

# WEST SAHARA COMMUNITY ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

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## I. INTRODUCTION

As provided in the By-laws of the West Sahara Community Association, the Board of Directors has appointed a five member Architectural Review Committee (ARC) to implement the duties of the Board as defined in Article XII of the Master Declarations of Covenants, Conditions and Restrictions (CC&Rs).

The committee has developed the West Sahara Community Association Architectural Standards and Guidelines to preserve the Architectural style established by the Builders 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

## II. PURPOSE

The ARC has been established to assure the continuity in design which will preserve and improve the West Sahara Community Association, and aid in ensuring preservation of property values. ARC members will be appointed by the board of directors and will consist of a 5 person committee per our documents.

The ARC reviews all plans for exterior improvements contemplated for lots in the West Sahara Community Association. "Improvements" would include, but not be limited to, additions, modifications, and alterations (including paint colors) to single family residential dwellings, multi family residential dwellings, commercial buildings, fences, walls, patio covers, gazebos, pools and spas, play and sport equipment, as well as landscape planting, all masonry, and gates.

The ARC meets on a regular basis to review requests. Architectural Review Request forms (Exhibit A) 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 Property Management Office. Or by logging onto our web site @[www.westsaharacommunityassociation.com](http://www.westsaharacommunityassociation.com)

Impact statements from surrounding owners does not imply consent just that the neighbor (s) has been notified of such change.

## III. VIOLATION & ENFORCEMENT

Failure to submit complete plans to the ARC for review and approval prior to beginning construction, or to complete improvements according to approved plans are violations of the CC&Rs. Construction or installation of improvements may not commence until the ARC has approved your request in writing. The installation or construction of improvements which have not been approved is a violation to the CC&Rs and subject to action by the Board of Directors.

PLEASE NOTE: The ARC or management will be happy to assist with the submittal process, interpretation of related CC&Rs' provisions, and these Guidelines.

## IV. WSCA ARC GENERAL GUIDELINES

1. Any condition or material not specifically defined herein shall become a matter for the consideration and determination of the ARC.
2. Approval by the ARC does not constitute waiver of any requirements applicable governmental agencies.

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3. ARC approval does not constitute acceptance of any technical or engineering specifications or governmental requirements. The function of the ARC is to review each submittal for conformity and esthetics to the intent and provisions of the CC&Rs. Violations or non-compliance issues are not in the scope of ARC. All violations and non-compliance issues will be dealt with by the West Sahara Community Association Board of Directors.
4. Approval of plans is not authorization to proceed with improvements on any property other than the applicant's.
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 WITHOUT PRIOR APPROVAL IS PROHIBITED.** Access for equipment used in construction must be over or through the applicant's property where possible. In the event construction requires use of adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with the plan submittal. In the case of the adjoining property being common area, applicant is required to submit a minimum deposit of \$1,000.00 to the Association. Applicants will receive their deposit back from the association only after the work in question has been completed and is inspected by the association's inspector. Streets may not be obstructed with equipment or building materials.
7. All work must be performed in a manner consistent with the standards of the original residence construction and appearance. Any work performed that is sub-standard quality to the established community of West Sahara will be reworked to an acceptable appearance at the owner's expense.
8. Submittal of color samples of any paint or stain is required when they deviate from the original colors of the residence.
9. **NEIGHBORHOOD IMPACT STATEMENT (Exhibit B).** The Neighborhood Impact Statement is designed to obtain input from neighbors regarding any improvements which may have an effect on the use, 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 ARC retains full discretion and authority to make decisions concerning the acceptance, rejection or other aspects of any application. The ARC will not be compelled or bound to approve or disapprove any application or conditions by virtue of the opinions, rejection or acceptance of any proposed improvement or application by neighbors of the applicant. All ARC rejections can/ may be appealed to the board of directors, at which time the board may stay or approve the applicant's request.

The Neighborhood Impact Statement may be required and submitted with the Architectural Review Request (Exhibit A) for improvements that will affect your neighbor. Improvements such as gazebos that exceed the height of the nearest property wall, requests for variances, building additions, and change in painting scheme, will/ may require a Neighborhood Impact Statement. The property management company or any member of the ARC will be happy to assist in determining the need for a Neighborhood Impact Statement. These forms may be acquired by logging on the web site at [www.westsaharacommunityassociation.com](http://www.westsaharacommunityassociation.com) or contacting our management company. 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" could refer to two or three neighbors across the street facing the side of the residence, as well as neighbors directly across the street

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facing the residence. "Adjacent" refers to adjoining properties, and "Rear" refers to properties adjoining the rear property line of the applicant's property.

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

## V. ARCHITECTURAL DESIGN & MATERIALS STANDARDS

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

1. **LANDSCAPING:** Landscape must be installed on all unimproved areas of a Lot(s) visible from dedicated streets and or Common Areas and at grade level of adjoining lots within six months of the initial occupancy of a residence by the first occupant after issuance of the final certificate of occupancy.

Failures to install and/or maintain landscape improvements are violations of the provision of the CC&Rs and will be enforced by the Board of Directors.

1. Landscape is considered an integral part of the overall residence. As a design element, consideration must be given to the relationship to adjacent houses and surrounding area.
2. All landscaping, planting, and installation of permanent irrigation systems by an owner shall remain aesthetically consistent with the design and plan of the community. No irrigation or yard light wires/tubes may be visible. Either plant material or some other type of ground cover must be used cover the wires or tubes for irrigation and yard lighting.
3. Each owner is responsible for providing proper drainage per city ordinances. Approval of plans 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, thereof. Any owner that damages the city sidewalk for any reason is responsible for any and all repairs per City of Las Vegas municipal code 1356.
4. Professionally installed decorative concrete curbing, plastic or wood edging and bender board installed must have ARC approval prior to installation.
5. The use of decorative rock along with xeriscaped yards is permitted and is encouraged. Weed control must be addressed. The lack of weed control maintenance will constitute a violation and must be dealt with by the board of directors. All xeriscape landscaping must follow the Southern Nevada Water Authority (SNWA) guidelines. Guidelines may be found on the SNWA web site <http://www.snwa.com/html/wsl.html> or by calling the SNWA directly. ARC approval is required.
6. Front yard xeriscape landscaping consisting of decorative rock only is not prohibited. The front yard landscape plan must be submitted to the ARC for review and approval, and must include shrubs and/or trees and necessary irrigation and follow the SNWA / guidelines. SNWA guidelines can be found on the SNWA web site at <http://www.snwa.com/html/wsl.html>
7. Artificial turf/grass is constantly changing. Vendors are upgrading the product and look of artificial turf/grass, all artificial turf/grass submittals will be considered on a case by case basis. We do not recommend any brand since brands and quality of brands may change.

## 2. FENCING AND GATES

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1. All fence construction, extensions, color, and finish materials not installed as a part of the original construction of the residence require prior written approval of the ARC.
  2. Stuccoed walls must be painted one color and remain well maintained. Retaining walls to be stuccoed must be water-sealed.
  3. The following fence or gate materials are generally unacceptable:
    - A. Sheet metal
    - B. Wire
    - C. Metal or nylon coated chain link Plastic or fiberglass panels
    - D. Plastic webbing, reeds, or bamboo Glass block and panels
    - E. Woven bender board
    - F. Wood fencing
    - G. Double property line fences Concrete (pre-cast & cast in place)
  4. Fencing shall not exceed six feet in height measured from the highest adjacent lot unless approved by the ARC.
  5. Fences, hedges, tennis court type fences constructed of woven wire, vinyl-clad mesh exceeding 7' in height but no higher than ten feet measured from the highest adjacent lot may be approved. The ARC must evaluate and approve the location on the lot and that the lot can accommodate the structure without annoyance to or detrimental effect upon adjoining lots. A Neighborhood Impact Statement may be requirement.
  6. Yard landscape plans, including fencing for corner lots, must comply with the requirements of governing agencies. Walls and shrubbery on a corner lot must be installed and maintained in accordance with the governing agency's "clear site" ordinance.
  7. Notwithstanding the prohibitions listed in Section II(C), a matching color mesh fencing material, either metal or plastic, may be installed over an existing gate for the purpose of preventing small domestic animals from leaving a back or side yard.
- 3. PATIO COVERS AND GAZEBOS**
1. All plans for patio covers and gazebos must be submitted to the ARC for review and approval.
  2. Minimum set back requirements must meet those established by the governing agency.
  3. Surface colors or finish materials must match or harmonize with the existing colors and materials of the original residence.
  4. Structures may be of wood, "Alumawood"-type or stucco construction with the exception of vertical supports which may include other materials as permitted by governing codes. Horizontal covers shall be constructed of wood. Alumawood, or match the roof of the existing dwelling.
  5. Unacceptable construction materials for patio and awning structures shall be: Galvanized metal or aluminum structures, corrugated plaster and fiberglass, plastic webbing, or straw-like materials.

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6. Unacceptable construction materials for gazebo structures shall be: metal structures, corrugated plaster and fiberglass, plastic webbing, straw-like materials, canvas structures, unless used as a temporary structure for a particular event limited to no more than 48 hours

## 4. POOLS, SPAS AND RELATED EQUIPMENT

1. If the pool or spa can't be seen from a WSCA common area or from the street, no ARC approval is needed.
2. Pool/spa equipment must be screened from the view of adjacent properties, common areas and street view.
3. Rear and side yard setbacks must meet the requirements of the governing agency.
4. Pool equipment may not create a noise nuisance.
5. All and any damage to common areas or adjacent properties must be restored after construction has been completed.

## 5. OTHER STRUCTURES

1. Room additions decks, balconies or any exterior alteration to any building require approval by the ARC. Plans must be drawn by a qualified professional. Such structures must be constructed with materials that conform to type. Quality and detailing established in the construction of the original residence. A Neighborhood Impact Statement may be required by ARC. Minimum setback requirements must be met.
2. Visible storage sheds and utility buildings require approval by the ARC. Plans for permanent accessory structures must be drawn by a qualified professional and built to match the residence in materials and architectural style. Neighborhood Impact Statement must be submitted; minimum set back requirements must be met.
3. All backyard improvements that are lower than the fence line may not need ARC approval if not visible from the street or a common area. All patio covers and above fence line structures will need ARC approval prior to starting construction.

## 6. OTHER MODIFICATIONS

1. The colors of security bars and Rolladen-type shutters on windows and doors should be painted to match the original color of the residence or to match the original window frames. Per NRS 116 no ARC approval is need to install these types of shutters. If the color of the shutters in question vary from the house/original color then ARC approval will be required to approve the color only.
2. Exterior lighting, excluding landscape accent lighting, must be approved by the ARC. Low wattage lights are recommended where the fixture will impact a neighbor. Holiday lighting must be removed within a reasonable period of time after the holidays (30 days).
3. Screen door installations must match the colored of the residence door or window frames. If these conditions are met no ARC approvals needed.
4. Solar screens do not require approval of the ARC if one of the following approved colors is used. All other colors must be approved by the ARC. Silver Grey; Bronze; Black; Dark Bronze Gold; Charcoal or Beige.

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5. Window tinting does not require the approval of the ARC if the color is light, medium or dark, smoke grey. All other colors must be approved by the ARC. Mirror or reflective finishes are prohibited.
6. 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. Specific concerns of the committee will be color of the materials being used in relation to the roof color and visibility from public streets, neighboring properties, and common area. The equipment must be professionally installed in a symmetrical configuration. The ARC may require Neighborhood Impact Statements from other owners in the general vicinity.
7. Awnings whose design material and color must be harmonious with the existing architecture. Since awnings are above the fence line this must have ARC approval prior to construction. Awnings must be well maintained.
8. Air conditioning units or equipment - any exterior air conditioning equipment such as roof and window mounted units or swamp coolers, other than the equipment installed as a part of the original residence, must be approved by ARC.
9. Exterior paint - Any change in color from the original exterior colors of any residence must be approved by the ARC.
10. Signs - The CC&Rs provide for the use of signs "For Sale" type sign on a residential lot, to be located at the residence. All others must be approved by the ARC. Political signs shall be allowed prior to any primary or general city, county, state or federal election, but must be removed the morning after any election. If these conditions are met no Arc approval is needed.

## VI. ARCHITECTURAL STANDARDS AND GUIDELINES

### PROCEDURE FOR OWNERS WHO HAVE INSTALLED OR CONSTRUCTED IMPROVEMENTS WITHOUT ARC APPROVAL.

THE CC&RS REQUIRE THAT ANY IMPROVEMENT VISABLE FROM THE STREET OR A COMMON AREA MUST BE APPROVED BY THE BOARD OF DIRECTORS OR ARC PRIOR TO INSTALLATION. ANY IMPROVEMENT THAT HAS BEEN INSTALLED WITHOUT APPROVAL IS IN DIRECT VIOLATION OF THE CC&RS AND SUBJECT TO ENFORCEMENT AND WILL BE TREATED AS ANY OTHER VIOLATION OF THE CC&RS PER OUR GOVERNING DOCUMENTS. THIS WOULD REQUIRE BOARD ACTION.

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

Cooperation with the following process is necessary to ensure compliance with the provisions of the CC&Rs and to circumvent the possibility of applicable penalties for existing violations.

IMPROVEMENT WITHOUT PERMIT - In the event the improvement in question was installed or constructed without first getting approval from ARC will constitute a violation. Until approval is granted by the Board of Directors said owner may/can be placed in violation for not applying prior to installation. This is a board action.

IMPROVEMENT WITH A PERMIT – Once the owner has obtained all the City permits needed for their project, they are ready to apply to ARC for approval. WSCA is not responsible for the applicant getting the proper permits from The City of Las Vegas.

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1. Architectural Review Request (Exhibit A)
2. Neighborhood Impact Statement (Exhibit B), if applicable
3. Notice of Completion

## **VII. AMENDMENTS TO ARCHITECTURAL STANDARDS AND GUIDELINES**

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. Any property owner or other member of the association may submit recommended changes 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 amendments will be made available to the membership.
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 any provision of the Architectural Standards and Guidelines and the CC&Rs, the provisions of the CC&Rs shall prevail.

## **VIII. NON-LIABILITY FOR APPROVAL OF PLANS**

ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building codes, standards and ordinances, or other governmental agency regulations or restrictions. By approving such plans and specifications, neither the ARC, the members thereof, the Association, any member thereof, the Board of Directors, or any member thereof, the Declarant, the Property Management Company, or any agent or employee of any of them, assumes any liability or responsibility or for any defect in the structure constructed from such plans or specifications nor shall any of them be liable to or responsible to any owner, any occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (i) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (ii) the construction or performance of any work, whether or not pursuant to the approved plans, drawings, or specifications.

## **IX. ARC SUBMITTAL CHECKLIST**

Pursuant to the provisions of the CC&Rs, 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 BE SUBJECT TO DISAPPROVAL.**

The following list is provided to assist a property owner in preparing the submittal package.

**ORIGINALS PLUS ONE COPY OF ITEMS ARE REQUIRED:**

1. Architectural Review Request Form (Exhibit A): The form must be completed in its entirety.

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2. **Neighborhood Impact Statement (Exhibit B):** This form should be signed by the effected neighbors, which will typically be "adjacent" and "rear". However, the "facing" neighbors may sign the form if the proposed improvements which will be visible from the public street.
3. **Plans:** Plans include elevation drawings of the improvement, size and types of materials to be used, a site plan depicting the improvement on the lot and in conjunction with property lines, the residence, and any other existing pertinent improvements. Accurate dimensions (height, length, width) must be shown. Exterior colors and finishes must be called out.
4. **Landscape Plans:** Landscape plans must be drawn to depict the lot, residence, property lines, existing walls and fences. Landscape materials, such as sod, rock, tree and shrub types and sizes must be called out, as well as their location.
5. **Material Samples:** Color paint chips, type of rock and size to be used, pictures of gazebos, pools, patio covers and spas should accompany the detailed drawings.

All Palm tree maintenance, portable basketball hoops and satellite dish resolutions may be found in our governing documents.

In the event a owner's request is denied by ARC the owner may/can appeal the ARC decision to the board of directors.