permitted – without exception.

**Construction Site**

* Prior to construction, the contractor and/or property owner must place sand or a suitable material, on the shoulder adjacent to the drive that will be used as the primary site entrance to assure that large vehicles have a protected path if they need to swing wide to access the lot. Sand may be removed from Hitt Wash for this purpose with the approval of the DRC. This sand depth must be thick enough and run for a sufficient length to assure that the shoulder opposite the drive is not damaged during construction.
* Boundary Demarcation: The boundary of the approved area to be disturbed must be identified by tape or rope prior to and during construction, starting with the initial cutting in of the driveway.
* Construction Trailers: Construction trailers may be used for field offices or for storage with prior approval from the DRC. Any contractor who desires to set up a construction trailer shall indicate the location, size, color, graphics, temporary utility location, etc. on the construction area plan for approval by the DRC prior to installation of such facilities. ***Overnight occupancy of construction trailers is strictly prohibited****.*
* Storage: All material, tools, supplies, and equipment shall be kept within the area to be disturbed. All materials shall be neatly stacked.
* Sanitary Facilities: Contractors or property owners shall be responsible for providing drinking water and adequate sanitary facilities for construction workers. A portable toilet must be located on the parcel and remain there until all construction activities are complete. Portable toilets must be maintained on a regular basis.
* Parking Area: Vehicles shall be parked so as to not inhibit traffic or cause damage to the natural landscape. A location within the area to be disturbed will be designated for construction parking. Vehicles may not drive or park on the road shoulders. The repair or replacement of damaged plant material and irrigation lines adjacent to or near the parcel will be considered as a condition for Final Approval.
* Debris and Trash Removal: Construction sites shall be maintained in a safe, clean, and orderly condition always. Each site must have a commercial style dumpster capable of holding at least one week’s worth of construction debris. Contractors shall clean up all trash and debris on the construction site at the end of each day. Contractors, property owners, or representatives thereof are prohibited from dumping, burying, or burning trash anywhere within LVRE.
* Dust and Noise Control: The property owner or representative thereof shall be responsible for controlling dust and noise from the construction site.
* Security: The contractor for each site is responsible for securing their own tools and materials.
* Occupational Safety and Health Act (OSHA) Compliance: It is the responsibility of the contractor to understand and observe all applicable OSHA regulations and guidelines during the entire course of construction.

**Personnel**

**The property owner or representative thereof will be responsible for the conduct and behavior of builders, agents, representatives, contractors, and subcontractors per the following regulations:**

* All construction personnel shall maintain their appearance and conduct themselves in an appropriate manner.
* Workers shall not interfere with, nor create a nuisance for, any resident or guest of LVRE or interfere with the use, enjoyment and operation of the facilities and livestock in Las Vegas Ranch.
* Radios, audio equipment, horns, fireworks, and other unnecessary noise-producing objects are prohibited.
* Absolutely no pets, children, alcoholic beverages, illegal drugs, firearms, or other weapons are permitted on any construction site in LVRE at any time.
* Hunting within LVRE or Las Vegas Ranch is strictly prohibited. Violators will be subject to permanent eviction from the project and possible legal prosecution. No target practice is allowed using either firearms or bows.
* Speeding and reckless driving will not be permitted. A *maximum* speed limit of 40 mph shall be always observed. When approaching pedestrians and equestrians along the LVRE roadways a 10 mph speed limit must be observed. All property owners, and the contractors and subcontractors individually acknowledge that speeding fines of a minimum of $100 per incident may be imposed. **See Appendix D for the Construction Violations Fine Schedule**.
* The property owners, contractors, and subcontractors agree that the determination of a speeding violation shall be solely determined by the DRC and without a right of appeal by the property owner, contractor, or subcontractor.
* Concrete suppliers, plasterers, painters, or any other subcontractors may clean their equipment only within an area designated on the parcel wherein they are working. Runoff and debris from cleanup must not extend beyond the area of disturbance and is strictly prohibited on the roadways or common areas. The cost to mitigate such dumping will be deducted from the construction deposit.
* Gates: Contractors shall acquire gate access cards from the Association Manager via HOAMCO. These cards are to be returned upon final approval of construction from HOAMCO. NO GATE ACCESS CODES ARE TO BE USED AT ANY TIME BY CONTRACTORS, SUB-CONTRACTORS OR FOR DELIVERIES.



**Appendix D**

**Construction Violations Fine Schedule**

As noted in the Introduction to this document, the Design Review Committee (DRC) at Las Vegas Ranch Estates (LVRE) is tasked with these primary responsibilities:

* Establish and maintain architectural and construction guidelines that preserve and enhance property values.
* Work closely with property owners to address problems, ensure compliance with architectural and construction guidelines, and facilitate the successful completion of construction projects.
* Manage construction vehicle access, protect the roads, and ensure the safety and security of the residents during construction.
* Minimize the impact of construction activities on neighbors and surrounding environs.

To fulfill these important responsibilities the DRC is empowered by the Declaration and the LVRE Board of Directors (BOD) to:

* Amend these Architectural Design Guidelines as necessary.
* Impose other restrictions as required to enforce architectural guidelines, construction requirements, and the construction process (see Appendix D for the Construction Violations Fine Schedule).
* Submit Fine Notices to the BOD for consideration and approval in the event of design or construction violations.

The property owner is ultimately responsible to ensure that the architectural guidelines and construction requirements and regulations are met and that any fines are paid.

**Fine Notification**

Once the DRC identifies a violation, the DRC has the authority to either issue violation notices orrecommend to the BOD that a fine be imposed upon a property owner, a contractor, or both. Fines start at $100 and may increase to $1,000 under certain conditions. These conditions include, but are not limited, to the following:

* Willful negligence
* Uncooperative response
* Repeat occurrence
* Previous multiple violations
* Egregious behavior
* Damage to roads or gates
* Speeding
* Reckless driving
* Potential or real impact to LVRE Residents
* Existing unpaid fines

In addition to a fine, a property owner or contractor will be billed for repair costs to roads, gates, or signs.

Some fines may accumulate daily until the violation is cured. Repeated violations may also result in the denial of work at LVRE.

When the DRC identifies a violation, the DRC will provide either a written **Violation** **Warning** **Notice or Violation Fine Notice** to both the contractor and the property owner. For a Violation Warning Notice, the contractor or property owner must correct the violation within the time frame provided in the notice or inform the DRC why it cannot be corrected within that time frame. If neither of these conditions are met, the DRC may request the BOD to impose a fine for the violation. As noted, **Repeat Violations** may result in the imposition of additional fines and/or legal action by the Association.

If a fine is issued, the contractor or property owner can request a hearing with the Board of Directors (BOD) to appeal the fine. A majority of the BOD can then approve, reject, or modify the fine. In the event the BOD cannot agree, the Association attorney will be contacted for the purpose of mediation.

**Fine Payments**

All fines must be paid within 10 days of the **Violation Fine Notice**. Fines not paid within 10 days are subject to a 20% penalty and interest charges. Any unpaid fines, plus penalty and interest, will be deducted from the construction deposit at the completion of the project (see Appendix F). However, at any time that charges to the construction deposit exceed the balance, the contractor or owner must refund the construction deposit to the original amount (Appendix F) or construction activities may be halted.

**Payment to Repair Roads, Gates, or Signs**

A property owner or contractor will be billed for costs to repair roads, gates, or signs that were damaged during construction activities. These costs must be paid within 10 days of the **Invoice Receipt**. Invoices not paid within 10 days are subject to a 20% penalty and interest charges. Any unpaid invoices, plus penalty and interest, will be deducted from the construction deposit at the completion of the project (see Appendix F). However, at any time that charges to the construction deposit exceed the balance, the contractor or owner must refund the construction deposit to the original amount (Appendix F) or construction activities may be halted.

**Violations**

The following is the list of violations that may result in a warning or a fine of $100 to $1,000; some violations, as noted, may incur both an initial fine and daily charges until the violation is cured. Special circumstances and requirements are also noted. The Design Review Committee (DRC) may modify this list as necessary.

|  |  |
| --- | --- |
| **Violation** | **Notes** |
| Starting construction prior to DRC approval  | Pre-construction meetings are mandatory for primary residences, guest houses, and all outbuildings. Minimum $500 Fine. |
| Construction Vehicles entering LVRE at Fair Oaks  | Minimum $100 Fine. |
| Delivery Vehicles entering LVRE at Fair Oaks  | General Contractors and Property Owners are responsible for ensuring all suppliers are aware that they must only use Camp Wood Road to access the job site. Minimum $100 Fine. |
| Working Hours Violation:  | No work before 6:00 am or after 6:00 pm Mon-Fri and 8:00 am-3:00 pm Sat. No work on holidays or Sundays. Saturday construction prohibits use of heavy equipment or loud power tools. Minimum $100 Fine. |
| Speeding  | The property owners, contractors, and subcontractors agree that the determination of a Speeding violation shall be solely determined by the DRC and without a right of appeal by the property owner, contractor, or subcontractor. Minimum $250 Fine. |
| Reckless Driving  | The property owners, contractors, and subcontractors agree that the determination of a Reckless Driving violation shall be solely determined by the DRC and without a right of appeal by the property owner, contractor, or subcontractor. Minimum $250 Fine. |
| Playing of Radios (not permitted on construction site)  | Minimum $100 Fine. |
| Smoking outside of a vehicle:  | Minimum $100 Fine. |
| Burning of any materials, trash, or debris on the job site  | Minimum $250 Fine. |
| Any changes to DRC approved plans without approval  | Minimum $500 Fine. |
| Failure to complete residence within 3 months of the agreed upon schedule; the present schedule is 18-24 months.  | The clock starts when construction starts. Minimum $500 Fine. |
| Failure to complete apron at permanent driveway location according to the agreed upon schedule  | Minimum $250 Fine. |
| Construction fencing not properly erected or properly maintained  | Minimum $100 Fine. |
| Dumpster or portable toilet not installed or installed in an unapproved location  | Minimum $100 Fine. |
| Building materials or equipment outside of property line  | Minimum $250 Fine. |
| Improper disposal of trash or building materials  | Minimum $250 Fine. |
| Mud, dirt, oil or concrete on road, adjacent property, or street \_\_\_\_\_  | Minimum $100 Fine. |
| Parking on adjacent property or common areas or restricting traffic  | Minimum $100 Fine. |
| Overnight parking on streets or common areas of vehicles, equipment, or trailers  | Minimum $100 Fine. |
| Pets or family members on constructions site without permission. | Minimum $100 Fine. |
| Alcoholic beverages, drugs, or firearms on construction site or LVRE property  | Minimum $500 Fine. |
| Trespassing on adjoining lots  | Minimum $250 Fine. |
| Less than 2 fire extinguishers or other unsafe condition(s)  | Minimum $100 Fine. |



##  **Appendix E**

Acknowledgment of Construction Regulations

CONTRACTOR: PARCEL#:

CONTACT PERSON: PHONE #:

I acknowledge I have read and understand the Construction Regulations including the Fine Schedule for Las Vegas Ranch Estates (LVRE). I commit to observe these regulations and acknowledge that the Property Owners Association has the authority to halt construction activities at my site for violations of these requirements.

I acknowledge all suppliers, subcontractors, and consultants for this project are my responsibility, and therefore I will ensure they understand and abide by these regulations, specifically including the requirement to enter and exit the site through the Camp Wood Road gates only.

I understand my obligation to the marketing efforts of the community and to the residents of LVRE to keep an orderly, clean, and safe jobsite always. My personnel will regularly assess the condition of the site and take measures to rectify unsightly conditions.

I acknowledge that fines may be issued pursuant to the Fine Schedule in Appendix D for all violations of the construction regulations.

I acknowledge that I am responsible for repair costs to roads, gates, or signs that resulted from construction activities.

I agree to pay all fines or repair costs confirmed after any appeal within 10 days. I understand any unpaid fines or repair costs may be subject to a penalty and interest and will be deducted, without appeal, from my construction deposit.

I agree to refund the original Construction Deposit at any time that the pending charges against the Deposit exceed the balance.

SIGNATURE: DATE

***Please submit this form at the Pre-Construction Conference***.

****

**Appendix F**

Summary of Construction Fees\*

Construction Deposits are required from both the Property Owner and the General Contractor. If the Property Owner also assumes the role of General Contractor, the Property Owner is responsible for both deposits (e.g., $13,000 for the Construction Deposit on a Residence Construction).

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **Property Owner** |  **General****Contractor** |
|  | **Residence Construction** |  |  |
|  |  Preliminary Submittal Fee | $4,500.00 |  |
|  |  Construction Deposit | $6,500.00 |  $6,500.00 |
|  |
|  |  |  |  |
|  | **Guest House Construction** |  |  |
|  |  Construction Deposit | Up to $4,000.00 | Up to $4,000.00 |
|  |  |  |  |
|  | **Outbuildings Construction** |  |  |
|  |  Construction Deposit | Up to $4,000.00 | Up to $3,000.00 |
| ***\*All fees are subject to periodic adjustment. Above fees are as of 9/1/2023.*** |