

RIO BUENA VISTA
HOMEOWNERS
ASSOCIATION

ARCHITECTURAL
COMMITTEE GUIDELINES

AS OF

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ARCHITECTURAL COMMITTEE GUIDELINES

The Architectural Committee is responsible for ensuring a high standard of architecture consistency and construction within Rio Buena Vista in accordance with the standards established by these Design Guidelines.

The objectives of these Guidelines are to ensure that the proposed plans conform to and are harmonious with the exterior design and palette of building materials used within the project.

The Committee shall, in reviewing plans, specifications and other materials submitted to it by the applicant, consider the suitability of the proposed building or other improvements as it relates to the area in which it will be located; the quality of the materials to be used in construction; and the effect of the proposed building or other improvements on other property and units within the area. The Committee shall exercise its discretion in (1) waiving fees or deposits and (2) approving plans that are consistent with the aesthetic qualities of the project in order to promote and preserve property values.

These guidelines affect, but are not limited to, all exterior construction, including homes, gazebos, landscaping, walls, fences, pools, and patio covers, etc. Completion of house construction including landscaping requirements, means completion by the date when a Certificate of Occupancy is issued by Mohave County, Building Department or final inspection is completed or occupancy or use as a model home.

CONSTRUCTION - GENERAL:

1. No construction work is to be started prior to receipt of an Architectural Review Committee Permit. Requests for approval of construction plans and issuance of a permit must be submitted to the Committee as outlined in the application and review procedures.
1. The property owner is responsible for contractor compliance with the CC&R's and these guidelines.
3. Reserved for future use (deposits or fees)
4. The Construction Permit must be posted in a conspicuous place at the job site at all times.
5. Any changes to approved plans for exterior construction must be reviewed and approved by the Committee prior to the changes being made.
6. A chemical toilet must be provided at the job site of any new home construction immediately upon start of construction, or as required by the County. Multiple

homes may use one toilet if all in close proximity.

7. During the course of construction, landscaping and/or other site improvements installation on a lot, the owner shall be responsible at its expense, for prompt repair and/or replacement of public and/or of Association property (including, without limitation, curbs, street paving and Declarant installed walls, landscaping and irrigation systems, or other declarant properties) damaged or destroyed by the owner, it's agents, contractors or employees. If an owner fails to repair or replace the damaged association property, the association, after proper notice, will complete the necessary work and assess the owner the cost of such work.
8. Parking or driving on adjacent property shall not be prohibited, but lots and other property shall be kept in a neat and tidy condition during construction periods. Trash and debris shall not be permitted to accumulate and supplies of building materials stored on a lot must be approved by the Architectural Committee.
9. Dust shall be controlled at the job site by regular watering, whenever necessary.
10. Open fires and incinerators are prohibited on the job site.
11. Every reasonable effort must be made to control noise. Excessively loud music is prohibited.
12. Dogs are allowed on the job site only if they are on a leash or otherwise confined. Dogs that bark excessively are prohibited at all times.
13. Temporary living structures are prohibited, including trailers, tents, shacks, garages, motor homes or other outbuildings.
14. All exterior construction, including driveway, sidewalks and front yard landscaping must be completed within one year from the start of construction. Also, occupancy is not permitted prior to completion of the home, garage, driveway, and sidewalks.
15. Upon completion of exterior home construction, sidewalk, driveway and on site cleanup, a written request must be made for final Architectural Review Committee inspection and approval. Following inspection, the Committee will determine Compliance or issue a Notice of Noncompliance.

Upon determination of Compliance, if a Notice of Noncompliance is issued, 10 days will be given to correct the problems listed on the notice. At the end of 10 days, if the site is not in compliance or satisfactorily cleaned up, the Committee will take action on noncompliance. If cleanup costs are involved, the owner or owner's agent will be billed for the costs. If a request is not made for final Architectural Review Committee inspection and approval within 13 months from

the start of construction, an inspection will be ordered by the committee.

2. Production homebuilders, as determined by the Declarant, will be subject to all regulations and requirements stipulated by the Association's governing documents.

CONSTRUCTION TRASH AND WASTE DISPOSAL:

1. Trash bin or trailer with a minimum size of three cubic yards must be placed on the job site of any exterior construction immediately upon start of construction. All litter, particularly any light-weight material subject to scattering by the wind, must be kept under constant control. The trash bin must be dumped periodically as it is filled. Multiple homes may use one bin if all in close proximity.
2. All waste materials shall be transported from the site and disposed of in an approved State/County/City manner.
3. Streets and lots adjacent to the job site must be kept clean of construction debris at all times.
4. If concrete trucks are cleaned, it must be done on the job site that received the delivery. Any spills off the job site must be cleaned up immediately.
5. Except as permitted under Item #4 above, under no circumstances shall chemical liquids, including cleaning agents, solvents, gasoline and oil, be dumped onto or into the ground.

SETBACKS: (Minimum Dimensions)

Setbacks for the units shall be as follows:

Front Setback = 10'

Side Setback = 5' A zero (0) foot setback may be used on one side with approval of the architectural committee.

SQUARE FOOTAGE AND WIDTH:

No premises shall be erected, placed or permitted to remain which contains less than one thousand (1,000) square feet of living area under roof exclusive of any porch, patio, ramada, awning, carport, garage or basement.

DRIVEWAY:

Driveways must be surfaced with a minimum three and one half inches (3 ½") of concrete (subject to approval by the Architectural Committee) to extend from the garage door to the paved street and shall be a minimum of twelve feet (12') wide. Driveways must be kept reasonably clean and free of unsightly oil stains and debris.

STREET SIDE WINDOWS:

All homes must have a minimum of two (2) street side windows, each consisting of a minimum of twelve (12) feet.

HEIGHT AND WIDTH:

All homes shall have a maximum building height of thirty-five (35) feet, and a minimum width of twenty (20) feet wide. Ancillary buildings will be reviewed and approved by the Architectural Committee.

COLORS:

Exterior colors of all buildings (including stucco, trim, roof, doors, walls and any landscape materials) must be approved by the Committee and must be from the Sherwin-Williams "Diamond Development" color chart.

BUILDING MATERIAL:

All construction shall be of new materials. All buildings or structures shall have finished building materials applied in a workmanlike manner and shall be harmonious and compatible with surrounding environment. Permitted exterior finish materials include stucco, stucco covered masonry walls, stucco covered frame, slump block or such other construction as the Committee approves. All buildings shall be erected upon a concrete foundation and shall be a permanent fixed structure.

ROOFS, EAVES AND OVERHANGS:

Roofs shall be in harmony with the existing development plan. Roof, which are not surrounded by a parapet wall, shall be surfaced with clay tile or concrete tile. No roof shall be of reflective surface or covered with metallic paint.

LIGHTING - GENERAL:

All lighting must be compatible for a residential environment and shall not in any manner constitute a nuisance, distraction and/or cause visual pollution. This paragraph shall not preclude normal backyard or patio lighting. No outside high intensity security type

lighting is permitted including mercury vapor lights.

STORAGE SHEDS:

A storage shed shall be permitted on any Lot with written approval of the Architectural Committee.

PORCHES:

For the purpose of these standards, eaves, steps, open porches and covered patios shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot. Minimum post size for patio covers shall be 4" x 4".

EXTERIOR MACHINERY AND EQUIPMENT:

No machinery, fixtures or equipment of any type, including but not limited to, heating, cooling, air conditioning and refrigeration equipment, solar panels or equipment and hot water storage systems shall be visible from the street or adjacent property owners whether on the ground, or building. Roof mounting of equipment is prohibited. The screening or concealment of said machinery and equipment shall be compatible with the design of the building or structure, shall not have the appearance of the separate piece or pieces of machinery, fixtures or equipment, and shall be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components and shall be structurally stable in accordance with sound engineering principles.

OUTBUILDINGS:

Any outbuildings built on any lot must be specifically approved by the "Committee". Approval will be based on aesthetics and the buildings compatibility with the existing standard of architecture through out the subdivision. Portable sheds will be considered temporary structures and must be submitted and approved by the Architectural Committee.

LANDSCAPING:

1. Plans for all required landscaping shall be submitted to the Architectural Review Committee for approval prior to any landscape work being performed. The plan(s) shall be in accordance with these requirements. The submittal shall consist of a site plan *to scale* (1 inch = 20 feet, or larger) and must include the following information.
 - A. North arrow and scale.

- B. Property lines, walks, walls, curbs, drives and residence.
 - C. Locations of plant materials to be used, including trees, shrubs and ground covers.
 - D. List of plant materials to be used in the plan (*including names and sizes*).
 - E. Location of proposed inorganic ground cover (i.e. decomposed granite, river rock, boulders, etc.) with sizes and colors specified.
 - F. Locations of proposed paving with material, color and finish specified.
 - G. Locations and heights of proposed walls with material , color and finish specified.
 - H. Notation of underground irrigation system with automatic timers.
2. The Committee required the use of the following minimum combination of plants, ***plus additional ground cover as needed***, to achieve an aesthetically pleasing landscape design.
- A. Three (3) - 5 gallon shrubs are required.
 - B. The Committee recommends the use of design elements such as mounding, stream beds, landscape retaining walls and the use of more than one color of rock in order to create an aesthetically pleasing design.
 - C. Artificial vegetation is prohibited.
 - D. Headers must be used between dissimilar landscape materials (e.g. turf/landscape rock). Recommend header material includes brick, block, concrete or redwood.
 - E. The entire front yard area (include side yards on corner lots) that is not covered with living plants shall be covered with a layer of crushed stone, decomposed granite, river rock, boulders or other suitable material compatible with the native environment. All inert ground cover areas should be treated with pre-emergent weed control on a regular basis to retard weed growth.
 - F. If a front yard wall is built, the area between the wall and sidewalk must be landscaped and maintained in the same manner as the front yard and in keeping with these standards.

- G. Irrigation - - all plant material shall be serviced by an underground, fully-automatic irrigation system.
- 3. If, in the opinion of the Committee, the above requirements are insufficient to ensure an aesthetically pleasing landscape design, additional modifications to landscape proposals may be required.
- 4. The objectives the Committee will use in reviewing landscape proposals are as follows:
 - A. Reinforce neighborhood and architectural character.
 - B. Integrate residence with site.
 - C. Employ appropriate use of landscape elements and plant materials to accommodate functional requirements (i.e. screening, energy conservation, water conservation, erosion control, drainage, etc.)

WALLS/FENCES:

All walls and fences are subject to Architectural Committee approval. No fencing is allowed in street setback areas (being both the front and side in case of corner lots). Views of the river and the golf course must be protected, therefore, fences may not exceed five feet (5') in height nor shall they be solid walls. Wire and chainlink fencing is not allowed.

Riverfront Lots. Fences may not be placed within the pedestrian right-of-way easement on the lots adjacent to the river. Fencing that can be viewed from the river shall be constructed of decorative wrought iron or masonry-iron combination.

Golf Course Lots. Fencing that can be viewed from the golf course shall be constructed of decorative wrought iron or masonry-iron combination.

Interior Lots. Fences may not be placed within the utility easement as delineated on Exhibit "A" attached. Fences shall be constructed of decorative materials such as wrought iron or masonry and shall be in harmony with the Development Plan.

UTILITIES:

All utility pipes and wires servicing the Lots, including but not limited to electric power, telephone, cable TV, water, sewer and gas lines, shall be placed underground at the depths and in the manner prescribed and recommended by the respective utility

companies and/or the City of Needles, with the exception of satellite dishes. Satellite dishes and antennas must be placed upon the roof and concealed within the parapet walls and are subject to written approval of the Architectural Committee.

UTILITY CONNECTION:

Electrical services and electrical meters shall be installed on either the garage wall or home wall, or if a pedestal meter is used, the location of the pedestal must be approved by the Architectural Committee. If the pedestal must be installed toward the front of the home, it shall be painted the same or matching color as the exterior of the home and landscaped sufficiently to be unobtrusive from the street. In no case may it be placed less than ten (10) feet from the street. Placement of gas meters must be approved by the Architectural Committee.

ANTENNAS:

The Federal Telecommunications Act of 1996 has set forth a policy regarding the installation of antennas and satellites. Refer to Utilities.

FLAGPOLES/ETC.:

Flagpoles, when permitted, shall have taut halyards and a maximum height of twenty five (25') feet from the surface of the lot.

POOLS AND SPAS:

No above ground pools shall be erected, constructed or installed on any lot. Above ground spas will be allowed in back yards only, and only if the tub and equipment are enclosed or housed in an aesthetically pleasing cabinet or manner as approved by the Committee. All pools and/or spas must be fenced in accordance with State, County and City ordinances.

MAIL OR NEWSPAPER RECEPTACLES:

Mail or newspaper delivery receptacles are specifically prohibited on individual lots. Mail boxes are provided in central locations in the subdivision for use by all property owners.

SIGNS:

No exterior signs or advertisements of any kind may be placed, allowed or maintained on any Unit, except that residential nameplates, and security warning, not to exceed one square foot in size. "For Sale" signs may be placed and maintained only on improved Units, in conformity with common specifications to be promulgated by the Association.

DRAINAGE FLOW:

Under no circumstances shall any Owner be permitted to deliberately alter the topographic conditions of his Lot(s) or redirect the flow of existing water courses in any manner that would permit additional quantities of water to flow onto adjoining private property, the common area or any public right-of-way.

UTILITY AND DRAINAGE EASEMENTS:

No structure of any kind or nature shall be erected, permitted or maintained on, over or across any easement for utilities located on an Owner's Units(s). Walls/Fences shall not be considered a structure; however, any wall/fence across or over any such utilities and drainage easements will be subject to being moved at Owner's expense at the request of the utility company.

VARIANCE:

The Architectural Review Committee may authorize a variance from compliance with any of the provisions of the Declaration, including restrictions upon height, size, floor area or placement of structures or similar restrictions, when circumstances such as topography, natural obstruction, hardship, aesthetic or environmental considerations may require such variance may not in any way detract from the appearance of the premises, or in any way be detrimental to the public welfare or to the property of other persons located within the development, all in the sole opinion of the Committee.

APPROVALS:

Except for initial landscaping and improvements constructed by the Developer, any exterior construction or alteration (fence, wall structure, color change, etc.) anywhere on the property must first be approved in writing by the Architectural Committee. Complete plans and specifications must be submitted in writing with the signature of the Owner (or authorized agent), showing plot layout, exterior elevations, materials, sizes, color, design and landscaping. Complete plans and specifications must be either personally delivered to any Architectural Committee Member or mailed, postage prepaid, certified mail, return receipt requested to the Committee at its current address. The Architectural Committee shall act by majority vote. If the Architectural Committee fails to rule on a proposal within thirty (30) days after complete plans and specifications have been submitted as outlined, above, the plans will be considered automatically approved.

AMENDMENTS:

The architectural Committee may recommend supplements or amendments to these Architectural Guidelines from time to time, as it shall deem appropriate. The Board of Directors shall review said recommendations and have the authority to amend the Architectural Guidelines.

Pursuant to Article VII of the CC&R's, these regulations are legally enforceable in a Court of Law and by the Association. If these regulations are not complied with, and legal action becomes necessary, any and all remedies set forth in the Article, including the award of costs and attorney's fees, may be sought against the property owners.

The Rio Buena Vista Homeowners Association Board of Directors has approved and adopted these Architectural Committee Guidelines on August 1, 2009.