

SUMMERLIN HOMEOWNERS' ASSOCIATION INCORPORATED

ARCHITECTURAL
REVIEW
GUIDELINES

A Planned Residential Community

ARCHITECTURAL REVIEW GUIDELINES

INTRODUCTION

The owners and developers of Summerlin have employed the efforts and services of respected land planners, building architects, and professional engineers to create and design a planned unit development and community that offers its residents a distinctive character and atmosphere for a high quality of life. Growth follows a master plan that emphasizes community, elegance, privacy, convenience, and beauty for its residents. Through its Homeowners' Association and the Architectural Review Committee, Summerlin will strive to maintain and protect this Ideal Living and its Ideal Standards.

This manual has been prepared by the Architectural Review Committee (ARC) to provide builders and homeowners guidelines in their selection of concepts for construction. The intent of these guidelines is to assure each Builder and Homeowner that Summerlin will be developed and constructed as a community of quality homes, buildings, and landscaping that are of tasteful and aesthetically pleasing architectural design; that are harmonious with surrounding structures and topography; and that have landscaping and other site improvements consistent with the aesthetic quality of Summerlin as a whole.

These guidelines do not include all building, use and other deed restrictions associated with Summerlin, and accordingly, each Builder and Homeowner should familiarize themselves with provisions of the Declaration of Protection Covenants, Conditions and Restrictions, and the Bylaws of the Summerlin Residential Homeowners' Association, Incorporated. The inclusion of any recommendation in these Guidelines shall not preclude the Architectural Review Committee's (ARC's) right to disapprove any proposed matter for any reason.

ARCHITECTURAL REVIEW COMMITTEE

The number and terms of the individuals serving on the ARC shall be established by the Board of Directors in accordance with Article VII of the Summerlin Homeowners' Association Bylaws. The ARC members may or may not be members of the Board of Directors and do not have to be members of the Association.

The primary functions of the ARC members will be to 1) monitor and enforce compliance with the terms and conditions of any Declaration and the ARC Guidelines and 2) to review on behalf of the Association any and all plans and specifications for any design, placement, construction, demolition, improvement or grading within Summerlin before any such actions take place in Summerlin.

Individuals serving on the ARC shall be entitled to the same indemnification rights as the Board of Directors of the Association, and all of the provisions of Paragraph H of Article

IX of the Association Bylaws shall apply and be available to each individual serving on the ARC.

ARCHITECTURAL REVIEW COMMITTEE POWERS

In order to insure the quality of the community, a plan review process has been established pursuant to the Declaration to review individual building and landscape plans. The authority to approve or disapprove building and landscape plans is provided in the recorded Declaration and provides that broad latitude and broad discretionary powers are vested in the ARC regarding approval of:

- the aesthetic impact of design, construction and development
- the architectural style and design
- colors, textures, materials
- height, build, proportions
- landscaping
- overall impact on surrounding property

DESIGN REVIEW SUBMITTAL

Submittal shall be presented to the ARC prior to obtaining Builder Permit for the residence and/or before any site improvements begin. If Builder or Homeowner so desires, a preliminary plan may be presented for preliminary approval prior to finishing final plans. However, no construction of a building or structural improvement; no landscaping or other site improvement; and no alterations or additions to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials and location of same shall have been submitted to and shall have received Final Approval of an improvement and shall submit sufficient exhibits to demonstrate compliance with standards and requirements of these Architectural Review Guidelines.

Construction must commence within six (6) months from the date of Final Approval or Final Approval is void. If Final Approval is granted, subject to conditions, and these conditions are not met, then Final Approval shall be void. Allow seven (7) working days for ARC Approval.

ARCHITECTURAL AND CONSTRUCTION REVIEW PROCESS

The Review Process is a simple procedure of complying with the requirements outlined in these Architectural Review Guidelines and following the step-by-step review format described herein.

Upon submittal of all plans and specifications and completed applications, a one time processing/review fee may be charged, which fee shall accompany the plans submitted to the ARC for review. Such fee is non-refundable. The amount of such fee will be set and may be increased from time to time by the ARC in compliance with the Declaration of

Protective Covenants. All processing/review fees shall be made payable to Summerlin Homeowners' Association, Incorporated.

Prior to commencement of any construction related activities, the following plans must be submitted by each Owner to the ARC for review and approval, incorporating the following steps:

Step One: Construction Drawings and Schedules

Prior to any site disturbances, the applicant shall submit an executed application, two (2) sets of architectural drawings and the design review fee for ARC review.

Submissions must include the following:

1. Building Plans at a scale of $1/8'' = 1'0''$ or larger.
 - a. Floor plans (all floors) which includes total finish square footage of home.
 - b. All four (4) exterior elevations showing approximate finish grade line, and all roof areas and corresponding slopes.
 - c. Wall sections at a scale of $3/4'' = 1'0''$ indicating roof overhang, roof pitch, window details, etc.
2. Exterior material, finish and color schedule indicating:
 - a. Roofing material and the materials and finishes for each building elevation (i.e. stucco, stone, brick, etc.)
 - b. Roofing color, brick and mortar selections, siding and/or trim colors and any other proposed exterior colors. This schedule must be submitted within 30 days of the application date.
 - c. The ARC may require finish and/or color samples.
3. Site Plan at a scale of $1'' = 20'$ indicating.
 - a. Footprint and finish floor elevations of the unit and garage on the site as well as locations of driveways, walks, patios, decks and site walls.
 - b. Property, setback lines, easements and clearing limits.

Step Two: Staking and Permit Approval

Before clearing or construction can commence on any lot, the applicant may be required to do any or all of the following:

1. Stake and string the outline of the dwelling in its proposed location, and establish the proposed elevation of the first floor.
2. Flag property corner pins and string property line.
3. Arrange a site inspection with the ARC representative to verify that the staking is in conformance with the approved site plan. If, after staking, the applicant or ARC representative wishes to alter the foundation location as presented in the approved site plan, alternates can be discussed at the staking meeting.

Special effort should be made to field adjust, if necessary, the unit location to preserve trees.

4. Indicate on the site plan drawing all changes in the foundation location approved by the ARC representative.
5. Existing and proposed grades by contour lines with existing trees or tree masses to remain.
6. Location and style of site accessories such as mailboxes, fencing, trash container pads, lighting, play equipment; also locations of air conditioning compressors, power and gas meter, phone pedestals, back flow preventers, light locations and specifications (including utility or flood light locations).

Step Three: Submission of Landscaping Plans and Site Improvements.

Before clearing or construction can commence on any lot, the applicant may be required to do any or all of the following:

1. Plan at a scale of 1"= 20' indicating:
 - a. Footprint of the dwelling and garage with finish floor elevations; property and setback lines, easements, and clearing limits.
 - b. Existing and proposed grades by contour lines.
 - c. Locations of driveways, walks, patios, decks, site walls, and pools.

- d. Location of site accessories such as mailboxes, fencing, trash container pads, play equipment, also air conditioning compressors, power and gas meter, phone pedestals, back flow preventers, light locations and specifications (including utility or flood light locations).
- e. Irrigation Plan.
- f. Type, location, quantity and size of proposed new plant material including trees, shrubs and ground cover.
- g. Location of all existing trees over four (4) inches in diameter and all flowering trees over two (2) inches in diameter not in natural tree masses. Existing tree masses and areas to remain in a natural condition (generally undisturbed except for minor understory clearance).
- h. Areas to be sodded.
- i. Areas for bedding and/or berming.
- j. Areas to be planted for screening.
- k. Landscaping budget or allowance.

Step Four: Plan Changes during Construction

All changes to the approved plans, elevations, and schedules must be submitted to the ARC for review in accordance with the procedures and submission requirements specified in Step One above. The Applicant is encouraged to submit changes at the earliest possible time to avoid project delays.

Step Five: Final Review & Approval

According to the recorded Declaration of Protective Covenants, upon submittal by the Builder or Owner of all required documents and review fees, the ARC shall have thirty (30) days to review and respond to the applicant's request. However, the ARC shall in all cases attempt to return to the applicant an approval or denial within seven (7) working days of the date of the applicant's submittal.

A final review letter for approval will be required by the City of Auburn Building Department prior to their issuing any construction permit.

INSPECTION AND ENFORCEMENT

1. **Inspection**

The ARC shall have the right to enter upon and inspect any property at any time before, during and immediately upon completion of any work.

2. **Enforcement**

All Owners should review the Declaration in order to ascertain the broad discretionary rights and remedies provided to the ARC and the Association in the event of any noncompliance with any of the provisions of the Declaration or these Standards.

Failure to obtain ARC approval of all plans and specifications shall be subject to injunctive relief as well as the recovery of damages by the ARC and the Association.

If the ARC determines that any improvement was not constructed in substantial compliance with the approved plans and specifications for the same, the ARC or the Association may remedy or remove the improvement and all costs incurred in connection herewith shall be charged to the owner of such lot.

The ARC intends to enforce each and every rule, regulation, and guideline set forth herein but at its discretion may wave, omit or allow the same, any rule, regulation, step or requirement set forth herein. However, the before mentioned shall not relieve the builder or homeowner of its obligation to conform to the design guidelines and concepts for construction set forth by the ARC. Notice of any violation of the same will be sent to the responsible party and property owner specifying these items not in compliance. The responsible party shall have five (5) working days to correct such situation. If such situation is not corrected to the satisfaction of the ARC, the ARC shall have the right to exercise any and all of the rights and remedies afforded to it in these guidelines and in the Declaration.

DESIGN GUIDELINES

In order to explain the review process and what is required for plan approval, the ARC has developed these Architectural and Landscape Architectural Standards and will use these Standards in reviewing all construction activities, but may consider individually the merits of any construction project due to special site conditions.

PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION RELATED ACTIVITY INCLUDING, WITHOUT LIMITATION, THE SITE PLACEMENT OF ANY DWELLING OR THE CLEARING, GRADING, EXCAVATING OR OTHER CONSTRUCTION RELATED ACTIVITIES ON ANY LOT, THE PLANS AND EXTERIOR SPECIFICATIONS FOR SUCH DWELLING MUST BE APPROVED BY THE ARC.

BUILDING DESIGN/CONSTRUCTION-In accordance with the recorded Declaration of Protective Covenants, Conditions and Restrictions for Summerlin, any improvements on a residential lot in Summerlin will be made only by a Builder or Contractor approved by the ARC.

DESIGN THEME – Shall be traditional in keeping with overall theme of development. Acceptable designs are not limited to, but do include the following: Cottage, Transitional, Modern Farmhouse, Craftsman, and French Country.

ACCESSORY STRUCTURES – No more than one (1) detached single family residential dwelling shall be erected on a homesite. The ARC may approve accessory structures (such as garages, gazebos and the like) that are detached from a main residential dwelling so long as they are not erected prior to construction of the main residential dwelling and are not intended to be held for lease. No detached storage building will be constructed unless it is compatible with the design of the dwelling.

MINIMUM BUILDING SIZE – The minimum square footage is determined in advance by the ARC and is 2,100 square feet in Summerlin Plat #1 and 2,700 square feet in Summerlin Plat #2.

SETBACK LINES – The minimum building line is determined in advance by the ARC and is stated on the plat.

EXTERIOR MATERIALS – Finish building materials shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be brick, stone, stucco, wood, Hardie Board or other approved material.

EXPOSED CONCRETE WALLS/FOUNDATION WALLS – Exposed concrete block or poured concrete foundations and site retaining walls shall be covered with stone, brick, siding, stucco or landscaped to complement the principal materials of the dwelling, to the extent that a maximum of 6” exposed slab may be visible provided it is painted.

ROOF – Roof slopes shall be a minimum of 8 in 12 on front elevations, unless otherwise approved by the ARC. Roofing grade requirements shall be made specific in each neighborhood by the ARC and/or by recorded plat restrictions for that neighborhood.

HEIGHT LIMITATIONS – No dwelling shall exceed three and one-half (3-1/2) stories in height as measured from the lowest finish grade on the front elevation of such dwelling.

ROOF OPENINGS – All roof openings, vent and fan locations and any other roof opening excluding chimneys should open from rear of house and a minimum of roof penetrations is encouraged. However, building code requirements will take precedent to ARC recommendations.

WINDOW/DOORS – All windows, sliding glass doors and patio doors shall have a style consistent with that of the home and shall be wood or metal unless other alternatives are specifically approved by the ARC. Reflective glass is prohibited.

CHIMNEYS – Any exposed portion of a chimney outside of the building that is enclosed shall be constructed solely of brick, stone, siding, stucco, or other approved material. Enclosure of chimney flues shall be required in specific neighborhoods by the ARC through guidelines and/or plat restrictions.

GARAGES AND CARPORTS – Garage and carport locations and design shall be approved by the ARC. Garage doors, automatic door openers and service doors shall be maintained in a useful working condition and shall be kept closed when not in use.

PARKING – Homeowner must provide for off-the-street parking for all vehicles. No prolonged on-street parking is allowed.

WINDOW AIR CONDITIONING UNITS – No window air conditioning units shall be permitted.

DOORS – Aluminum or metal doors and/or storm doors on the front of any dwelling shall be discouraged. All doors must be approved by the ARC.

DRAPES, CURTAINS & SHUTTERS – As viewed from the exterior any drape, curtain or any other similar element shall be compatible in color and style with the exterior of the building and surroundings.

LIGHTING – All exterior lighting shall be consistent with the character established and be limited to the minimum necessary for safety, identification and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to up lighting or down lighting and the style and type of lighting shall be compatible with the building design and materials. No colored lens or lamps shall be allowed for permanent lighting. Decorative lighting (i.e. Holiday decorations) guidelines shall be established by the ARC.

SITE IMPROVEMENT STANDARDS

1. General Site Guidelines

- a. Site Planning: The placement on its lot of a home is a critical and important design decision. Each home site should be subject to an individual site survey. A study of the design opportunities of the site should be taken into consideration. This study involves:
- Walking the site, locating the best views to and from the home site while noticing the relationship to adjacent home sites and structures.
 - Note the dominant solar orientation and prevailing winds.
 - Know the soil conditions, vegetation types and qualities and any other special site features.

In addition, all site planning should consider the existing natural environment on such home site which includes:

- Existing trees, plant life, wildflowers
- The natural terrain of the home site
- Drainage; both natural and constructed

Following the approval of the plans and exterior specifications for a dwelling, the ARC may approve the actual site location of the dwelling by rough stakeout.

b. Building Setbacks

Minimum building setback lines shall be established for all dwelling either:

- By the local Governing Authorities
- By the ARC
- In the deed to such lot
- No building or dwelling shall be constructed within such setback area

c. Easements

Landscaping and the building of driveways and the installation of mailboxes within utility easements is permissible, but is the sole responsibility of the property owner, if in the future there is a need to remove the same for access to such utilities. All portions of the development, including home sites, are subject to the various easements described in the Declaration.

d. Temporary Improvements

No temporary building or structure shall be permitted on any home site. If construction trailers will be utilized during construction of the primary residence, ARC approval must be obtained concerning design, appearance and location of the same.

e. Signage

The location, color and shape of any signage, banners, flags or advertising posters shall be subject to approval of the ARC.

f. Seasonal / Holiday Decorations

The location and amount of holiday decorations and lighting should be limited to the extent that it does not affect the health, safety, welfare and property of Summerlin residents. Furthermore, it should not cause a distraction to surrounding properties, traffic flow or residents. Time limits on the duration and hours decorations may be displayed can be established by the ARC by written notice to an association member.

g. Drainage

All drainage ditches, cuts, swales, streams, impoundments; all mounds, knolls, berms, dams; all roofs, valleys, gutters, overhangs; all drives, sidewalks, patios, pouches; all landscaping and site improvements shall be constructed in such a manner that they comply with the drainage plan and concept of the developers' engineers and in such manner that they comply with the law. All drainage improvements and before mentioned should be constructed in such a manner that it enhances surrounding building sites as well as the site on which it is situated.

2. **Site Specific Guidelines**

- a. Fencing material and design must be approved by the ARC. Fencing in front yards is discouraged and must attain written approval prior to construction.
- b. All fencing adjacent, and/or perpendicular to roadways must be approved by the ARC.
- c. Chain link fencing of any kind or use is not allowed.
- d. A solid privacy screen may be used to screen decks and patios from view. Proposed heights to be approved by the ARC.

- e. All swimming pools will be permitted only with approval by the ARC. No semi-permanent above ground pools will be allowed.
- f. Compressors for central air conditioning units shall be sited, to the extent practicable, at the rear of the home and in a location which will not cause a nuisance to neighbors or to the use of active areas on site. No window mounted heating or air conditioning units shall be allowed. Compressors shall be screened by landscape or architectural treatment.
- g. Utility meters shall be located, to the extent practicable, at the rear of the home and shall be otherwise located so as not to be visible from any street.
- h. Play equipment shall be located where it will have a minimum visual impact on adjacent properties. It is recommended that all basketball goals shall be mounted on black poles and have clear plexiglass or acrylic backboards. Placement of all play equipment and basketball goals is subject to approval by the ARC.
- i. Outdoor dog houses, freestanding play houses and detached storage buildings will be subject to the approval of the ARC. Exterior hot tubs shall be screened from view from adjacent properties and streets.
- j. All exterior lighting shall be approved by the ARC.
- k. Landscaping shall relate to the existing terrain and natural features of the lot, utilizing plant materials native to the Southeastern United States.
- l. Mailboxes must be uniformed, as approved by the ARC. Mailboxes shall contain the home number, as approved by the ARC, but no further inscription, painting, ornaments, or artistry shall be allowed.
- m. No satellite dishes, radio and television antennae, radio receivers, solar devices, or other similar devices or aerials shall be attached to any lot or any dwelling situation on a lot without prior written approval from the ARC.
- n. All driveways and sidewalks shall be constructed of concrete or pavers. The color and composition of the concrete pavers to be utilized shall be approved by the ARC. Other material (e.g. crushed stone) may be used but only if approved by the ARC.
- o. Outside clothes lines or other facilities for drying or airing clothes are prohibited unless screened by appropriate landscaping. Barbecue grills and other types of outdoor cooking equipment shall be located out of view from the street. Bird feeders, wood carvings, plaques and other types of

homecraft are prohibited in the front or side yards, but may be located in the rear yards so long as the same are not visible from the street.

- p. The storage of trash containers shall be located in such a way as to minimize the visibility from the street.
- q. Remodeling and additions to existing improvements shall follow the same criteria as new construction.
- r. Any accessory structures, including free-standing garages, shall be approved by the ARC in the manner set forth above.
- s. No bird baths, fish ponds, flag poles, lawn sculptures, artificial plants, birdhouses, rock gardens or similar types of accessories and lawn furnishings are permitted on any site without prior written approval by the ARC.

3. **Landscape Design Guideline Standards**

All Owners, to the extent practicable, shall preserve existing trees, plant life, wildflowers and the natural environment which exist on each homesite. All front and side yards shall be landscaped pursuant to a landscaping plan approved by the ARC.

- a. Front, side and rear yards shall be sodded. Any areas to be seeded or treated naturally must be approved.
- b. Vegetable, herb and similar gardens shall not be planted or maintained with visibility from the street.
- c. All landscaped material, shrubs, trees and grass shall be well maintained. Any landscaping, plant life, trees or shrubbery which dies or becomes diseased must be promptly replaced with comparable plant life. Dead trees, as certified as such by the ARC, must be removed from all homesites. Exceptions may be made if the ARC determines that the removal of such trees have an impact on the surrounding environment.
- d. Reasonable effort shall be made to retain and protect trees of five (5) inch caliper and greater which are located more than ten (10) feet from the structure, driveway or walk.
- e. Owners are encouraged to preserve desirable views while retaining existing vegetation for privacy.

- f. Owners are encouraged to select a variety of plant material that adds textural interest in fall, spring, and summer colors. The planting of native shrubs and trees is encouraged.
- g. Proposed trees must be two (2) inch caliper or greater. Proposed shrubs shall be one (1) gallon size containers or larger.
- h. No artificial flowers, plants, grass, etc. will be allowed.

4. **Construction Guidelines**

- a. During construction of any improvements to a homesite, construction equipment and vehicles as well as the vehicles for all builders, subcontractors, laborers and suppliers shall utilize off-street parking and enter the homesite only from the driveway for such homesite whenever practical. No dirt, mud, gravel or other substance shall be allowed to collect or remain on any streets and the same shall be removed from the treads and wheels of all vehicles used in the implementation as such construction prior to traveling on the streets within the Development. No construction trucks, equipment, machinery or trailers shall be parked overnight on any streets or roads within the development and shall be immediately removed from the homesite upon completion of construction.
- b. All Owners or Owner's construction personnel may be required to enter and leave through a designated construction gate, as determined from time to time by the developer. The construction gate will be opened and closed as such hours as may be posted.
- c. Owner is required to keep the job site as neat and clean as possible. Trash and discarded materials such as lunch bags, cans and odd materials shall be removed daily. All debris, stockpiles for removal and construction materials should be located at the rear of the residence. Stockpiling of trash or any other material on adjacent lots or streets is not permitted. Construction trash, debris, and rubbish shall be disposed of outside of the development at least weekly. Used construction materials may be burned on-site so long as the same does not cause a nuisance to other property owners. No burning shall be allowed in the front yard areas of a dwelling. In no event shall construction materials whether used or new, be buried on or beneath any portion of the homesite or on any other portion of the Summerlin development. If trash or debris on a job site becomes a noticeable problem, in the sole discretion of the ARC, the ARC may, if the same is not removed within five (5) days after written notice thereof, remove the same and the cost thereof charged to the property owner.

Each owner shall be responsible for the acts of his employees, all subcontractors, suppliers and other persons or parties involved in the construction or operation of a homesite. Such responsibility shall include:

- Prohibiting the consumption of alcoholic beverages, the use of illegal drugs or other intoxicants that can hamper the safety or well being of other personnel on the site or affect the quality of workmanship.
 - Insuring that the construction site is kept clean and free of debris and waste materials.
 - Insuring that mud, dirt, gravel and other construction materials are not left on, deposited on or accidentally dropped onto any of the roadways within the development.
 - Prohibiting all employees, contractors, subcontractors and suppliers from entering any portion of the lake, ponds, parks, common space, and any amenities disturbing or destroying any of the land, facilities or amenities on the lake.
- d. Property erosion control is the responsibility of the contractor. Adequate silt fencing and gravel at the entry drive must be properly installed and maintained. All streets shall be kept free of mud, silt, and debris from erosion and construction traffic. Natural drainage channels should be maintained undisturbed, to the extent possible, and remain free of trash or debris.
- e. Portable toilets are the responsibility of the Owner. Owner shall require all employees and subcontractors to utilize the same.
- f. Washing of trucks, vehicles and other machinery and equipment on the streets is not permitted. The washing of concrete delivery trucks must be on the construction site. The established speed limit within the entire development must be obeyed by all parties entering the development.
- g. All vehicles entering or leaving the development shall be subject to inspection and/or searched. Such inspection or search shall not be forced but if the operator does not wish to comply, then the operation of such vehicle shall not be allowed within the community in the future.
- h. Damage to streets, curbs, drainage, inlets, street lights, markers, mailboxes, walls, fences and any other portions of the development will be repaired by the Developer or the ARC and the cost of the same shall be billed to the responsible Owner.

- i. If any telephone, cable television, electrical, water, gas, or other utility lines are cut, it shall be the responsibility of the Owner to bear the cost of reinstallation.
- j. Loud music or noise shall not be allowed. Normal music levels are acceptable. Only bona fide workers shall be allowed within the development. Children will not be permitted on the work site unless accompanied by and under the supervision of an adult. No contractor or service personnel will be permitted to bring pets on the property.
- k. No signage, building permits or other forms of advertisement of any nature shall be attached to any trees.

THE AFOREMENTIONED STANDARDS ARE SUBJECT TO MODIFICATIONS BY THE ARC WITHOUT NOTICE.