



DESIGN REVIEW
GUIDELINES
FOR
RIVIERA
LAKE HAVASU[®]

Design Review Application forms are also available online at: atmshoa.com/hoa-documents
For questions or to submit an application for review, please contact:

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Effective Date: April 15th, 2020

Amendment Date: September 30th, 2022

PREFACE

The authority for this document and the design review process is provided pursuant to the following:

Article 3 Section 3.4 of the First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Havasu Riviera Community (the "Declaration"), as recorded in the Official Records of the Mohave County Recorder at Fee # 2020008625, and as may be amended from time to time, establishes the design review authority and process at Riviera Lake Havasu.

These Guidelines for Riviera must be read with the other applicable governing documents, including any Declaration or Supplemental Declaration(s) for specific neighborhoods or portions of Riviera, any applicable rules of the Havasu Riviera Community Association, and other restrictions. In the event of any conflict between these Guidelines and the other applicable governing documents, the strictest applicable restriction or requirement that can be enforced will apply.

As specified in the Havasu Riviera Community Declaration, the Declarant maintains the initial design review authority during the Declarant Control Period. Thereafter, the Board of Directors will appoint a Design Review Board. For the purpose of these Guidelines for Riviera, the term "Design Review Board" will apply to either the Design Review Board established by the Declarant or the Design Review Board appointed by the Board of Directors, whichever is duly authorized at the time to function in the capacity of reviewer, according to the Havasu Riviera Community Declaration.

These Guidelines underwent a revision on September 30th, 2022, by the DRB and will again be amended in the future as outlined in the Declaration. In this revision the document was reorganized, reformatted and enumerated to aid Owners and their designees in finding the appropriate governing guidelines. New and existing checklists, forms, design guides, have been revised and/or incorporated. It is the Owner's responsibility to ensure that they have current Guidelines and have carefully reviewed all applicable sections for any construction or exterior revisions they may undertake. Owners and their consultants and contractors should familiarize themselves with these Guidelines prior to start of design. Current Guidelines are available from the Havasu Riviera Community Association. FOLLOWING THESE GUIDELINES DOES NOT ELIMINATE THE NEED FOR SUBMISSION OF PLANS FOR APPROVAL BY THE DRB. 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 approval must be obtained in advance of commencement of the project, and in writing, whether or not so specified herein. Failure to comply with these Guidelines may result in the imposition of a fine, injunctive relief or other enforcement action against the offending Owner.

RIVIERA LAKE HAVASU DESIGN REVIEW GUIDELINES

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Section 1 **INTRODUCTION**

1.01 PURPOSE

The Design Review Guidelines (Guidelines) for Riviera have been created to assist all Residents in understanding the general rules and regulations of the community along with how these rules and regulations affect the proposed design and construction of any Improvement on a Lot. These Guidelines provide minimum standards and requirements that provide a framework not only for the original design and construction of a Residence, but Additions and Modifications as well.

The Guidelines for Riviera have been formatted to provide Residents with a perspective of the design and development principals that will guide the evolution of Riviera and to outline the procedures related to the required review and approval process for any Improvements.

Capitalized terms shall have the meaning set forth in the Havasu Riviera Community Association Declaration or in Section 8 of Appendix A to these Guidelines, as applicable.

1.02 DESIGN REVIEW BOARD

A Design Review Board (DRB) for Riviera has been established to ensure that all Improvements thereto proposed by property Owners comply with the established Guidelines.

The role of the Design Review Board includes, but is not limited to:

- Approving or disapproving proposed designs for Improvements, Modifications, and Construction, prior to commencement of construction;
- Ensuring construction and installation conformance to the designs as submitted and approved;
- Reporting inconsistencies with approved designs to the Association and recommending appropriate actions for enforcement;
- Developing, reviewing, publishing and maintaining minimum standards and guidelines.

The Guidelines may be amended from time to time, and it is the responsibility of each Resident to obtain and review a copy of the most recently revised version of the Guidelines. In addition to conforming to these Guidelines, all construction must conform to all applicable design standards and ordinance requirements of Lake Havasu City and any other applicable governing agency.

The DRB is the ultimate arbiter of everything to be constructed on a Residential Unit or Lot, and at Riviera. The goal of the DRB is to create a unique community development that exhibits exceptional quality, therefore the DRB's decisions will include discretionary judgments. It is possible that an Applicant may perceive that they have complied with the "letter of the law" and yet may still fall short of being approved. Similarly, where justified by special circumstances, applications may be

given consideration beyond the requirements as set forth. In such cases, the DRB at its sole discretion may grant variances from prescribed requirements. The DRB regards the diversity of ideas from each architect, contractor, landscape architect and Owner, provided in alignment with the overall Riviera Community Vision, to be a major contributor to the success of the community.

1.03 REPAIRS, MAINTENANCE AND REPLACEMENT

While repair and maintenance may not require the involvement of the DRB, replacement of existing, approved Improvements with the same colors, materials, details, style and appearance does require administrative approval of the DRB. For example, if an Owner elects to repaint a Residence, the DRB will verify that the proposed color exactly matches the previously approved color, which may have faded over time and become difficult to discern.

1.04 INTERIOR IMPROVEMENTS

In general, work done to the interior of a Residence does not require approval of the DRB. However, Modifications, Construction, and changes or Improvements to a porch, balcony, covered patio, garage, courtyard or any other portions of the property that are Visible From Neighboring Property require prior written approval.

1.05 GOVERNMENTAL CODES, ORDINANCES, AND PERMITS

Approval of a Design Review Application by the DRB shall not be deemed to be a representation or warranty that the drawings or specifications submitted as part of such application comply with applicable governmental codes, ordinances or regulations. It shall be the sole responsibility of the property Owner or other persons acting on behalf of the property Owner to comply with all applicable governmental codes, ordinances and regulations. It shall be the sole responsibility of the property Owner or other persons acting on behalf of the property Owner to obtain building permits for any such work that requires a building permit prior to commencement of construction or installation.

In the event of conflict between any Lake Havasu City ordinance standards and these Guidelines, the most restrictive provisions shall be deemed controlling. This is true of all elements of the community, including but not limited to, building heights, grading limits, drainage requirements, Lot coverage, street standards, lighting standards, etc. The same provision relates to any other entities having jurisdiction over the land, including but not limited to Mohave County, the United States Army Corps of Engineers and the Arizona Department of Environmental Quality. In the event of any potential conflict, the Applicant must notify the DRB of the conflict and submit a revised plan to the DRB for approval prior to submitting the revisions to any other agency. The Applicant shall endeavor to accomplish the design objectives set forth in the Guidelines, while avoiding conflict with the laws and regulations of the City or other governing entities.

1.06 DESIGN CRITERIA FOR UNANTICIPATED IMPROVEMENTS

It is impossible to create guidelines and design criteria for every possible or potential Improvement that might be considered for a residential property in a community as large as Riviera. Furthermore, new styles, materials, methods, products and technologies will naturally occur over time. Therefore, the DRB reserves all rights, at their sole discretion, to create additional rules, regulations, guidelines, design criteria, limitations, stipulations, and policies, either overall or on a case-by-case basis, to address the unanticipated Improvements and requests that may occur. If the Guidelines are silent on a particular topic or specific Improvement, that does not mean these Improvements are allowed or acceptable. If the Applicant is in doubt regarding design criteria for a potential Improvement that is not specifically covered in the Guidelines, the Applicant may seek the opinion, direction, and/or ruling of the DRB prior to proceeding. However, written approval from the DRC is required in all cases.

1.07 VARIANCES

The DRB reserves the right to approve any application, or to approve any variance to the criteria of these Guidelines, when the DRB believes in its sole discretion that the proposed Improvement represents a viable design solution. Any approval of a variance shall not be deemed to set a precedent for future requests; nor shall it obligate the DRB to approve similar variances in the future, even if similar conditions exist.

1.08 EXISTING NON-CONFORMING IMPROVEMENTS

There may be at times existing improvements that do not conform or comply with the Guidelines. These conditions may include specific variances that were granted by the DRB; temporary approval of Improvements for a limited time; and compliance issues that have not yet been resolved. In addition, as the DRB establishes new regulations and as the Guidelines are updated, there may be cases where Improvements that preceded the amended Guidelines may exist.

Therefore, at times, Existing Non-Conforming Improvements may be present. However, the presence of an Existing Non-Conforming Improvement does not establish a precedent, nor does the DRB have any obligation of any type to approve or allow a similar Improvement, even if similar conditions exist.

1.09 APPLICATIONS AND SUBMITTALS

Applicants must submit a complete and accurate application to the offices of the DRB. The DRB reserves the right to deny or not accept any application that the DRB, or its staff, deems to be incomplete or inaccurate.

All Design Review Applications must include:

- The Application Form completed with all pertinent information.
- Drawings, sketches, digital models, photographs, cut sheets, specifications, samples, color chips, dimensions, or other information as necessary to provide a clear, complete, and accurate explanation of the proposed Improvements. By

submitting information to the DRB for review, the Applicant certifies that the information included in the submittal is an accurate representation of the proposed Improvements.

- A Design Review Fee, if applicable.

Application Forms can be found in in the appendices of these Guidelines. Application Forms are also available at the physical offices of the Havasu Riviera Community Association, as well as on-line at atmshoa.com/hoa-documents.

1.10 TERMS AND EXPIRATION OF A DRB APPROVAL

Per Section 3.5.c of the Havasu Riviera Community Declaration, an approval granted by the DRB is valid for a period of two years from the date of approval, unless otherwise approved by the DRB in writing. If construction or installation of the Improvements have not commenced within two years, the approval shall automatically expire, unless the Applicant requests and obtains an extension in writing from the DRB.

1.11 TERMS AND SCHEDULE FOR COMPLETION OF WORK

An Improvement that has received an approval from the DRB must be completed within 18 months of commencement of construction, unless otherwise approved by the DRB in writing. An Applicant may request an extension of time via a written request to the DRB for good cause. The DRB reserves all rights to grant or deny an extension of time, and may incur additional access fees and inspections.

1.12 COMPLIANCE

By proceeding with construction or installation of any Modification, addition or Improvement that has been approved by the DRB, the property Owner, and all persons acting on behalf of the property Owner, agree to comply with the approval granted by the DRB, including any stipulations of approval. Furthermore, the property Owner acknowledges and agrees to be liable for all work and costs (including but not limited to attorneys' fees and costs incurred by the Association) necessary to bring any non-conforming work into compliance, regardless of delay.

The Design Guidelines provide notice of the possibility of amendments and make clear that the burden for compliance with the Design Guidelines is on the Owner; should the DRB fail to observe a non-compliant aspect within a submittal, this does not indicate tacit approval nor allow for the non-compliant aspect to remain within the project.

1.13 RIGHT TO INSPECT

The DRB and the Havasu Riviera Community Association, Inc. reserve all rights allowed under the Havasu Riviera Community Declaration, without the obligation, to periodically review, observe, or inspect (or to designate a person to review, observe or inspect) the property to verify that the proposed improvements in progress are constructed in compliance with the Guidelines, and in accordance with the approval that was granted by the DRB, including any stipulations of approval. The DRB is not

obligated to inspect a property; therefore, the absence of an inspection by the DRB shall not be deemed to be an "approval-by-default" of the work constructed or installed by the Owner.

1.14 ENFORCEMENT

The Havasu Riviera Community Association, the DRB and their assignees shall enforce the Guidelines for Riviera, as well as enforce the decisions of the DRB including any stipulations, as allowed by the Havasu Riviera Community Declaration for Riviera and as allowed by law.

Section 2 **THE RIVIERA COMMUNITY VISION**

2.01 VISION

The Riviera Community Vision encourages the use of modern desert architecture as the inspiration that drives the common aesthetic. Simplicity of form, the use of regionally appropriate materials, and the Integration of the Improvements into the site are the driving factors of design. Preservation of lake views is a priority.

2.02 ELEMENTS OF DESIGN

In order to assist an Applicant with the creation of a residential design, the DRB has identified a collection of design concepts that are typically considered in the evaluation of a submittal. These Elements of Design, identified below, are accompanied by Imagery In order to assist in the conveyance of the concept. While not a complete listing in itself, these Element of Design, in conjunction with the inspirational imagery Included in Appendix B, will provide the Applicant with a strong basis for design development.



Variations in Massing



Diversification of Roofing Forms



Development of Site Amenities within Setbacks



Orchestration of Materials, Textures, and Shadow



Simple Application of Line and Form



Implementation of Landscaping as Negative Space



Delineation of Arrival



Integration of Over-Sized Doors



Promotion of Outdoor Rooms



Incorporation of Amenities into the Topography of the Site



Delineation of Materials



Fusion of Indoor/ Outdoor Spaces



Inclusion of Expansive Overhangs



Development of Four-Sided Architecture



Mitigation of the RV Garage through Articulation of the Façade

Section 3 **DESIGN REVIEW PROCESS**

3.01 OVERVIEW

The Havasu Riviera Community Association Declaration, and these Guidelines, prohibit any Improvements (including but not limited to staking, clearing, excavation, grading, construction of new Improvements, exterior alteration of existing Improvements, and planting of landscape materials), Construction or Modifications from taking place without the prior written approval of the DRB. The DRB has the responsibility to administer these, and other design-related guidelines for the community. The DRB also has the authority to review, approve, or not approve all applications for Modifications to existing Improvements. These Guidelines are not the exclusive basis for decisions of the DRB, and compliance with the Guidelines does not guarantee approval of any application.

Any Improvement within Riviera must also comply with all applicable City, County, State and Federal requirements. Review and approval of any application is made on the basis of aesthetic considerations, and the DRB shall not bear any responsibility for ensuring the civil or structural integrity, or soundness, of approved construction or Modifications, nor for ensuring compliance with building codes and other governmental requirements.

Plans and specifications for any proposed Residence, Addition, Modification or other Improvement must be submitted to the DRB prior to construction or installation. Applicants may consult with the Havasu Riviera Community Association to obtain the on-line documents, physical address, and submittal location of the DRB.

Drawings and specifications are reviewed and approved as to style, exterior, design, appearance and location, and are not reviewed for engineering design, drainage, nor for compliance with zoning and building ordinances.

3.02 SELECTION OF THE DESIGN AND BUILD TEAM

One of the most important decisions related to developing a Residence at Riviera is the selection of the design and build team.

All Owners Intending to create a Residence at Riviera are strongly encouraged to hire either a registered Architect or a qualified custom residential designer. The Design Review Process at Riviera requires thoughtful responses to the Guidelines and the unique lot conditions present. An inexperienced design team may potentially face repeated revisions or denied submittals, should the caliber of the design concepts presented fail to meet the standards herein.

Similarly, the Contractor plays an important role in determining the ultimate craftsmanship and quality of the construction. The ultimate level of quality that can be achieved is the responsibility of the Contractor, and depends upon the Contractor's ability to direct and supervise the construction trades. The higher level of

expectations at Riviera strongly supports the use of a licensed Contractor familiar with development within a custom residential neighborhood.

Owners that are neither experienced designers nor experienced contractors are held to the same standards and expectations as the professionals. Given the potential for delays, cost-related challenges, and so forth, caused by the lack of experience, the DRB generally discourages Owners from attempting to pursue an "Owner-build" path.

3.03 RESIDENCE SIZE

A. Minimum Residence size

There is a two thousand (2,000) square foot (livable area) minimum standard for Riviera.

3.04 DESIGN PHASE (NEW RESIDENCE)

A. Pre-Design Meeting

General meeting with the DRB staff, Owner and their consultants following the purchase of the lot in order to discuss the Riviera Community Vision, provide materials necessary for the review process, discuss fees, and respond to questions.

B. Preliminary Design Submission for Review

A Preliminary Design application shall be submitted by the Owner for DRB review, at least seven (7) calendar days prior to the next scheduled review meeting.

In general, the DRB meets twice a month to review applications and submittals. All Applicants are encouraged to contact the Havasu Riviera Community Association Office to obtain information on scheduled meeting dates and corresponding submittal deadlines.

Refer to Appendix A.1 - Design Review Checklist and Forms for a comprehensive list of Preliminary Design Submission requirements.

C. Preliminary Design Review and Response

The DRB shall evaluate the submission and provide written guidance and as needed stipulations designed to assist the Applicant In progressing with the design phase. The DRB shall endeavor to provide this guidance within fourteen (14) calendar days of the meeting.

D. Final Design Submission for Review

A Final Design application shall be submitted by the Owner for DRB review, at least seven (7) calendar days prior to the next scheduled review meeting. The Applicant shall not proceed with final engineering, construction documents or a Final Design submission without receiving written approval of the Preliminary Design application.

In general, the DRB meets twice a month to review applications and submittals. All Applicants are encouraged to contact the Havasu Riviera Community Association Office to obtain information on scheduled meeting dates and corresponding submittal deadlines.

Refer to Appendix A.1 - Design Review Checklist and Forms for a comprehensive list of Final Design Submission requirements.

E. Final Design Review and Response:

The DRB shall evaluate the submission and provide written guidance and as needed stipulations designed to assist the Applicant In progressing with the design phase. The DRB shall endeavor to provide this guidance within fourteen (14) calendar days of the meeting.

Upon approval by the DRB, an Approval to Construct will be sent to the Applicant. This Certificate is required prior to submitting a Lake Havasu City permit application.

F. Approval Expiration

Unless otherwise provided as part of any Final Design Review Approval, construction must commence within one hundred and eighty (180) calendar days from the date approval is given or the approval shall expire. Should an approval expire, the Applicant shall be required to begin the process anew at the Preliminary Design Submittal phase, unless otherwise approved by the DRB.

3.05 CONSTRUCTION PHASE (NEW RESIDENCE)

A. Sample Wall Review

The Contractor shall prepare a Sample Wall per the specifications within the Sample Wall Submittal Form. The Contractor shall notify the DRB when the Sample Wall Is ready for review, which shall occur within sixty (60) days of the start of construction, at which time the DRB or its designee may review the Sample Wall to validate compliance with the approved plans and specifications. Should the Sample Wall prove deficient in some capacity, the DRB shall provide stipulations to the Contractor In order to facilitate compliance with the Final Design Approval and the Design Guidelines.

Once the Sample Wall has achieved compliance, the DRB shall Issue a report of review to the Contractor indicating the approval of the materials presented. The Contractor is advised to refrain from ordering any materials until a written approval has been presented by the DRB. No materials are officially approved until an approval has been granted. No materials may be installed without said approval.

Refer to Appendix A.2 - Sample Wall Submittal Form for a comprehensive list of Sample Wall Submission requirements.

B. Framing Compliance Inspection

The Contractor shall notify the DRB at the time of completion of framing, at which time the DRB or its designee may review the completed work to validate compliance with the approved plans and specifications. The Owner or Owner's agent shall have the opportunity to attend the on-site review. Should the framing prove deficient in some capacity, the DRB shall provide stipulations to the Owner In order to facilitate compliance with the Final Design Approval and the Design Guidelines within ten (10) business days following the review.

Prior to requesting the Framing Compliance Inspection, the Contractor shall provide to the DRB the following:

1. An *As-Built Finished Floor Certification* confirming that the heights of the slabs comport with the heights indicated within the drawings included with the Final Design Approval.
2. An *As-Built Setback Certification* confirming that the position of the structure comports with the position indicated within the drawings included with the Final Design Approval.
3. An *As-Built Height Certification* and accompanying exhibit confirming that the heights of the structure comport with the heights indicated within the drawings included with the Final Design Approval.

Once the framing has achieved compliance, the DRB shall Issue a report of review to the Contractor indicating the approval of the framing.

Refer to Appendix A.3 - Framing Compliance Inspection Forms for a comprehensive list of as-built requirements.

C. Final Inspection

The Owner shall notify the DRB at the time of completion of work, at which time the DRB or its designee may review the completed work to validate compliance with the approved plans and specifications. The Owner or Owner's agent shall have the opportunity to attend the on-site review. Should the project prove deficient in some capacity, the DRB shall provide stipulations to the Owner within thirty (30) business days following the review in order to facilitate compliance with the Final Design Approval and the Design Guidelines.

Prior to notifying of Final Inspection, the Contractor shall provide to the DRB an *As-Built Survey* confirming that the position of the structure and site elements comport with the position indicated within the drawings included with the Final Design Approval.

Once the project has achieved compliance, the DRB shall Issue a Certificate of Final Construction Approval.

Refer to Appendix A.4 – As-Built Survey Forms for a comprehensive list of as-built requirements.

D. Ongoing Inspections and Compliance

The DRB and the Havasu Riviera Community Association, Inc. reserve all rights allowed under the Havasu Riviera Community Declaration, without the obligation, to periodically review, observe, or inspect (or to designate a person to review, observe or inspect) the property to verify that the proposed improvements in progress are constructed in compliance with the Guidelines, and in accordance with the approval that was granted by the DRB, including any stipulations of approval. The DRB is not obligated to inspect a property; therefore, the absence of an inspection by the DRB shall not be deemed to be an "approval-by-default" of the work constructed or installed by the Owner.

Construction that is not per the approved plan or construction commencing before approval is subject to monetary penalties levied by the Havasu Riviera Community Association and/or removal, repair or replacement of said construction. Any resulting expense incurred by the Association, including but not limited to attorneys' fees and costs, shall be the responsibility of the Owner pursuant to Section 7.4 of the Declaration.

3.06 LANDSCAPE AND POOL/SPA SUBMITTALS

A. Landscape Submittal

Refer to Appendix A.1 - Design Review Checklist and Forms for a comprehensive list of Landscape Submittal requirements.

B. Pool and/or Spa Submittal

Refer to Appendix A.1 - Design Review Checklist and Forms for a comprehensive list of Landscape Submittal requirements.

3.07 FEES, DEPOSITS, AND BONDS

According to the Havasu Riviera Community Declaration, the DRB may establish and charge any fees to be paid in full prior to review of any applications. Such fees may include the reasonable costs incurred in having any application reviewed by architects, engineers or other professionals.

A. Design Fees

A Design Review Fee will be charged, based upon the fee schedule in Appendix A.1, at the time of receipt of the Preliminary Design Submission, for new construction and at the time of submittal for Additions, landscape drawings, pool drawings, or other submittals.

B. Fees, Deposits, and Bonds

For the construction of a new home, landscape, pool or addition a Compliance Deposit will be collected, refer to fee schedule in Appendix A.1. The Compliance Deposit must be submitted, with completed Lot Improvement Agreement, prior to issuance of Final Design Submission approval by the DRB. The Compliance Deposit will be held by the Association as a bond to assure proper completion of all Improvements and repair of any damage to property or Improvements that may occur during the construction efforts. The

Compliance Deposit will be refunded after satisfactory completion of the Improvements, and repair of any damage, and receipt of final construction review approval by the DRB.

In addition to the Compliance Deposit, for the construction of a new home, the Contractor shall be charged a non-refundable Impact Fee per Lot. The Impact Fee must be submitted, with completed Contractor Construction Agreement Forms, prior to issuance of Final Design Submission approval by the DRB.

If the Owner intends to act as their own Contractor on a new home, the Owner/Contractor shall be charged a non-refundable Performance Bond per Lot. The Owner/Contractor Performance Bond must be submitted, with completed Contractor Construction Agreement Forms, prior to issuance of Final Design Submission approval by the DRB.

3.08 REGULATORY APPROVALS

The Owner is responsible for obtaining all necessary reviews, approvals and permits from Lake Havasu City and any other applicable governing agency and supplying the Havasu Riviera Community Association with copies of all permits. The Owner is responsible for complying with all codes, ordinances, regulations, and guidelines, which apply to any proposed Improvement on a Lot. In the event that applicable governmental regulations are more restrictive than these Guidelines, then the governmental regulations shall apply. To the extent that applicable governmental regulations are less restrictive than these Guidelines, the criteria of these Guidelines shall prevail.

Section 4 **SITE DEVELOPMENT STANDARDS**

4.01 OVERVIEW

(To be developed)

4.02 DRAINAGE

- A. All drainage from a home, structure or hardscape Improvement must remain on a Lot and not spill, cascade or run onto adjacent properties. All roof drains, scuppers and gutters must be contained in drain pipes or gutters and directed to the street in an acceptable manner.
- B. All Lots shall drain per the engineering plans on file with Lake Havasu City. Generally, Lots drain to the street. Obstruction, alteration or re-channeling of drainage flows from the initial location of drainage patterns, drainage swales, storm sewers, or storm drains constructed as part of the any construction effort is not permitted.

4.03 FINISHED GRADE / FINISHED GRADED PAD

- A. The Lots in Riviera were developed with specific engineered Finished Graded Pads at the time of the development. Finished Grade Pad elevations are defined on the approved Lot Exhibit for each property. In general, the grade and elevation of the Finished Graded Pad should not be modified. Any grading or pad elevation Modifications will need the written approval of the DRB. Building Heights will be measured as a floating plane above the approved Finished Grade Pad elevation for each property.
- B. Changes or Modifications to the original Finished Graded Pad elevation within an enclosed rear yard may not exceed three (3) feet above the elevation of the original Finished Graded Pad, provided that the revised grading does not negatively impact or alter existing drainage conditions. Additional low retaining walls may be added to slope grades within an enclosed rear yard or enclosed side yard. Modifications to the elevation of the original Finished Graded Pad may not be used to gain additional building height for any Addition, Accessory Structure or Shade Structure.

4.04 SETBACKS

- A. The Lots in Riviera were developed with specific Building Setbacks at the time of the development. Building Setbacks are defined on the approved Lot Exhibit, refer to Appendix C.1 for Typical Lot Exhibit, for each property. In general, the Building Setbacks should not be modified. Any Building Setback Modifications will need the written approval of the DRB.
- B. Graduated Building Setbacks apply to Lots in Riviera with steep slopes in order to address height. In general, an Applicant shall use a 45-degree angle from the Building Setback intersections on the back corners of the adjacent lots.

Within this area of the Building Setback, the limit of Improvements is 48" AFF.

- C. Refer to Appendix C.2 for a Graduated Building Setback Diagram.

4.05 DRIVEWAYS

A. Driveways

1. Expanding or widening driveways shall not extend the width of the pavement more than two (2) feet beyond either side of the actual garage door opening; nor shall the width of the pavement extend beyond the side face of the garage structure. Three-point turn around areas are exempt from this requirement.
2. In general, driveways must be at least two (2) feet from a public utility transformer or public utility equipment.
3. Driveway materials shall be limited to: gray concrete with light broom finish; grey concrete with salt finish; exposed aggregate concrete; integrally-colored concrete; concrete pavers; brick pavers; or other materials.
4. Painted finishes, acrylic coatings, epoxy coatings, tile, stamped concrete, pebblestone, or other coating materials are not allowed on any driveway, unless otherwise approved in writing by the DRB.
5. Decomposed granite, gravel, rock, earth, asphalt, and other unimproved driveway surfaces are not allowed.

B. Driveway Gates

1. Driveway Gates are not allowed in the Front Yard Zone or within the front yard building setback. Driveway Gates may be considered by the DRB on a case-by-case bases for homes with a porte-cochere, long driveway or with a deeply recessed side auto courtyard that is behind the front-most face of the home. Driveway gates, if allowed, shall match the authentic architectural style of the home, including the colors, materials, patterns and appearance. Driveway Gates may not be treated as artwork or design statements. The height of driveway gates may be limited as deemed appropriate in the sole opinion of the DRB.
2. Some Lots have multiple levels with street frontage on multiple streets. Driveway Gates off of secondary streets or into Private Zones will be allowed with written approval by the DRB. Driveway Gates and all accessory walls, fences and Improvements, shall match the authentic architectural style of the home, including the colors, materials, patterns and appearance.

4.06 WALKWAYS AND SIDEWALKS

- A. Primary sidewalks and walkways in a front yard that connect the front door of the home with the public sidewalk may not exceed five (5) feet in width, unless otherwise approved in writing by the DRB.
- B. Primary sidewalks and walkways in a front yard that connect the front door of the home with the driveway may not exceed four (4) feet in width, unless otherwise approved in writing by the DRB.

- C. Walkways between Driveway and Rear Yard: Paved walkways between the driveway and the gate to the rear yard may not exceed sixty (60) inches in width, unless otherwise approved in writing by the DRB.
- D. Paved walkways from the rear yard directly to the public sidewalk are not allowed, unless approved in writing by the DRB. Paved walkways from the rear yard that extend across a majority of the front yard are not allowed.
- E. Walkway materials in a front yard shall be limited to: gray concrete with light broom finish; grey concrete with salt finish; exposed aggregate concrete; integrally-colored concrete subject to review and written approval of the color by the DRB; concrete pavers; brick pavers; stone pavers; or other appropriate materials. Painted finishes, stained finishes, acrylic coatings, epoxy coatings, tile, stamped concrete, pebblestone, or other "coating-like" or "applied" materials are not allowed on any walkway in the Front Yard Zone, unless otherwise approved in writing by the DRB.
- F. In general, walkways and sidewalks in a Front Yard shall be simple rectangular shapes and fit the architectural style of the Residence. Avoid meandering, wavy, curved, flared and ornamental walkway layouts.
- G. In general, any steps that are necessary in walkway shall be located immediately in front of the Front Porch or entry stoop. Running landings, which consist of several small steps spaced out across the depth of the front yard, are strongly discouraged and may be prohibited at times by the DRB.

4.07 RETAINING WALLS

A. Retaining Walls

- 1. The intent of these Guidelines is to promote the creation of artful wall design solutions within the acceptable maximum height. In severe cases, where retaining walls are required and the need for high retaining walls is expected, the DRB will consider allowing high retaining walls if the design is of a high-quality layout, material, and color. If retaining walls are required, they must meet the intent of the following requirements:
 - a) Generally, retaining walls shall not exceed eight (8) feet in height from lowest finished grade adjacent to top of wall on the exterior side of the enclosure. Additional height may be achieved by use of more than one retaining wall, provided a significant setback, minimum four (4) feet, is provided between the two (2) walls.
 - b) All retaining walls shall be an extension of the architectural style and character of the Residence. The top of the wall should be level, and shift in plan location when a height change is required.
 - c) Compose wall designs in an artful manner.
 - d) Maintain consistent top of wall elevations.
- 2. For Lots with a neighboring rear or side adjacent Lot that is higher, or lower, in elevation, Common Walls with retaining wall conditions are allowed, and if implemented must conform with the Common Wall requirements listed below.

B. Front Yard Retaining Walls

- 1. In general, low front yard retaining walls shall be an extension of the

architectural style and character of the Residence.

4.08 WALLS AND FENCES

Walls and fences shall be an extension of the architectural style and character of the Residence. In some neighborhoods, walls and fences on property lines are a consistent material and color from Lot to Lot and part of an overall thematic character. Any Modifications, replacements or extensions of existing fences or screen walls require the written approval of the DRB.

Walls (other than Common Walls) located on a Lot or Tract shall be repaired and replaced by the Owner of the Lot or Tract.

A. Community Walls

1. At times, Community Walls were constructed as part of the original development. These walls have a common appearance throughout the neighborhood and include common landscape walls, monument walls, security walls and fences, and retaining walls.
2. Modifications to Community Walls are not allowed.
3. Temporary removal of Community Walls will not be allowed for any construction access.

B. View Preservation Fencing

1. View Preservation Fencing means glass, or other material fencing that is relatively transparent.
2. Wire or metal mesh may not be placed over View Preservation Fencing without the written approval of the DRB.

C. Walls and Fences Adjacent to Open Space

1. The walls, retaining walls, and fences that are adjacent to open space must comply with the community standard design theme that was established as part of the Original Construction.
2. In general, the DRB will not allow increases in height or extension of fences or screen walls beyond those constructed by the initial Contractor with the Original Construction.
3. The DRB requires special treatment of walls, retaining walls and/or fences adjacent to common areas, including requiring changes in wall plan and direction on some Lots. Therefore, at times, walls and fences along the common areas may not be allowed to follow the property line.

D. Walls and Fences in the Front Yard

1. No fence or wall shall be constructed on the streetside of the structure which extends beyond the front of the Residence located nearest the fence or wall. Retaining walls as may be required for slope stabilization may be permitted in compliance with the Design Review Guidelines.

E. Walls and Fences in the Rear or Side Yard

1. In general, fences and walls at the rear yard or side yard shall not exceed six (6) feet above the highest adjacent finished grade.

2. If the inside face of the wall is visible from eye-level from any street, sidewalk, or Common Area, the inside face of the wall may not include: bold colors, bright colors, dramatic colors, stone, tile, murals, signage, graphics or artwork. This criterion applies to the inside face of walls that are visible through View Preservation Fencing.

F. Pool Safety Barriers

1. Fences, walls and gates used for swimming pool enclosures must comply with Lake Havasu City pool safety barrier criteria.

G. Common Walls (walls centered on a common property line)

1. Owners are encouraged to work together on the design and installation of any Common Wall.
2. If a Common Wall is implemented, Owners are required to submit a completed Common Wall Application form (refer to Appendix A.5) with City easement agreement for Common Walls, both with Preliminary Design and Final Design Submittals:
https://www.lhcaz.gov/docs/default-source/department-documents/gradingslopeandcommonretainingwalleasement.pdf?sfvrsn=e1992b7c_24
3. Any Common Walls built by private property owners by agreement shall be maintained as defined in the agreement between private property owners. A copy of said agreement shall be delivered to the Association for reference. The Association shall have no responsibility with regards to the maintenance of Common Walls between private landowners.
4. Any wall which is placed on the boundary line between a Lot or Tract and the Common Area shall be maintained, repaired, and replaced by the Owner of the Lot or Tract, except the Association shall be responsible for the repair and maintenance of the side of the wall which faces the Common Area.
5. In the event that an Owner proposes a rear or side yard Common Wall, they must meet the intent of the following requirements:
 - a) Screen walls and view fences proposed on property lines, when allowed and when not supporting a building or retaining earth, shall not exceed a height of six (6) feet when measured from the finish grade along the exterior side of the enclosure, or from the lowest grade on a side yard condition.
 - b) Side yard perimeter walls must return to an architectural mass without being overly complicated.
6. If an Owner desires to modify the height or location of a fence or wall that is located on a common property line, the Owner shall submit an amended Common Wall easement agreement to the DRB prior to submitting to the City.
7. Any request to modify the height or location of a fence or wall that is located on a common property line must include a clear explanation of the construction responsibility for the changes to the fence or wall; as well a clear explanation of the long-term maintenance responsibility of both sides of the wall or fence.
8. Any design must consider topography and finished grade pad

elevations on both sides of the wall.

9. Reference C.4 Common Wall Exhibit for additional information related to wall and pilaster standards.

H. Fencing and Screen Wall Materials

1. Wood, cedar, split rail, vinyl, PVC, plastic, pre-cast concrete, wire, and chain link fences are prohibited on any Lot, unless otherwise specifically approved in writing by the DRB.

I. Fencing and Screen Wall Gates

Refer to Section 5 - Architectural Standards.

4.09 WATER FEATURES

- A. Fountains, waterfalls, ponds, reflecting pools, bird baths, water features and other water elements may be allowed subject to the following criteria:
 1. Water features that are installed in an enclosed side or rear yard and are not Visible From Neighboring Property or Streets are allowed without the written approval of the DRB.
 2. Small-scale water features (i.e. fountains) may be allowed within a Front Courtyard or a side courtyard. Water features must be located in courtyards; or behind fences, walls or landscape hedges.
 3. Water Features are not allowed within the Front Setback.
 4. All Water Features, regardless of location, shall be limited to a maximum height of five (5) feet above the primary finished floor elevation of the Residence. This measurement includes the highest point of a water spray or water stream.
 5. The appearance of a Water Feature must be compatible with the architectural character, colors and materials of the Residence.
 6. All equipment must be Concealed From View.

4.10 SWIMMING POOLS AND SPAS

- A. All swimming pools, pools, spas, hot tubs and similar water elements are only allowed within enclosed yards, side yards or front courtyards.
- B. All swimming pools and spas shall be of the in-ground type, except that above-ground swimming pools and spas may be permitted, if not Visible from the Neighboring Properties, Common Areas, and/or the street.
- C. Children's portable wading pools of less than twelve (12) feet in diameter and less than twenty-four (24) inches in height are allowed in an enclosed yard and do not require DRB approval.
- D. All pool equipment must be screened from view from streets, sidewalks, and common areas by walls, a gate or other suitable screening method to a minimum height of twelve (12) inches above the equipment. Pool and spa equipment must be a minimum of ten (10) feet from a View Preservation Fence and may not be Visible From Neighboring Property or Streets.
- E. Building permits issued by Lake Havasu City are required for all swimming pools and spas. Chain-link fencing is prohibited.
- F. Pool features, such as slides, rocks or waterfalls, that are six (6) feet in height or

less (as measured from the primary finished floor level of the Residence) shall be located a minimum of three (3) feet from any property line. Pool features greater than six (6) feet in height (as measured from the primary finished floor level of the Residence) require the written approval of the DRB and must be located a minimum of ten (10) feet from any property line and are limited to a maximum of nine (9) feet in height.

- G. Underground propane gas lines that connect the propane gas tank or gas stub to the pool equipment are acceptable.
- H. No pools can be drained or backwashed onto the street or open space or any other property. A backwash pit may be required. Any applicable regulations governing disposal of pool wastewater must be followed.
- I. The waterline of a swimming pool or spa shall be setback a minimum of three (3) feet from any property line and meet all local and State regulations.
- J. Decks or patios associated with a pool or spa must be setback a minimum of three (3) feet from any property line to allow for landscaping between the patio and the wall.
- K. Access for pool construction to an enclosed yard shall only be allowed across the subject property through the front fence return location and/or through the existing side yard gate. Access for pool construction will not be allowed over any common area without prior written approval from the Havasu Riviera Community Association (which approval can be withheld at the sole discretion of the Association). Any damage to site walls, fences and gates caused by pool construction shall be restored to match the original existing condition. Any repair or restoration work to a wall, fence or gate must seamlessly match the original existing condition. Any damage to front or side yard landscaping, or to landscaping along an alley, caused by pool construction shall be restored to its condition prior to the damage.
- L. Excess earth material generated from the excavation of the pool or spa may not be placed in any exposed yard.
- M. Negative edge pools may be allowed facing the open space subject to written approval by the DRB. Only dark colored tiles are allowed on negative edge pools. The DRB may create additional design criteria or stipulations for negative edge pools as it deems appropriate.

4.11 SPORT COURTS / TENNIS COURTS

- A. Tennis courts will not be allowed on any residential Lots. Sport courts will not be allowed on any residential Lots, unless otherwise approved in writing by the DRB. Lighting of sports courts is not permitted on residential Lots.

4.12 BARBECUES, FIREPITS AND FIREPLACES

- A. Built-in barbeque units, outdoor cooking equipment, fire pits, fire features, chimenea, exterior fireplaces, or other similar elements must comply with the following design criteria:
 - 1. Must be contained within the enclosed rear yard or enclosed front or side yard courtyard.
 - 2. Must be designed to complement and integrate with the design of the

Residence and landscape.

3. Any freestanding exterior barbeque or fireplace, including the chimney, shall be proportional in size to the surrounding elements shall not impair views and shall not exceed a height of ten (10) feet above the primary finished floor elevation of the Residence, unless otherwise approved in writing by the DRB.
4. Propane gas barbeques, fire pits and fireplaces are acceptable, however, wood burning types are not in an effort to reduced smoke and fire danger.
5. The style, colors and materials used for a barbeque, fire pit, fire feature or fireplace shall match the character and authentic architectural style of the home. Any barbeque, fire pit, fire feature or fireplace shall use the same materials, colors and details on all four sides of the Improvement to ensure that the back side which may be visible through View Preservation Fencing has the same appearance as the other faces of the Improvement.
6. Fuel storage tanks must comply with information in "Storage".
7. Portable Outdoor Fire Elements, such as portable grills, fire stands, and patio heaters are only allowed within the enclosed rear yard. These elements are not allowed in the Front Yard Zone, including on Front Porches or in Front Courtyards unless used on a temporary basis and stored away at the end of the use.

4.13 PET ENCLOSURES, SHELTERS, AND DOG RUNS

- A. Pet Enclosures, Shelters, and Dog Runs, including kennels, cages, hutches and other such areas for the containment of animals may only be allowed in an enclosed rear yard, or side yard, if properly fenced. Pet Enclosures, Shelters, and Dog Runs shall comply with the following design criteria:
 1. May not exceed the height of the surrounding walls or fences and shall not be Visible From Neighboring Property or Streets.
 2. May not be located within ten (10) feet of View Preservation Fencing.
 3. Shall be designed with aesthetics, noise, and odor considerations for the adjacent neighbors and public spaces.
 4. Shall be placed in locations that minimize adverse impacts to the users of adjacent property.

4.14 PLAY STRUCTURES

- A. No swing sets or other play structures or fences shall be placed or constructed on any Lot without the prior written approval of the DRB (including, without limitation, approval as to appearance, screening, and location).
- B. All exterior play structures or recreational equipment, such as swing sets, slides, play houses, tree houses, jungle gyms, sand boxes, skate board ramps, portable or above-ground swimming pools, trampolines (including netted enclosures), and similar equipment are only allowed in enclosed rear yards. Lighting of play or recreational equipment is prohibited. All portions of the equipment that are Visible From Neighboring Property or Streets must not impair views, must be located no closer than five (5) feet from a property line or solid fence and a minimum of ten (10) feet from any View Preservation Fence. The DRB may, at its sole discretion and without obligation, approve play structures and

recreation equipment that does not meet this criteria.

- C. Temporary and portable play and recreation equipment such as hockey goals, volleyball nets and skateboard ramps do not need approval from the DRB but must be Concealed From View. Because this equipment must be removed when not in use, ease of mobility and portability should be considered when choosing this type of equipment.

4.15 BASKETBALL GOALS

- A. No basketball goal, backboard or similar structure or device shall be placed or constructed on any Lot without the prior written approval of the DRB (including, without limitation, approval as to appearance, screening, and location). Permanent Basketball Goals are prohibited.
- B. If approved, the intent is to locate the basketball goal in the least visible area and away from streets, or common areas. Permanently mounted or sleeve-set basketball goals are prohibited in front yards (defined for this purpose only as the area between the sidewalk or street and the front-most face of the house). Basketball goals located adjacent to driveways and behind a porte-cochere or behind the front face of the Residence may be allowed. If rear yard installation is approved, the goals must be located near the main dwelling structure to reduce visual impact to adjacent Residences and a minimum of fifteen (15) feet is maintained from any perimeter wall or property line to the pole. Basketball hoops located adjacent to driveways that are accessed from alleys may be allowed. In such cases, the basketball hoops should be located on the interior side of the driveway.
- C. The basketball goal, backboard, post and support structures must come down when no longer utilized. The pole and any metal supports shall be painted black, dark green, or painted to match the house color. (Basketball rims are allowed to remain orange.) No logos or graphics may be added to the backboard or post beyond the manufacturer's logo. Basketball Hoops must be maintained in a safe and attractive condition, including rims and nets. Basketball Hoops may not be attached to the front, rear or side of the house structure. The DRB may require additional mature landscaping to screen any basketball hoops and backboards from a street, common area, or neighboring Lot. Although the general criteria of this section may be met by a proposed application, the DRB may refuse to allow a basketball hoop and backboard if, in its sole discretion, the DRB determines a significant negative impact would result.

4.16 ARTWORK, SCULPTURE, OR ORNAMENTATION (EXTERIOR)

- A. Exterior ornamentation, artwork, sculpture or other components in the Front Yard Zone or are otherwise Visible From Neighboring Property or Streets require written approval of the DRB. (This restriction included items that are visible over a privacy fence per the definition of Visible From Neighboring Property or Streets.)
- B. Exterior elements such as posts or fences to mark the Lot corners, statues, wagons, wagon wheels, representations of animals, weather vanes, saguaro ribs, bird baths, murals, decorative elements, or any other miscellaneous

ornamentation items must not be Visible From Neighboring Property or Streets.

- C. The DRB reserves the right to allow ornamentation, artwork and sculpture on a Front Porch or within an enclosed courtyard on a case-by-case basis.
- D. The DRB reserves the right to not permit exterior artwork, sculpture and ornamentation that it deems inappropriate for reasons of: subject matter, height, color, size, reflectivity or location.
- E. If approved by the DRB for an enclosed yard, exterior art or sculpture shall generally not exceed a height of nine (9) feet above the adjacent finished grade; and artwork or sculpture shall be constructed of materials that do not cause a nuisance to adjacent property Owners or users of adjacent public spaces. Any lighting of exterior artwork or sculpture, regardless of location, requires written approval of the DRB.

4.17 FLAGS AND FLAG POLES

- A. Unless otherwise permitted by law, no permanent flagpole or flag shall be installed or constructed on any Lot without prior written approval of the DRB (including, without limitation, approval as to appearance, screening, and location).
- B. A free-standing flagpole shall be limited to a maximum height of twenty (20) feet or the highest point of the roof of a single-story home (whichever is the smaller dimension) in any residential area.
- C. Only one (1) flagpole shall be permitted per Lot in residential areas (except for a model home complex).
- D. The color of the flagpole in a residential area shall be black, bronze or dark gray.
- E. Flagpoles should have an internal halyard system so that no noise is made by the flag securing system. Lanyards are not permitted to disturb the peace of the neighborhood.
- F. No more than two (2) flags may be displayed at the same time on a Lot.
- G. The size of each flag shall not exceed 4' x 6'.
- H. Any lighting of a flag or flag pole shall comply with the requirements for exterior lighting, as outlined elsewhere in these Guidelines.
- I. All flags and flagpoles shall be maintained in good condition. Faded, frayed or tattered flags are generally not allowed. Flags that are permitted to be flown pursuant to Arizona law (A.R.S. § 33-1808) must be flown in accordance with the Federal Flag Code.
- J. Applications for flagpoles and flags must detail the location, size, material, color, finish, lighting (if any), and content of the pole, flag, lanyard, and any other Improvements for the intended use.
- K. The DRB reserves the right to restrict decorative flags (including but not limited to sports teams, clubs, etc.) that are not protected by law.
- L. For ornamental or other decorative flags, refer to "Artwork, Sculpture, or Ornamentation".

4.18 MAILBOXES

- A. Currently, cluster box units (CBU) are being used in all neighborhoods and townhome villages. Individual mailboxes may be used in some neighborhoods

in the future.

- B. Modifications to the cluster box units are prohibited. The need for repair or maintenance to the cluster box unit shall be brought to the attention of the Havasu Riviera Community Association and or the United States Postal Service (USPS).

4.19 TRASH CONTAINERS AND COLLECTION

- A. No garbage or trash shall be placed or kept on any Lot, Tract or other property except in sanitary, covered containers, of a type, size, and style which are approved in writing by the DRB. Such containers shall be maintained so as not to be Concealed From View except to make the same available for collection and then only for the shortest time reasonably necessary to affect such collection. All rubbish, trash or garbage shall be removed from the Lots, Tracts and other property and shall not be allowed to accumulate thereon. No outdoor incinerators shall be maintained on any Lot, Tract or other property.
- B. Visual impact to neighboring properties and Common Areas should be considered in the placement of all trash, refuse and recycling containers.
- C. Trash and recycling containers shall be stored Concealed From View and shall not be stored in the front yard, rear alley, on a porch nor in the front courtyard of any home.
- D. Trash and recycling containers must be stored in the garage or within enclosed yards that are screened from view from the street, alleys or adjacent properties.
- E. Trash and recycling containers shall be removed from the trash pick-up area and stored as provided above on the same day that trash pick-up service is provided. For homes with an alley, the trash and recycling containers shall not be stored on the paved pad immediately adjacent to the alley.

4.20 FURNITURE (EXTERIOR)

- A. Exterior Furniture
 - 1. Exterior furniture which is Visible From Neighboring Property must be manufactured for exterior use and must be kept in a neat and well-maintained appearance. In general, outdoor furniture that is made of plastic is not allowed on a Front Porch or in a Front Courtyard. In general, the color of outdoor furniture on a Front Porch or in a Front Courtyard should complement the color palette of the home.
- B. Umbrellas
 - 1. A maximum of three (3) patio umbrellas are allowed on a property. All exterior umbrellas must be maintained in an attractive manner. Umbrellas that are broken, ripped, torn or unsightly must be removed immediately.

4.21 CLOTHES DRYING FACILITIES

- A. No outside clotheslines or other outside facilities for drying or airing clothes shall be erected, placed or maintained on any Lot, Tract or other property unless said clothesline or other outside facilities for drying or airing of clothes are Concealed From View. No clothes, towels or similar Items may be hung from fences or balconies for drying purposes.

4.22 POTS AND PLANTERS

- A. Portable pots, planters, and other elements that contain landscape or flowers are allowed within front yards without DRB approval provided that such Pots are not larger than three (3) feet tall, three (3) feet wide and do not number greater than six (6) per Lot. Pots and planters should be selected to complement the architectural character of the Residence and the landscape design. Only plant material from the Approved Plant List (Appendix “B”) and from the applicable Landscape Theme may be used in pots and planters that are visible from the street or Common Area. Seasonal and perennial flowers that have a mature height of less than three (3) feet are allowed in pots and planters and do not have to be on the Approved Plant List.

4.23 ADDRESS IDENTIFICATION

- A. Each Residence is required to maintain address identification numerals located on the building structure, which are legible and visible from the street and comply with the criteria of the Lake Havasu City. Address identification numbers may not exceed eight (8) inches in height and should be of a simple font style appropriate to the architectural design of the home. Address identification may not be placed on freestanding signs. Address identification numerals are not allowed to be painted on any curbs. Lots in which the garage is accessed from an alley are required to have additional address identification visible from the alley.

4.24 HOLIDAY LIGHTS AND DECORATIONS

- A. The intent of this section is not to discourage exterior decorating for holidays, but only to maintain a standard of quality fitting with a community like Riviera. Holiday decorations should be subtle, soft, and tasteful. Decoration displays, including lighting, should not have a commercial appearance and should not be “overdone”. The DRB and the Association each reserve the right to prohibit any holiday lights and decorations deemed inappropriate in their opinion for the image of Riviera - refer to Section 7.02A Exterior Lighting for more Information. Decorations, other than lights, shall not be allowed to be mounted on roofs.
- B. Exterior holiday music is not allowed, except for exterior music for personal and social enjoyment at the outdoor living spaces, (i.e., patios, terraces, pool, etc.), provided it does not disturb other Residents and subject to any restrictions in the Havasu Riviera Declaration, or as otherwise allowed as an event approved by the Association.
- C. Halloween lights and decorations will be allowed between October 1st and November 6th. Holiday lights and decorations will be allowed between Thanksgiving and January 10th. Lights and decorations for other holidays may be installed no more than two (2) weeks prior to the holiday and must be removed within one (1) week after the holiday.

Section 5 **ARCHITECTURAL STANDARDS**

5.01 OVERVIEW

The Construction, installation, erection, or placement of any Improvement, permanently or temporarily, on a Lot, on the exterior portions of a Residence or upon or within a front, side or rear yard, whether such portion is improved or unimproved shall require the prior written approval of the DRB and adherence to the procedures set forth in these Guidelines. Such approval shall be subject to the restrictions, requirements and conditions set forth in the applicable governing documents, including the Havasu Riviera Community Declaration, Tract / Neighborhood Declaration(s), Supplemental Declaration(s) and other Rules and Regulations of the Havasu Riviera Community Association, LLC

Great care and thought have been given to the creation of the designs, styles, colors and materials of all of the homes at Riviera. Therefore, the same attention to detail must be given to any Improvements. In addition to these Guidelines, the criteria used during the initial design and construction by the Owner will be used by the DRB in their review of any future application from an Owner. In particular, the DRB will look for authenticity in the execution of the approved architectural styles. Any Improvements to a Residence must continue the authentic detailing of each architectural style. The DRB will also look for consistency in detailing, colors, materials, forms and architectural style with the Original Construction. The intent is that any Improvement fit seamlessly with the Original Construction.

The following Architectural Standards apply to all Residences (attached and detached) and residential Lots covered by these Guidelines:

5.02 BUILDING HEIGHTS

- A. Residences in Riviera are restricted in building height to maximum height above the Finished Graded Pad, meaning, that the Residence may not exceed the maximum height as measured as a floating plane above the approved Finished Graded Pad for each Lot. Maximum Building Heights vary throughout Riviera based on location, neighborhood design, and potential impact to views from other Lots. The Maximum Building Height for each Lot is specified on the Lot Exhibit. No portion of any Residential Unit, Addition, Modification or other Improvement is allowed to exceed the established Maximum Building Height without a written variance from the DRB with the exception of chimneys and solar arrays.
- B. Additionally, only a percentage of the overall building structure may reach the Maximum Building Height. Percentages and requirements may vary on different Lots and within different neighborhoods. As a rule of thumb only forty (40) percent of the overall building structure may reach the maximum building height. The remaining sixty (60) percent may only reach a height

three (3) feet less than the maximum building height, refer to Appendix C.3 for Maximum Building Height Analysis Diagram.

- C. It is preferred that the back portions of the building structure have roof lines below the maximum building height. This promotes and protects distant views for homes situated uphill from the home. The tallest roof elements should be reserved for use in creating height for garage elements and great room areas. Bedrooms, accessory space, patios and other portions of the structure should strive to achieve lower building heights.
- D. In some situations, grading cuts will be proposed to lower a portion of the Finished Graded Pad. Lowering of a Finished Graded Pad will increase the allowable building height. In the event that conditions make cutting an option, Homes may not cut into the existing Finished Graded Pad any lower than the adjacent street elevation. At this cut location, the maximum building height will still be measured as a floating plane above the approved Finished Graded Pad elevation for the Lot.

5.03 BUILDING MATERIALS

- A. Residences in Riviera shall be composed of a mix of different materials appropriate to the architectural style of the proposed residence. A minimum of two (2) exterior materials must be used on a residence. The overall composition of materials must complement the architectural style and a minimum of twenty (20) percent of a second material must be used on elevations exposed to a street or common area. Use of stone, masonry or other accent materials will be limited to the entire exterior composition or major distinct individual masses. Wainscots are not approved.. Those styles that allow individual, distinct masses in accent materials must conform to the following criteria for proper integration:
 - 1. Horizontal material changes must occur along a horizontal line only. No "eroded" transitions from stone or masonry to stucco materials will be allowed.
 - 2. Vertical material changes must occur at logical articulations of the building wall, typically at inside corners only. No changes shall be allowed at exterior corners.
 - 3. Offsets between varying materials are required, and transitions between varying materials shall measure at least 4".
 - 4. Veneer materials, including unit masonry, shall be used only where there is no exposed edge of the veneer. Veneer materials shall wrap outside corners a minimum of 4". Veneer materials typically applied to vertical surfaces shall not wrap over onto horizontal surfaces, rather, a compatible cap material is required
 - 5. Stem walls shall be finished in compatible materials with the exterior walls to the adjacent finished grade unless specifically approved as an accent material.
 - 6. Composite cementitious siding is preferred for lap or board and batten siding appearance and must be submitted for specific approval. Vinyl siding

is not allowed.

5.04 ROOFS

A. Roof Decks and Roof Terraces

1. Exterior spiral or circular stairs are prohibited unless adequately screened from view. Balconies and patios on a second floor are allowed provided they are adjacent to livable interior space on the second floor and are well-integrated into the architectural composition and massing of the Residence.

B. Rooftop Equipment

1. Unless otherwise allowed by other sections of these Guidelines, no equipment of any type is allowed on the roof surface of any Residence or Accessory Building, unless such equipment must be permitted by Arizona law.

C. Roof Massing and Forms

1. All roofs must comply with the color approval process. Since roof shapes will form an important part of the visual environment, they must be carefully designed. Pitched roofs shall be in the form of a gable, hip or shed, and tie into building masses. Large, unrelieved singular roof forms are not allowed and must be integrated with multiple masses per other requirements of these Guidelines.
2. Structures that consist of only bold mass or block forms are discouraged, as are those that are otherwise intentionally conspicuous. The design of a Residence should carefully integrate mass forms with the overhangs, roof forms, site walls and landscape into a well-designed composition.
 - a) Dominant roof colors or reflective roof surfaces, roof mounted mechanical equipment and antennas (except as otherwise provided herein) are prohibited.
 - b) Oddly configured or overly complicated roofs will not be allowed.
 - c) Any Modification to an existing roof mass or addition of a new roof mass will be reviewed by the DRB on a case-by-case and must match the style, character, massing, slope, form and geometry of the existing Residence.
3. Flat Roofs
 - a) Flat roof areas may match the building wall color, but in no case shall exceed LRV of forty (40). For "flat" roofs, the flashing detail between the roof and the parapet wall must be painted to match the walls, and must be a visually pleasing detail as viewed from higher elevations. Built-up roofs shall be ballasted or finished in a material and color approved by the DRB.
 - b) Parapets must return and end in an intersection with a building mass. Flat roofs should be surrounded by parapets a minimum of eight (8) inches above the highest adjacent roof surface. The highest point of a Flat Roof system cannot exceed the high point of the adjacent parapet.

Flat roofs that do not have parapets may be approved by the Committee if such roofs are free of any skylights, roof penetrations, roof vents, plumbing vents, etc. All roofs designed without a parapet must have a fascia design clearly concealing the roof edge, and flashing on adjacent walls. Flat roof colors shall meet the requirements of these Guidelines regarding color and it is strongly recommended that the color of flat roof material and associated flashing match the color of the building. In any case, the color of the inside of the parapets should be the same across the entire vertical surface (i.e., paint the flashing and vertical roof material to match the parapet wall). Flat roofs utilizing foam roofing systems may require the specification of premium, higher foam densities, textures, or other special coatings, in order to achieve the color requirements.

- c) All skylights, roof penetrations, roof vents, plumbing vents, etc. are subject to DRB approval.
4. Combined Flat and Sloping Roofs
- a) The design of a Residence with a combination of flat and sloping roofs can create dramatic homes with appropriate massing and texture. The DRB may, at its sole discretion, reject any design in which it feels the sloped and flat roofs are not integrated into a harmonious whole. All parapets must terminate into an adjacent mass or completely terminate into a sloping roof.
5. Sloping Roofs
- a) The DRB strongly recommends that sloping roofs be designed as sheltering and shading elements with broad overhangs and strong shadow lines. Sloped roof materials should be textural and meet the LRV requirements. All metal roofs must be non-reflective and have a matte finish.

D. Roof Materials

1. All roof materials require approval of the DRB prior to installation or Modification and will be reviewed on a case-by-case basis. The DRB reserves all rights to limit the type, color, reflectivity, material, and character of roofing materials, as it deems appropriate. The DRB reserves all rights to deny the use of roof materials that it deems to be inappropriate for the community or inappropriate for the architectural character of the home. Generally, the DRB is looking for roof materials with non-reflective materials and colors, with a maximum LRV of thirty-six (36), and granular in texture. The following initial roof materials are provided as general guidance. The DRB reserves the right to add, modify or remove approved roof materials at any time.
2. Approved Roof Materials:
 - a) Corrugated metal and standing seam roofs with a non-reflective or matte finish
 - b) Membranes or spray coatings with non-reflective colors and/or textures

- c) Textured flat concrete tiles
- 3. The following Roof Materials are NOT Approved for use in Riviera:
 - a) Any metal roofing with reflective colors or finishes
 - b) Any concrete "S" style roof tiles
 - c) Any asphalt shingles or shakes
- 4. It is the intent of the DRB to limit the number of roof materials, patterns, and colors within Riviera. Anyone wishing to use another roof material, tile pattern, or color may submit samples to the DRB for consideration, however, the DRB will consider other roofing materials only if, in the opinion of the DRB, the proposed material meets the intent of these Guidelines.

E. Roof Vents

- 1. Roof ventilation, if necessary, shall be integrally designed into the roof tile or gables. Roof vents within the field of roof tile shall be painted to match the darkest colors of the roof tile. Gable vents shall be designed to complement the authentic architectural style of the home. Dormer vents are prohibited.

F. Chimneys

- 1. Chimney and chimney terminations should be visual accents of the Residence and shall match the authentic architectural style of the home, including matching the colors and materials of the existing home. Chimneys may not be higher than two (2) feet above any roof within ten (10) feet of the chimney. Spark arrestors must be concealed with style appropriate shrouds or chimney caps.

5.05 COLOR SCHEMES (EXTERIOR)

- A. All exterior paint, stain, trim, fabric, tile and other colors must be appropriate to the authentic architectural style of the Residence. Color schemes that may work on one architectural style may not work on a different architectural style. All new colors or materials must match or complement the color scheme of the Residence for which they are being used. Although, the DRB encourages the use of color, it reserves all rights, in its sole discretion, to not approve colors or color combinations that it believes are not compatible with the overall Riviera community character. Repainting exterior Improvements with the exact same, previously-approved colors in the exact same locations as previously approved does not require approval of the DRB.

5.06 ARCHITECTURAL DETAILS (ORNAMENTAL OR STRUCTURAL)

- A. Architectural details, including ornamental and structural details, should be used to accent the authentic architectural style of the home. Details inconsistent with the architectural style or with random patterning or spacing may not be permitted. Unless specifically approved, whether for functional or aesthetic purposes, architectural details such as vents, louvers, flashing, chimney caps, railings, trims, window surrounds and decorative metalwork shall be made of complementary colors and materials. Creativity is encouraged

for decorative elements such as gable vents, front door surrounds, accent trims and decorative tiles for stairs. Ornamental details should appear to be functional elements and integral with the authentic architectural style of the home. The DRB will review architectural details on a case-by-case basis.

5.07 TRIM AND APPLIED ACCENT DETAILS

- A. Stucco trim, pre-cast concrete trim, Cantera stone trim, cut stone trim, brick trim, and other applied accent details are allowed provided the trim details match the authentic architectural style and character of the home.
- B. In general, trim elements on a home should match for all similar conditions. For example, window sill trim should generally be the same for all windows. The use of random, differing or arbitrary trim details will not be allowed.
- C. All trims must be installed true, plumb, level, horizontal, straight, clean and precise. Trims may not be wavy, undulating or uneven.
- D. Stucco trims may not look "blob-like" When stucco "pop-out" trims are used they should be in the proportions commonly used for pre-cast concrete and natural stone trim details.

5.08 COLUMNS AND POSTS

- A. Columns and posts must appear as integrally designed elements that match the authentic architectural style of the home. In general, the following design criteria shall apply to columns and posts:
 - 1. Columns and posts should appear to be solid supporting elements
 - 2. Wood posts shall be a minimum of 8" x 8" (nominal). The use of other materials that look like wood may be allowed subject to approval by the DRB
 - 3. Concrete and cut stone columns shall be a minimum of 12" diameter. The use of other materials which look like stone or concrete columns may be allowed subject to approval by the DRB.
 - 4. Stucco columns shall be a minimum of 16" x 16". The DRB may require larger proportions for stucco columns depending on the style, massing and form of the home.

5.09 WINDOWS

- A. **Windows**
 - 1. The approval of any such changes shall be at the sole discretion of the DRB; and the DRB shall evaluate the changes on a case-by-case basis with the objective of maintaining the authentic architectural character of the residence.
 - 2. In general, any new or replacement windows on Original Construction must match the appearance of the existing windows on the home, including but not limited to: frame style, frame color, window grids, window trims, recessed conditions and glass type. It is not acceptable to have different types of windows on the same home.
 - 3. Any windows that are converted to a door, French door or sliding glass doors shall be subject to the review and discretion of the DRB on a case-by-

case basis.

4. Deletion of windows shall be subject to review and discretion of the DRB on a case-by-case basis.
5. Changes to the windows that significantly change the appearance of the home in the opinion of the DRB will not likely be approved.

B. Window Coverings (Interior)

1. Temporary-type window coverings, such as blankets, bed sheets, towels or aluminum foil are prohibited, except for a period of thirty (30) calendar days following move-in.
2. Reflective window coverings are not allowed without written approval from the DRB.
3. In order to minimize visibility into a garage, opaque window coverings are strongly recommended on all windows in a garage that face a street. The DRB reserves the right to require the use of opaque window coverings if issues arise due to uncontrolled light spill from within a garage.

C. Window Tint or Film

1. Window tint and window films that are specifically manufactured for residential windows are allowed on the interior face of the glass of a window. Highly-reflective or mirror-like window tints or films with a visible light reflection rate of 20% or greater are not allowed. An Owner is required to maintain window tints or films in an attractive manner. If a window tint or film peels, delaminates or bubbles, the Owner shall immediately remove the tint or film material.

D. Shutters

1. Modifications, repainting, replacement or addition of shutters on a home requires approval from the DRB prior to installation or modification.
2. The style, pattern, appearance, materials and colors of any shutters shall match the character and authentic architectural style of the Residence.
3. The width of any shutter (in the case of a pair of shutters) shall be 1/2 the width of the window opening or recess (not the width of the window itself). For a single shutter, the width of the shutter shall be equal to the overall width of the window opening or recess (not the width of the window itself).
4. The height of any shutter shall match the height of the window opening or recess (not the height of the window itself).
5. Shutters shall be made of a durable and low maintenance material that is at least one (1) inch thick.
6. The color of shutters shall complement the color palette of the Residence. Shutters may not be painted the same color as the wall to which they are attached.

E. Sunscreens

Refer to "Awnings, Canopies, Sunscreens and Window Shades".

5.10 DOORS (EXTERIOR)

A. Doors

1. Modifications, repainting or replacement of an exterior door on a home requires approval from the DRB prior to installation or modification. The style, pattern, appearance, materials and colors of an exterior door shall match the character and authentic architectural style of the Residence. Designs, patterns or colors for exterior doors that are deemed by the DRB to be overly ornate, contemporary, bold, dramatic, or not appropriate for the architectural style, will not be approved. Materials used for exterior doors shall be durable and low-maintenance. The color of an exterior door shall complement the color palette of the Residence. Bold, bright, shiny or reflective materials or colors should not be used for an exterior door.

B. Security Doors and Screen Doors

1. Security doors and/or screen doors that are visible from the street or sidewalk shall match the character and architectural style of the Residence. The style and colors of the security door shall match the authentic architectural style of the home. Such doors shall be painted an appropriate complementing color to the main body color of the Residence. Security Doors are not allowed on pairs of French doors. No animal, plant or character depictions are allowed on a security or screen door. Designs for security doors that are deemed to be contemporary, bold, or dramatic by the DRB will not be approved. Perforated metal mesh used as a screen material shall be painted to match the color of the security door; or shall be painted black, dark bronze, dark grey or dark brown. Screen fabric used as a screen material shall be black, dark bronze, dark grey or dark brown. No white, light, beige, tan, or colorful colored screening material is allowed.

5.11 HARDWARE AND ACCESSORIES (EXTERIOR)

- A. Unless specifically approved, whether for functional or aesthetic purposes, materials such as flues, vents, louvers, flashing, chimney caps, railings, utility boxes and mechanical equipment and metal work of any kind must match the building color of the adjacent surface or be of a complementary color. Conduits, cables, piping and similar elements shall be either concealed within the structure of the walls, or located behind a fence. Conduits, cables, piping and similar elements may not be visible from the street or sidewalk.

5.12 GARAGES

- A. Modifications, repainting or replacement of the garage door on a home requires approval from the DRB prior to installation or modification.
- B. Garages that are located within ten (10) feet of the front building face of the home are required to have a decorative garage door that is compatible with the authentic architectural style of the home and similar to the Original Construction. Designs for garage doors that are deemed by the DRB to be not appropriate for the architectural style will not be approved.
- C. The color of the garage door shall complement the color palette of the Residence. Bold, bright, shiny or reflective materials should not be used for a

garage door. Colors for garage doors that are deemed by the DRB to be not appropriate will not be approved.

- D. Garage doors must be maintained in an attractive manner. Garage doors that are bent, broken, dented or otherwise unsightly must be replaced immediately.
- E. In relation to the lineal frontage of an Improvement, the maximum portion of the elevation of an Improvement on the upper level exclusive of the Building Setbacks is limited to 60%. As an example, on a 55' wide lot, the total combined garage door widths would be limited to 45' x 60% or 27' unless otherwise approved by the DRB.
- F. Window grids on the windows of a garage door shall match the authentic architectural style of the home. Sunburst and other decorative patterns are not allowed. Glass in garage doors must be minimum 80% opaque or receive a window tinting film of 80% or greater. Highly reflective or mirror-like window tints or films with a visible light reflection rate of 20% or greater are not allowed.

5.13 ACCESSORY BUILDINGS, STRUCTURES, AND GUESTHOUSES

- A. Detached accessory buildings or structures, including but not limited to guest houses, cabanas, pool houses, detached garages, green houses, storage buildings larger than 80 sq ft, workshops, or other structures, must be architecturally compatible with the main Residence.
- B. Unless otherwise approved in writing by the DRB, such structures are limited to locations within enclosed rear yards or front courtyard and should tie into the overall building massing on the property.
- C. Materials, colors, finishes, style and architectural details shall be carefully coordinated on all accessory structures, and visually related by way of connecting walls, pergolas, terraces, or other landscape treatments. Such structures must match the style, materials, colors, finishes and detailing of the Residence.
- D. The location, size, height and placement of all accessory buildings and structures are at the sole discretion of the DRB. The DRB reserves the right to not approve an accessory building or structure that, in its sole discretion, it feels is too large or oversized for the proposed Lot or location.
- E. It is the Owner's responsibility to obtain all necessary permits or other local, state and federal approvals and to adhere to all code requirements.
- F. All accessory buildings or structures shall meet the setbacks required by these Guidelines, which may vary depending on Lot size.
- G. The maximum allowed height for any such accessory building or structure must be consistent with the lower roofline massing of the primary residence and is subject to approval by the DRB.

5.14 CARPORTS

- A. Carports are prohibited, unless integrated into the design of the building and specifically approved by the DRB. No storage of materials is permitted within these types of structures.

5.15 FRONT PORCHES AND BALCONIES

(To be developed)

5.16 ADDITIONS

- A. Expansion or addition of habitable spaces that are part of the main Residence must match the character, architectural style, forms, shapes, building massing, materials, details and colors of the Original Construction. The primary objective of any Addition is that it appears seamless with the existing home. Such Additions shall be reviewed by the DRB for compliance with these Guidelines, appropriateness, and compatibility as well as potential neighborhood impact. The DRB reserves all rights to not approve an Addition that it deems, in its sole discretion, to be too large, too tall or otherwise inappropriate. The height of any Addition to an existing Residence shall be no higher than the roofline of the Original Construction. Additions must comply with the building setbacks of both these Guidelines and applicable ordinances and regulations of Lake Havasu City.

5.17 STAIRS (EXTERIOR)

- A. Exterior stairs must be integrated into the architecture of the Residence and should not appear as a "tacked on" or "added" element. Exterior stairs that are Visible From Neighboring Property or Streets must use solid risers and be enclosed by a solid wall. Exterior metal stairs and spiral stairs are not allowed unless screened from view. Exterior ladders are not allowed as permanent elements.

5.18 GUTTERS AND DOWNSPOUTS

- A. Gutters, downspouts, and exposed drain outlets must be consistent with the architecture of the Residence.
- B. Downspouts should be placed in locations with the least amount of visual impact. Typically, downspouts are located at inside corners of the building to minimize their visibility.
- C. Gutters and down spouts, except copper, must be painted or factory-finished to compliment the exterior elevation materials and colors. Typically, gutters should be the same color as the fascia on the home. Unfinished, silvery or shiny gutters are not allowed.
- D. Gutter and downspout outlets may not extend more than twelve (12) inches from the face of the Residence.
- E. Downspout extensions or extension pipes are not allowed.
- F. It is recommended that all downspouts tie directly into yard drains and drainage pipes to convey water to the street.
- G. No water may be conveyed through the air, or on the ground, onto neighboring properties. All water from gutters and downspouts must be conveyed properly to the street per the original approved grading plans for the neighborhood.

5.19 EQUIPMENT (EXTERIOR)

A. HVAC Equipment

1. No rooftop or window mounted air conditioning or HVAC equipment is allowed. All ground-mounted air conditioning equipment must be screened from view from adjacent streets, common areas, or neighboring Lots by means of a low wall that matches the Residence, unless otherwise approved by the DRB. Any form of rooftop HVAC equipment, including wind turbines, is prohibited.

B. Antenna, Poles, Towers, and Dishes

1. Unregulated Receivers. Except for those devices covered by 47 C.F.R. § 1.400 and regulated by the FCC ("Regulated Receivers"), no television, radio, shortwave microwave, satellite, or other antenna, pole tower or dish shall be placed, constructed, or maintained upon any Lot, Tract or other part of the Property unless such antenna, pole, tower or dish is fully and attractively screened from view. If screening or concealment is required by this subsection, the method of screen or concealment shall be subject to the following rules and guidelines:
 - a) Unless otherwise permitted by law, antennas, satellite dishes, transmission dishes, or other apparatus for the transmission, reception, or communication of television, radio, satellite, data or other signals shall be discretely located in the side yard, installed immediately adjacent to the Residence or below the privacy fence; and integrated with the residential structure and landscaping.
 - b) Unless otherwise permitted by law, antenna, poles, towers, and dishes are not permitted in front of the front face of the Residence or in the rear yard, unless otherwise approved in writing by the DRB.
 - c) Any such devices shall be screened or landscaped and not Visible From Neighboring Property or Streets.
 - d) Unless otherwise permitted by law, antenna, poles, towers, and dishes mounted directly on the roof of any home shall be mounted on a lower roof element and no Visible From Neighboring Property, as feasible.
 - e) Antenna, poles, towers, and dishes may not be mounted to the chimney of any home.
 - f) No dis or antenna measuring over forty (40) inches in diameter will be allowed unless specifically approved by the DRB.
 - g) All equipment, including brackets, attachments and accessories should be painted to blend in to the structures upon which they are mounted, as long as painting the device does not void the manufacturer's warranty or affect the signal.
 - h) On the initial construction of the residence all wiring, cables and conduits shall be concealed within the structure and not Visible From Neighboring Property.
 - i) On future installations all wiring, cables and conduits shall be located in the least visible locations possible. Wiring and cables should be tucked into corners or run under eaves in order to minimize their visibility. All wiring and cables must be tightly and securely attached to the mounting surface; loose cables are not allowed. All wiring, cables and

conduits shall be painted to match the color of the adjacent building surface.

- j) Proposed location of Antenna, Poles, Towers, and Dishes shall be shown on the plans submitted to the DRB for construction.
2. Regulated Receivers. Notice of the installation of any antenna or receiver covered by 47 C.F.R. § 1.400 and regulated by the FCC must be provided to the DRB no more than five (5) days after its installation. The DRB's preference for the installation location of such Regulated Receivers (specifically, television and satellite dishes, antenna, and wireless cable antenna measuring less than one meter in diameter) is to place the antenna in a place that is the least visually impactful on the property.

5.20 SKYLIGHTS

- A. Skylights, including solar tubes, are prohibited on any sloped roof.
- B. Skylights may be allowed on flat roofs if approved by the DRB, provided, the skylight is located behind a parapet that is a minimum of eight (8) inches higher than the highest point of the skylight.
- C. Skylights, if approved, must be of a color that blends with the roof color – white and clear are not acceptable. Because roofs may be viewed from higher elevations or second floors, skylights are strongly discouraged.
- D. No interior illumination of skylights will be permitted.
- E. No more than eight (8) skylights or a maximum of forty (40) square feet (cumulative) of skylights may be approved on a Residence.

5.21 SOLAR COLLECTING PANELS OR DEVICES

- A. The Declarant recognizes the benefits to be gained by permitting the use of solar energy as an alternative source of electrical power for residential use. At the same time, the Declarant desires to promote and preserve the attractive appearance of the Property and the Improvements thereon, thereby protecting the value generally of the Property and the various portions thereof, and of the various Owners' respective investments therein. Therefore, subject to prior approval of the plans therefor by the Design Review Board, solar collecting panels and devices may be placed, constructed or maintained upon any Lot within the Property so long as such solar collecting panels and devices are placed, constructed and maintained in such locations, and with such means of screening or concealment as the Design Review Board may reasonably deem appropriate to limit, to the extent possible, the visual impact of such solar collecting panels and devices when view from any street or from any other property (whether within or outside the Property). Notwithstanding any other provision of the Declaration to the contrary, the Declarant (during the Declarant Control Period) or the Board (after the expiration or termination of the Declarant Control Period) shall have the right, without the consent or approval of any Owner or other Person, to amend this section (which amendment may, without limitation, impose additional or different restrictions

of solar collections panels and devices) as the Declarant or the Board (as applicable) deems appropriate in the event that, after the date the Declaration is amended, repealed or replaced.

- B. Solar Collecting Panels or Devices require approval of plans of the DRB prior to installation. Refer to Appendix H.1 - Solar Energy Device Design Guide for specific design criteria and submittal requirements.

5.22 AWNINGS, CANOPIES, SUNSCREENS AND WINDOW SHADES

- A. The design, color and style of exterior awnings, canopies, sunshades, window sunscreens, roller shades, security shads, and retractable shades must blend with the design, color and authentic architectural style of the Residence.
- B. Fabric awnings, if approved, shall utilize fade-resistant colors and materials with a minimum 5- year life span warrantee. The style and shape of the fabric awnings must be appropriate to the design and authentic architectural style of the home. In general, decorative supports and brackets are required; and the sides of the awning shall be open. Box, dome, convex and concave shaped awnings are not allowed. The color of the awning shall match the color palette and the authentic architectural style of the home. Bright or bold colors or patterns are not allowed for any awning. Awnings must be maintained in an attractive manner at all times.
- C. Window Sunscreens, if approved, shall comply with the following requirements:
 - 1. All window sunscreens, including those on side and rear elevations, require approval from the DRB prior to installation.
 - 2. The frame of the Window Sunscreen may not be larger than the actual frame of the window. The Window Sunscreen or its frame shall not overlap stucco or other window trim elements. The Window Sunscreen must fit tightly to the window frame.
 - 3. The color of the Window Sunscreen frame shall closely match the color of the window frame to which it is attached.
 - 4. The screen fabric shall be of a color that blends in with the primary colors of the residence primarily matching the window, window frames and trim – typically black, dark brown or dark bronze colors.
 - 5. If used, a Window Sunscreen must cover the entire window and not just a portion of a window.
 - 6. All Window Sunscreens shall be maintained in an attractive manner at all times.

5.23 SHADE STRUCTURES AND SAILS

- A. **Shade Structures**
 - 1. Shade structures, pergolas, gazebos, ramadas, shade trellis, and similar structures and shading devices are prohibited in front yards, but may be permitted in side courtyards, oversized side yards, and in rear yards, if such structures do not impair views and are consistent with the requirements of these Guidelines.

2. Setbacks
 - a) Shade Structures that are physically attached to the main Residence must meet the setback criteria for the main Residence. Setbacks vary for each parcel and are measured from the property line to the exterior face of the structural posts or columns that support the shade structure.
 - b) Detached Shade Structures must meet the setback criteria for an "Accessory Structure" as outlined these Guidelines.
 - c) Trellis members or overhangs may project into a setback up to but not exceeding three (3) feet, with the exception of Lots 10 through 19 within the Marina View neighborhood, where trellis members or overhangs may project into a setback up to but not exceeding nine (9) feet.

3. Height
 - a) The maximum allowed height for an attached Shade Structure shall not be higher than ten (10) feet above the primary finished floor elevation or the lowest eave line of the existing Residence (whichever is the lower of the two heights), unless otherwise approved in writing by the DRB.
 - b) The maximum allowed height for a detached trellis type Shade Structure is ten (10) feet above the primary finished floor elevation of the Residence, unless otherwise approved in writing by the DRB.
 - c) The maximum allowed height for a detached architectural type Shade Structure is ten (10) feet above the primary finished floor elevation of the Residence, unless otherwise approved in writing by the DRB.

4. Style, Shape and Character
 - a) The style, shape and character of the Shade Structure must match the style, shape and character of the Residence. The objective is that the Shade Structure is designed as a seamless and integral part of the architecture of the home. The design of the Shade Structure should not contrast or stand out from the appearance of the existing home or impact neighboring views. In general, the shape, form and geometry of a Shade Structure shall be "square" or "rectangular" in shape. Curved shapes, undulating forms, angled shapes and odd shapes and odd geometry are not allowed. Shade Structures must match the style of the home; therefore, "contemporary" and "modern" looking Shade Structures are not allowed.

5. Materials
 - a) In general, construction materials, colors, finish and architectural style used for a Shade Structure must match the existing Residence.
 - b) AlumWood or similar types of aluminum trellis-style Shade Structures that resemble wood are generally acceptable.
 - c) Tent-style shade structures and shade sails, as well as shade structures constructed of fabric and metal will not be allowed, unless otherwise approved in writing by the DRB.
 - d) Corrugated metal, corrugated fiberglass, thin wood lattice, thin plastic lattice, and tarps are not allowed as materials that are part of a Shade

Structure.

- e) Natural wood that is exposed is discouraged as a building material for Shade Structures. Exposed wood does not perform well in the desert environment and can often fade, crack, twist, warp, sag, and deteriorate very quickly. If an Owner elects to use exposed natural wood to construct a Shade Structure, the following additional criteria will apply:
 - i. Wood posts shall be 8" x 8" nominal minimum.
 - ii. Wood beams shall be 4x nominal minimum.
 - iii. Wood joints or wood trellis members shall be 3x nominal minimum. Exposed 2x natural wood is not allowed, unless specifically approved by the DRB. In general, exposed 2x natural wood materials do not perform well in the desert environment.
 - iv. Structural fasteners shall be concealed or small, such as nails, screws and lag bolts. No exposed structural hangers, structural straps, or structural clips are allowed.
 - v. A Shade Structure that is constructed of exposed wood shall be maintained at all times in an attractive appearance. The Owner must maintain all wood members to be true, plumb, horizontal, vertical and straight. Wood shade structures that have deteriorated or become unsightly must be removed immediately.

6. Colors

- a) The colors of a Shade Structure shall match and/or compliment the colors of the existing home.
- b) Shade Structures that are constructed of wood or Alumawood shall match the color of the existing wood trim on the main Residence. Typically, the color of a Shade Structure shall match the color of the wood fascia on the existing home.

7. Details

- a) Exposed wood posts shall be a minimum of 8" x 8" in size (nominal)
- b) Exposed steel posts shall be a minimum of 6" x 6" In size (actual)
- c) Alumawood posts shall be a minimum of 6½" x 7" (actual)
- d) Posts clad in stucco, stone or masonry shall be a minimum of 16" x 16". Stucco shall match the texture of the stucco on the existing home; and stone shall match the stone on the existing home.
- e) The "end cuts" of rafters and beams shall be appropriate to the authentic architectural style of the home. For example, Spanish architectural styles can use "corbel" or "scroll" end cuts; whereas most of the other architectural styles will use "miter" or "chamfer" end cuts.
- f) All Shade Structures must be permanently affixed to the ground.
- g) Trellis-Type Shade Structures are typically constructed with open trellis members and beams that allow partial filtering of light.

B. Shade Sails

- 1. Shade sails, fabric shade canopies, tensile fabric structures, and other similar fabric or plastic shade elements are strongly discouraged and will be reviewed by the DRB on a case-by-case basis.

5.24 PATIOS AND COURTYARDS

A. Front Yard Patios and Courtyards

1. Patios, courtyards, and site walls on the front of the home and/or in the Front Yard Zone of the property may be approved by the DRB, if consistent with these Guidelines and if the design is appropriate to the style and floor plan of the home.
2. Front Courtyards shall integrate with the architectural composition and style of the home. Front Courtyards must appear integrated with the forms and shapes of the existing home. Front yard patios or courtyards will not be allowed on homes with front porches, as the two features conflict with each other.
3. Patios in a Front Yard shall be enclosed or partially enclosed by low courtyard walls that match the design character of the home. Free-standing patios without courtyard walls are not allowed in the Front Yard Zone or within the Front Setback.
4. Courtyards or patios in a Front Yard are not allowed to encroach more than six (6) feet into the Front Setback, as established for each parcel.
5. Fences, walls, site walls, courtyards and patios are not allowed to encroach into the Public Utilities Easement (P.U.E.) on any Lot.
6. All walls in the Front Yard Zone, including courtyard walls, pilasters, columns and gates may not be higher than forty-two (42) inches above the adjacent finished grade.
7. Courtyard walls must be finished to match the existing home.
8. Wrought iron fencing, wood, split rail, picket, vinyl, concrete and chain link fences are prohibited in the Front Yard Zone and are not allowed to enclosure a courtyard or patio on the front of a home. (Wrought iron accents that are part of a Front Courtyard may be acceptable for a pool.)
9. Front yard patios and courtyards shall be maintained in an attractive and clean manner. Front yard patios and courtyards may not be used to maintain cooking grills and equipment, picnic tables, and related or similar items.

B. Patio Roofs and Patio Covers

1. All patio roofs, covered patios, and porte-cocheres shall be a visual extension of the architectural style and main roof structure of the Residence. Such roofs shall be appropriate to the style and building massing of the Residence and must look integral with the overall composition of the home. Such roofs may not look "attached", "stuck on", or like a "lean to" or an "after thought". Such roofs must use the same forms, shapes, roof slopes, detailing, materials, finishes and colors as the Residence. Covered patios, whether existing or expanded, must appear as a logical, integrated, and visual extension of the massing and forms of the Original Construction. All such structures shall comply with the applicable building setback criteria for the Lot - refer to the Lot Exhibit.
2. Covered patios, including those located within rear yards or side yards, may not be enclosed or converted to livable or storage spaces without approval

of the DRB. Any Modifications to an existing covered patio must match the same materials, colors, details, forms, shapes, roof slopes and character as the existing home. If an Owner desires to enclose a covered patio within a side or rear yard, the appearance of this portion of the house must match the appearance of the rest of the house. Walls or windows used to enclose an existing covered patio may not look like "infill" panels, "infill" sliding glass doors, or "infill" walls that are set between the existing covered patio columns. Instead, the enclosed covered patio must look like the rest of the enclosed spaces of the existing home, including all trims, colors, materials and architectural details. In general, any enclosed covered patio shall be seamless with the existing Residence.

5.25 DECKS

- A. A Deck is a constructed elevated outdoor area attached to the Residence (i.e. a porch without a roof). Decks are only allowed within enclosed yards and must be integrated and consistent with the architectural style of the home. In general, a Deck should not be detached or isolated from the main Residence. Refer to "Roofs" for Roof Deck standards.

5.26 SECURITY DEVICES AND CAMERAS

- A. Security devices, which are Visible From Neighboring Property, including, without limitation, "burglar bars" for windows and doors, are not permitted. Exterior roll-down security devices are prohibited on all windows except those installed on first floor windows of an enclosed rear yard. Security cameras are not permitted if they are able to view neighboring Lots.

5.27 SIGNS AND SIGNAGE

- A. Unless specifically noted below, posting of signs of any kind, permanent or temporary, on a residential property, is strictly prohibited, unless such sign has been approved by the DRB in advance, or unless such sign is protected by law. Because of the wide variety of potential signage, the Association and the DRB reserve all rights to create additional or modified signage criteria and signage design criteria in the future.
- B. **Election and Political Signs**
 - 1. Signs pertaining to elections are permitted provided they comply with the following criteria:
 - a) Election signs may not be posted more than seventy-one (71) calendar days before an election
 - b) Signs must be removed within fifteen (15) calendar days after an election
 - c) Election signs, including size and number, must conform with all state and local laws
 - d) The maximum aggregate total area of all election or political signs displayed on a property is nine (9) square feet. (For clarity, nine (9) square feet is the total aggregate sum of the area of all election or political signs combined regardless of quantity.)

- e) Election and political signs are not permitted on any Common Area, parkway property, property, property owned by the Havasu Riviera Community Association, or property owned by the Riviera Assembly.

C. For Sale and For Lease Signs

- 1. "For Sale" and "For Lease" signs are permitted if erected in accordance with the following guidelines. Refer to Appendix D.1 - Sign Design Guide.
 - a) One (1) For Sale/For Lease sign may be placed only in the front yard or in the window of Owner's property.
 - b) For Sale/For Lease sign shall not be permitted on fences, courtyard walls or any portion of any structure located on the property.
 - c) No balloons, flags or other promotional material may be attached to the approved sign or any structure located on the property, except as shown in Exhibit A relating to contact information.
 - d) Only one flyer box (black in color only) may be attached to the approved sign post.
 - e) For Sale/For Lease sign must be removed from the property when the property is taken off the market or within seven (7) calendar days after close of escrow.
 - f) Directional signs are not permitted unless used by the Declarant.

D. Open House Signs

- 1. Open house signs (limited to 24" x 36" and not to exceed forty-eight (48) inches in height that is in good repair and well maintained) may be displayed in front of home on Owner's Lot/property, provided the Owner/listing agent/representative is present at all times during the open house. Directional signs are not permitted.

E. Security/Surveillance Signs

- 1. Only one (1) security/surveillance sign (limited to one (1) sq ft in size and not to exceed eighteen (18) inches in height from ground level) may be displayed at the home foundation or one (1) small sign (limited to 6" x 6") may be placed in the window close to the front door.

5.28 STORAGE (EXTERIOR)

A. Storage

- 1. Unenclosed exterior storage areas must be within an enclosed yard surrounded by a solid wall or solid fence. Such storage may not be higher than the solid wall or solid fence. Such storage may not be Visible from Neighboring Properties and Streets and must be Concealed from View, including through a View Preservation Fence. Exterior storage is not allowed on Front Balconies and in Front Courtyards.

B. Storage Buildings and Sheds

- 1. In general, backyard storage sheds or accessory buildings used for storage, which exceed the height of any adjacent walls or fences, must be submitted for review and approval by the DRB.

2. Storage buildings and sheds shall be constructed of materials that are architecturally compatible with the Residence, including color, materials, style and character.
3. Unless otherwise approved in writing by the DRB, such structures are limited to locations within enclosed rear yards.
4. Storage related structures shall not exceed eighty (80) square feet in area under roof and may not exceed a height of eight (8) feet above the primary finished floor elevation of the Residence, unless otherwise approved in writing by the DRB.
5. Storage Sheds that are larger than eighty (80) square feet in area or taller than eight (8) feet in height are considered an "Accessory Building".
6. The location, height, size and placement of all storage and accessory buildings are in the sole discretion of the DRB. The DRB reserves the right to not approve a storage-related structure that in its sole discretion it feels is too large or oversized for the proposed Lot or location, or adversely impact views. It is the Owner's responsibility to obtain all necessary permits including local, state and federal approvals and to adhere to all code requirements. All storage related buildings shall meet the setbacks required by these Guidelines and Lake Havasu City, which may vary depending on Lot size. Refer to Section 4 - Site Development Standards for setback standards.
7. No storage related structure shall be located within fifteen (15) feet of a View Preservation Fence.
8. Air supported structures are prohibited.

C. Tanks

1. All fuel tanks, water tanks, water softeners, or similar storage facilities, if any, must be located within an enclosed yard, screened from view, and shall not be Visible From Neighboring Property or Streets. The highest point of any storage tank must be a minimum of twelve (12) inches lower than the screen walls or fence walls that surround the tank.
2. Propane storage
 - a) Propane storage tanks shall not exceed a capacity of five hundred (500) gallons and must be buried in the ground if greater than fifty (50) gallons. All propane tanks shall be installed per local and State regulations. If propane storage tanks are not buried, they shall be painted to match the primary color of the Residence; or shall be painted a neutral desert tone brown color and be adequately screened from view.
3. On-site storage of gasoline, or other fuels, for purposes, other than the operation of lawn mowers, barbecue grills or yard maintenance tools and equipment, is not permitted.
4. Water tanks may be installed below finished grade of the Lot.
5. Refer to Rules of the Association regarding fuel storage. Storage tanks must comply with any applicable codes and ordinances.
6. Propane Tanks require written approval of plans by the DRB prior to installation. Refer to Appendix H.2 - Propane Tank Design Guide for specific design criteria and submittal requirements.

5.29 MISTING SYSTEMS

- A. Misting systems are allowed on all patios, balconies, and overhangs so long as they are maintained in good working order.

Section 6 **LANDSCAPE STANDARDS**

6.01 INTRODUCTION

This section of the Guidelines for Riviera pertains to the landscape design for all Lots, including but not limited to private rear yards. These standards include appropriate plants, prohibited plants, landscaping standards, site grading and other landscape elements. Hardscape elements are generally covered in Section 5 – Architectural Standards.

6.02 LANDSCAPE DESIGN PHILOSOPHY

The landscape at Riviera will reinforce the architecture and lifestyle of Riviera while being influenced by the natural desert setting that exists along the desert shoreline of Lake Havasu. Distinctive and intimate front yards, connectivity to the natural open space, and the provision of meaningful shade will create a pedestrian-scale environment that is memorable and enjoyable to all. These Guidelines are intended to establish continuity and compatibility between neighbors and the surrounding desert environment.

6.03 LANDSCAPE ZONES

A. Landscape Zone Overview

Three (3) Landscape Zones have been established for Lots that relate to various planting applications and locations. The design established for each zone is intended to address specific landscape criteria for each Lot and provide a seamless transition between adjoining Lots.

Plant material lists have been established for each Landscape Zone to maintain continuity within the community while creating distinctive styles for each area. Other landscape character zones may be created in the future. The current Landscape Zones are:

Front Yard Landscape Zone

The Front Yard Zone occurs along the streetscapes throughout the neighborhoods. The landscape palette includes more arid and native types of plants, yet some of the patterning and formality is preserved. The use of turf is not allowed and the edges of front yards and neighborhood streets naturally dissolve into the natural desert conditions interlaced within the development.

Private Landscape Zone

The Private Landscape Zone occurs within enclosed courtyard and backyard spaces surrounding residences. The landscape palette includes the use of softer and more colorful types of plants with patterning and formality.

Native Landscape Zone

The Native Landscape Zone exists on the edge of some Lots and represents

the most native and natural-looking landscape character. This zone is based on the use of native plant species placed in natural and organic patterns in order to blend as seamlessly as possible into the natural undisturbed desert. Much of the Native Landscape Theme is revegetation, which is intended to look like the adjacent undisturbed desert upon maturity.

The following are landscape standards for each Landscape Zone:

B. Front Yard Landscape Zone

1. The Front Yard Zone is all landscape areas between the front property line and the face of the Residence, including the area on the side of the Residence up to the fence return wall. On Corner Lots with a side yard that faces the street, the landscape area between the sidewalk or street, and the face of the Residence or walls shall be treated in the same manner as the Front Yard Zone. Maintenance of all landscaping in the Front Yard Zone is the responsibility of the Owner.
2. Due to its visibility from the streets and the entire neighborhood, the Front Yard Zone is the most important in terms of design, since it must be compatible, and of comparable quality, to all the other front yards in the neighborhood. While individuality is encouraged, the Front Yard Zone should be thought of in the larger neighborhood context and not just for the individual Lot.
3. All landscaping within the Front Yard Zone, must comply with the following:
 - a) The minimum density of planting in the Front Yard Zone shall be one (1) plant per twenty-five (25) square feet of planting or landscape area, not including trees.
 - b) The minimum density of tree planting in the Front Yard Zone shall be per Section 6.05 Landscape Requirements.
4. All plant species must be selected from the List of Approved Plants in Appendix E of these Guidelines.
5. Landscaping in the Front Yard Zone should be achieved using a combination of the following planting types:
 - a) Field Planting
 - b) Foundation Planting
 - c) Screen Planting
 - d) Enhanced or Accent Planting
6. Field Planting
 - a) Field planting includes formative mass plantings of complementary shrubs or ground covers that cover large areas and provide texture and color. This planting area is composed of small and medium-sized shrubs or groundcovers, combined with accent plants for contrast.
 - i. In general, plant species used for Field Planting have a mature height of 8" to 24". In general, Field Planting is arranged in natural and organic patterns such as clusters, drifts and groupings. In general, Field Planting should not be lined up in rows. Field Planting shall be evenly distributed to cover all portions of the landscaped area. Bare areas larger than a 7' diameter circle are not allowed.
 - ii. The field planting should also be used to transition from one Lot to

another.

7. Turf
 - a) The use of turf in front yards is not allowed.
8. Foundation Planting
 - a) The purpose of Foundation Planting is to establish a "base" for the Residence with an even row of plantings. Foundation Planting is required along the exposed edges of the Residence and is composed of medium-sized shrubs that are planted at a maximum of four (4) feet on center and a minimum of 18 inches from the foundation of the Residence. In general, plant species used for Field Planting have a mature height of 18" to 36" and are trimmed to stay below windows and form attractive edges for porches or courtyards. Typically, Foundation Planting is evenly spaced and aligned in a row. Each row of Foundation Planting is usually the same plant species for continuity; and can be formal and hedged, if desired. Foundation Planting should be centered, balanced and aligned on the architecture of the Residence. Foundation Planting helps to anchor the house to the site and often hides unattractive building details just above the finished grade.
9. Screen Planting
 - a) Screen Planting not only serves to screen and mitigate walls, fences and unarticulated building walls, but it provides relief to large, exposed areas of hardscape and also provides privacy to residential spaces exposed to pedestrian and vehicular traffic. Screening is achieved through the planting of vines and a combination of large and medium shrubs. Screen Planting is required adjacent to large unarticulated building walls or large unarticulated screen walls and fences. In general, plant species used for Screen Planting have a mature height of three (3) feet to six (6) feet. Typically, Screen Planting is evenly spaced and aligned in a row. Each row of Screen Planting is usually the same plant species for continuity; and can be formal and hedged, if desired.
10. Enhanced or Accent Planting
 - a) Accent Planting should be used in special locations and is typically located along residential entries to create a focal or accent to the arrival. Accent Plantings typically provide color and interest to key points in the landscape. Accent Plants tend to be more unique and come in a wide range of sizes, shapes and colors; often with more dominant colors or flowering aspects. Accent Planting may be individual plants, or they can be located in small groupings. Accent Plants should not be used as Field Planting.
 - b) In general, the landscape design of the Front Yard Zone should have a well-designed simplicity with order, organization and pattern. Landscaping in the Front Yard Zone that is random, arbitrary or a "tossed salad" will not be allowed. Any Additions, changes or Modifications to the landscape in the Front Yard Zone require approval by the DRB prior to installation.

C. Private Landscape Zone

The Private Landscape Zone includes areas of the residential Lot enclosed by front or side courtyard walls, rear and side yard walls or fences. Private areas

within residential Lots may incorporate a more liberal use of the plant palette established within each landscape theme. Any plants that will reasonably grow to a height at maturity of six (6) feet or higher must be selected from the Approved Plant List in Appendix E.1, may not be permitted to obstruct the views of any other Lot, and must be approved by the DRB in writing prior to installation. Landscaping in the Private Zone must be installed by the Owner within twelve (12) months of initial completion of construction on the residence.

D. Native Landscape Zone

The Native Landscape Zone includes areas on a Lot that are immediately adjacent to a transparent or semi-transparent View Preservation Fence. All plant species used in the Native Landscape Zone must be selected from the list of plants in the Native Landscape Zone of the Approved Plant List in Appendix E.1 of these Guidelines. The intent is to reestablish the natural desert and blend the natural landscape beyond the rear and side yard walls or fences adjacent to natural areas or Bureau of Land Management (BLM) lands surrounding the Riviera community.

6.04 GENERAL REQUIREMENTS FOR RESIDENTIAL LANDSCAPE ZONES

The following landscape requirements apply to all landscaping on a Lot, including front yards, side yards, and rear yards enclosed with transparent or semi-transparent view fencing:

A. Artificial Vegetation

1. Artificial vegetation of any type (including Artificial Turf) is limited to enclosed rear yards, in the Private Landscape Zone, and may not be Visible From Neighboring Property or Streets, unless otherwise approved by the DRB. Artificial vegetation that is located within an enclosed front entry courtyard is acceptable provided the quantity and size is not excessive as determined in the sole discretion of the DRB.

B. Boulders

1. The use of boulders in the Front Yard Zone is allowed only in the Transition Landscape Theme and the Desert Landscape Theme.
2. Natural-looking boulders are allowed in the Front Yard Zone
3. The use of boulders or other rock features in the Front Yard Zone may be allowed if approved by the DRB and subject to the following criteria:
4. Boulders must be "surface select" granite boulders.
5. If significant scarring of the boulder surface is present, the boulders should be placed to hide scarring or treated with a man-made desert varnish product such as Eonite or Permeon.
6. Boulders shall be installed in natural appearing manner and arrangements. Boulders must be buried approximately 1/3 below grade. Boulders must be integrated within the landscape including other boulders, berming or landscape materials such as plants, decomposed granite and contouring. Boulders may not be stacked. Boulders may not be placed in unnatural arrangements, geometric patterns or arbitrary configurations.

7. Boulders shall be a minimum size of ½ ton and maximum size of 1½ tons, unless otherwise approved by the DRB. Small rocks that are between 2" and 18" in size are not allowed as landscape elements.

C. Cacti

1. Cacti are allowed and encouraged in the Front Yard.

D. Decomposed Granite

1. Decomposed granite, in an approved color, must be used in all landscape areas. Decomposed granite shall be applied to a minimum thickness of two (2) inches over the landscaped area. A pre-emergent herbicide is required beneath all decomposed granite. Plastic sheeting or plastic weed barrier under the decomposed granite is not allowed. Organic mulches are not allowed in the Front Yard Zone.
2. Decomposed granite shall be "Riviera Brown". White, green, brick red and/or other colors of decomposed granite are prohibited, unless otherwise approved by the DRB.
3. Decomposed granite shall be "¾" inch minus screened in gradation. Larger decomposed granite is not allowed in the Front Yard Zone or any exposed yard that is not behind a fence or wall.

E. Drainage

1. All pre-graded residential Lots within Riviera have been constructed based on a comprehensive grading and drainage plan for each neighborhood. Landscaping, filling or re-routing of existing natural washes or man-made drainage facilities may result in flooding, erosion or other undesirable situations. In addition, a number of natural washes throughout the community have been designated for preservation and protection by the U.S. Army Corp of Engineers. Therefore, disturbance to any natural wash corridor or designated drainage facility is prohibited.

F. Hardscape Elements

Refer to Section 4 - Site Development Standards and Section 5 - Architectural Standards for all hardscape elements, including but not limited to: driveways, sidewalks, fences, walls, gates, patios, pools, shade structures, fire elements, water features, and other hardscape elements.

G. Irrigation

1. All landscape areas within a Lot shall be irrigated with an automatic, underground irrigation system.
2. Due to issues of overspray and staining of walls, no turf or spray-type irrigation is allowed within three (3) feet of a wall or fence which is located on a property line, including rear and side yards.
3. Different irrigation valves should be provided for trees, low-water-use shrubs, ornamental shrubs, turf, pots, fruit trees and vegetable gardens. Additional irrigation valves should be considered to accommodate varying sun exposures.
4. Irrigation emitters should not be placed within five (5) feet of community

concrete streets, curbs or gutters

5. Irrigation run-off into streets, sidewalks, Common Areas or adjacent properties is not permitted.
6. Owners shall maintain their irrigation system to avoid run-off issues.
7. Ground-mounted valve boxes, transformers, timers or other flush-mounted boxes shall match the color of the ground treatment.
8. Free-standing or wall-mounted equipment should be painted to match the exterior of the house or the walls on which it is mounted.
9. All equipment, controllers and valves should be placed in inconspicuous areas of the site; generally screened from the street or sidewalk.

H. Landscape Grading

1. Subtle, soft and natural landscape grading is allowed in the Front Yard Zone; including grading necessary to transition between properties. Any such grading in the Front Yard Zone shall be gentle and naturally contoured. "Berms" may not appear like "piles of dirt" and may not look like "a mound with something buried below". Landscape grading must also be accomplished without interrupting established drainage elements, including natural wash corridors, drainage easements or on-Lot drainage patterns.

I. Landscape Lighting

Refer to Section 7 – Lighting Standards

J. Mulch

1. Organic mulches, such as wood chips, tree bark, pine needles and other similar organic landscape mulches are not allowed in the Front Yard Zone or any exposed yard.

K. Ornamentation, Artwork or Sculpture

1. Refer to Section 4 – Site Development Standards

L. Palms

1. Private Landscape Zone
 - a) Non-dwarf palms may not be used in the Private Landscape Zone. (Non-dwarf palms are the tall palms species such as: Date Palm, Canary Island Palm, California Fan Palm and Mexican Fan Palm).
 - b) Any palms used must be identified on the Approved Plant List.
2. Front Yard Landscape Zone
 - a) Palms may not be used in the Front Yard Landscape Zone.

M. Plant Material

1. Approved Plant Lists and Prohibited Plant and Landscape Material Lists have been created for Riviera to establish continuity within the community and to create a harmonious relationship within the given Landscape Theme. Those materials are referenced within Appendix E of these Guidelines. Within the Front Yard Landscape Zone or Natural Landscape Zone, any plant and landscape materials not specifically listed on the

Approved Plant List must be approved in writing by the DRB prior to installation. In the Private Landscape Zone, any plant materials that may reasonably grow to a height greater than six (6) feet and are not specifically listed on the Approved Plant List must be approved by the DRB in writing prior to installation and may not be permitted to obstruct the views of any other Lot. Because it is difficult to list every acceptable plant material, the DRB will consider other plant materials upon written request and submittal of detailed information on the proposed plant material. The DRB reserves the right to refuse any plant material that, in their sole discretion, will not be compatible with the Riviera community image or is not beneficial to the environment.

2. When requesting approval of a plant species or landscape material not on the Approved Plant List, the Applicant must provide information regarding such plant including photograph, growth characteristics, mature size, water use and other pertinent information as required by the DRB.

N. Plant Varieties and Diversity

1. While the Approved Plant List contains a large number of acceptable plant species, the best landscapes are those that use a limited number of species in appropriate mass planting applications. The total number of different plant species allowed in the Front Yard Zone is seven (7) species per Lot unless otherwise approved in writing by the DRB prior to installation.

O. Planter Boxes, Planter Beds, Raised Planting Areas

1. Raised landscape planter boxes, raised planter beds, and raised planting areas created by retaining walls, including those within an enclosed yard may not be attached directly to party walls on the common property line of Adjacent Lots; or walls immediately adjacent to Common Areas or open spaces. When adjacent to a common party wall, a raised planter must have its own separate retaining wall structure with a minimum ½" air space between the walls of the planter box and the common walls. Soil from a raised planter may not retain directly against a common party wall.
2. The inside of all raised planter boxes and raised planter beds must be water-proofed to prevent water damage to the walls.
3. Raised planter elements in the Front Yard Zone may not exceed twenty-four inches (24") in height.
4. Raised planted elements within an enclosed rear yard may impact not any views from neighboring Lots or exceed forty-two (42") in height, unless otherwise approved in writing by the DRB.

P. Pots and Planters

Refer to Section 4 – Site Development Standards

Q. Rip-rap.

1. The use of sized rip-rap in the Front Yard Landscape Zone is prohibited. The use of twelve (12) inch minus rock mulch may be allowed in steep slope situations as approved by the DRB. Swales, ditches, "dry streams" or drainage ways filled with river rock or any other rocks are prohibited. If

erosion protection is needed, the proposed solution will be reviewed by the DRB on a case-by-case basis.

R. Riverbed

Refer to “Rip-rap”

S. Swimming Pools, Spas, and Water Features

Refer to Section 4 – Site Development Standards

T. Walls and Fences

Refer to Section 4 – Site Development Standards

U. Weed Barriers

1. Plastic sheet weed barriers are not allowed under decomposed granite. In general, these materials deteriorate and become exposed resulting in an undesirable and unattractive appearance.

6.05 LANDSCAPE REQUIREMENTS

A. Front Yard Trees

1. A minimum quantity of trees in the Front Yard Zone has been established to create a consistent and desirable streetscape image within the residential neighborhoods. The minimum number of trees in the Front Yard Zone is determined by Lot size as listed below:
 - a)

| <u>Approximate Lot Size</u> | <u>Trees Required (24" Box)</u> |
|-----------------------------|---------------------------------|
| 50 feet or less | 1 |
| 51 feet to 100 feet | 2 |
| Greater than 100 feet | 3 |

(width measured at street)
 - b) One (1) additional tree for each Corner Lot.
 - c) Irregularly shaped Lots such as cul-de-sac Lots or flag Lots shall match the general pattern of trees required on “typical” Lots within the same neighborhood.
 - d) On a case-by-case basis the DRB may by written stipulation reduce front yard tree requirements on Lots with a 12 foot or less front setback.
2. The minimum size of a tree at the time of installation shall be a 24” box size, in order to satisfy the requirements of these Guidelines. Smaller trees may be planted, but will not be considered toward fulfilling the landscape calculations.
3. Unless otherwise approved in writing by the DRB, all trees must be planted a minimum of five (5) feet from all sidewalks, curbs, driveways, fences, walls, property lines and Residences. Trees that will grow to a height taller than ten (10) feet are not allowed to be planted in the side setback of a Lot unless otherwise approved in writing by the DRB.

B. Rear Yard Trees

1. A minimum quantity of trees in the Private Zone in the rear yard has not been established. Trees are promoted, where space allows, to create a desirable shade canopy, privacy and variety in the Rear Yard. Trees that will grow to a height taller than ten (10) feet are not allowed to be planted in the side setback of a Lot unless they will not obstruct the views from any other Lot.

C. Shrubs and Ground Covers

1. To ensure similar density and coverage of plant material for all Lots, the requirements for shrubs, ground covers and accent plants are based on the actual area in square feet of landscaped area excluding any sidewalks, driveways, patios or other hardscape elements.
2. The Front Yard Landscape Zone is subject to the following minimum size and density requirements. The combination of shrubs, ground covers and accent plants shall be at a minimum density of one (1) plant per twenty-five (25) square feet. Trees, turf and potted plants are not included in the plant density calculations. The size of shrubs or ground covers shall be a minimum of three (3) gallon in size at time of installation in order to satisfy the density criteria.

6.06 TIMING OF LANDSCAPE IMPROVEMENTS

- A. After the initial completion of a new Residence all landscaping in the Front Yard Zone and unenclosed Private Zone must be completed within six (6) months. This initial landscaping includes:
 1. The Front Yard Landscape Zone
 2. Any applicable Natural Landscape Zone areas
 3. those areas in a side yard between the sidewalk or street and rear yard fence on Corner Lots
 4. those areas in a rear yard not enclosed by a Fence.
- B. Landscape Improvements in the Private Landscape Zone shall be completed by the property Owner within twelve (12) months of the initial completion of a new residence. At a minimum, decomposed granite must be installed on Private Zone areas, as part of the initial landscaping, for dust control.

6.07 APPROVED PLANT LIST

- A. Refer to Appendix E.1 for the Approved Plant List. Also, consult with the DRB for any updates to the Approved Plant List.
- B. Because it is difficult to list every acceptable plant material, the DRB will consider other plant materials upon written request and submittal of detailed information on the proposed plant material. The DRB reserves the right to refuse any plant material that, in their sole discretion, will not be compatible with the Riviera community image or is not beneficial to the environment.
- C. Plants located within the Private Zone (within enclosed rear yards) that do not reach a mature height of greater than six (6) feet, do not have to be selected from the Approved Plant List, provided that they do not impact any views from any other Lots and are not on the Prohibited Plant List.

6.08 PROHIBITED PLANT AND LANDSCAPE MATERIAL LIST

- A. Refer to Appendix E.2 for the Prohibited Plant and Landscape Materials List. Also, consult with the DRB for any updates to the Prohibited Plant and Landscape Materials List. Plants identified on the Prohibited Plant List may not be used in any portion of any Lot.

6.09 LANDSCAPE MAINTENANCE

- A. Maintenance of the landscape and other incidental landscape items on individual single-family Lots is the sole responsibility of the property Owner. Owners shall maintain all visible landscape areas in a clean, neat and weed-free condition. All dead and dying plants must be replaced with same species or other compatible plants from the Approved Plant List unless otherwise approved by the DRB. The DRB and the Havasu Riviera Community Association may create additional landscape maintenance standards.
- B. No tree, shrub, or planting of any kind shall overhang or encroach upon any public right-of-way, sidewalk, bicycle path, or any other pedestrian way from ground level to a height of eight (8) feet. Each Owner shall be responsible for trimming and pruning of all trees in which the trunk of the tree is located within the Lot.

6.10 LANDSCAPE & MAINTENANCE OF VACANT LOTS

- A. Per the Havasu Riviera Community Declaration any Lots that have not initiated initial construction of a residence within twelve (12) months of purchase from Declarant are required to cover the entire Lot with a Decomposed Granite per the standards outlined above.
- B. Additionally, all unimproved Lots shall be maintained free and clear of weeds, debris, vehicles, and equipment at all times.

Section 7 **LIGHTING STANDARDS**

7.01 PHILOSOPHY

Minimal lighting is a key ingredient for a quiet, natural, and organic community. A well-orchestrated lighting program will enhance the Riviera community by providing an inviting evening atmosphere that includes safe streets, dark skies, lighted walkways, and illuminated architectural and landscape accents. Lighting is to be aesthetically pleasing and non-obtrusive, as determined in the sole discretion of the DRB.

7.02 DEFINITIONS

A. Exterior Lighting

1. The Declarant Intends for Havasu Riviera Community to be a dark sky community affording all Owners a view of the night sky and all its brilliant stars undiminished by excessive light pollution. In order to fulfill this Intent exterior light shall be limited to type and quantity. Exterior down lighting shall be permitted on a Lot or Tract so as long as (a) such lighting is limited to that which is reasonably necessary for the safety and convenience of the Occupants of such Lots or Tract when appropriate, motion sense activated (b) no-up lighting of any type shall be used; (no) no filament image, opal globes, or clear glass shall be used; (d) light sources must be concealed; and (e) such light also conforms to such requirements as may be imposed by the DRB. Landscape lighting is permitted provided it has been approved by the DRB and conforms to such requirements imposed by the DRB. Notwithstanding the foregoing, but subject to reasonable regulation by the DRB, Owners or Occupants of Lots or Tracts may display temporary holiday lights in accordance with Section 4.25, above.
2. All exterior lighting must be shielded to minimize glare and light spill to adjacent properties and streets. Spotlights and floodlights are prohibited except for those with proper shielding that are activated by a motion detector and only when specifically approved by the DRB. The use of colored lighting is prohibited (except for allowed Holiday Lights, as described previously in these Guidelines). Exterior lighting shall not utilize a lamp with wattage larger than 75 watts (or a comparable lumen output), unless otherwise approved by the DRB. Pole or post-mounted lights are prohibited, except for landscape lights under twenty-four (24) inches tall or less. In general, exterior lighting should be used for outdoor living spaces, entries, patios, courtyards, porches and other "useable" spaces. Exterior lighting should not be used to illuminate the face of a building for decorative purposes. All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from neighboring properties or streets; no bare or exposed lamps will be permitted.

B. Light Sources

1. Incandescent, compact fluorescent and LED light sources are allowed for exterior use provided they comply with the criteria below. Long lasting

compact fluorescent bulbs and LED lights consume very little electricity and last for several years are available.

2. Exterior light bulbs must meet the following criteria:
 - a) Color Temperature: Warm white between 2700 – 3000 degrees Kelvin. (Do not use lamps that exceed 3000 degrees Kelvin, as they are “cool” in color and not desirable.)
 - b) Lumens: Maximum of 550 initial lumens.

C. Wall Mounted Lights

Wall-Mounted Lights shall comply with the following criteria:

1. The appearance of wall-mounted light fixtures shall match the authentic architectural style and character of the Residence. For example, a home in a Craftsman architectural style should use a Craftsman style light fixture; and a home in a Spanish architectural style should use a Spanish style light fixture.
2. The color of all exterior wall-mounted light fixtures shall be black, dark bronze, dark brown or similar. Chrome, silvery, shiny, white, light, or colorful exterior light fixtures are not allowed.
3. All exterior light fixtures shall either have fully shielded lamps, or in the case of coach lights use a frosted, heavy-seeded, or heavy-textured glass to minimize the glare of the bulb. Clear glass lenses seeded glass lenses, and lightly frosted glass lenses are not allowed for wall-mounted light fixtures. The simple test is that you may not see the light bulb clearly through the glass lens of the light fixture. Colored lenses are not allowed.
4. To avoid disproportionate exterior light fixtures, the main body or housing of the primary light fixtures must be a minimum of 12" in height and the overall fixture shall be approximately 16" to 20" in total height when measuring finials and brackets. The DRB reserves all rights to not approve exterior light fixtures that it deems to be too large or too small.
5. Secondary light fixtures that are located within the enclosed side yard fence, may be smaller in size, if the light fixture is available in the same style and color.
6. In general, the bulb brightness for exterior wall-mounted lights shall not be greater than 550 initial lumens. (This is the equivalent of a 60-watt incandescent bulb). Bulbs that are 350 lumens or less are preferred (This is the equivalent of a 40-watt incandescent bulb).
7. Colored lights are not allowed.

D. Security Lighting

Security lights (including flood lights and lights on motion detectors for the purpose of security illumination) are strongly discouraged, but may be allowed subject to specific written approval of the DRB, subject to the following criteria:

1. Security lights are prohibited on any elevation of a Residence that faces a street.
2. Security lights may be allowed in enclosed fenced yards or within enclosed auto courts, if approved by the DRB.
3. Security lights may not exceed 1200 lumens per location (the equivalent of a 75 watt incandescent bulb).

4. Security lights must still meet the requirements of shielding of the light sources, and the light sources should not be Visible From Neighboring Property or Streets. The hood or shield on a security light must extend at least 1" beyond the face of the lamp.
5. Security lights may not be mounted higher than the eave line of the house or ten (10) feet from adjacent finished grade (whichever is the smaller dimension).
6. Security lights must be pointed in a downward direction and may not cause excessive glare or light spill onto adjacent properties, or obstruct the views of adjacent properties.
7. Security lights may be switched or on a motion detector. If on a switch, security lights may not be left on past midnight. If on a motion detector, security lights will only be allowed to stay lit for a maximum of twenty (20) continuous minutes. Care must be taken to avoid setting off the motion detector by the motion of vegetation and the movement of pets or wildlife.
8. Security lights will not be allowed to operate for the purpose of general illumination.
9. Security Cameras installed with security lights shall not be permitted if the cameras are able to view or record adjacent Lots (see Section 5.26 of these Guidelines).
10. If problems with security lights occur, the DRB and the Havasu Riviera Community Association reserve the right to impose monetary penalties and demand that the fixtures be disconnected.

E. Driveway and Auto Court Lighting

1. In general, the lighting of driveways, or along the edges of driveways, is not recommended. Driveway lighting is not recommended due to the negative visual impact from the overall community and the likelihood of such lights to be damaged by vehicles. Furthermore, appropriate architectural lighting mounted to the face of the garage should minimize the need to place lights along the driveway.
2. The DRB reserves all rights to create specific stipulations on a case-by-case basis based on their review of a specific application. If approved, driveway lighting must comply with the design criteria below.
3. Driveway lighting should not "line" the driveway with fixtures. The lighting along the driveway may not look like a "runway". Light fixtures along a driveway, if approved, may not have a spacing of less than ten (10) feet apart on each side of the driveway.
4. Pole-mounted down lights that are taller than twenty-four (24) inches above the pavement surface are not allowed.
5. Driveway light fixtures, if approved, shall be fully shielded to conceal the light source and eliminate glare.
6. Driveway light fixtures shall be constructed of a durable materials such as aluminum or copper.
7. In an effort to minimize light pollution, driveway lighting should generally be turned off by automatic methods by midnight and should be turned off completely during extended times in which the home is not occupied.
8. Driveway lighting must be maintained in an attractive manner. If the

appearance of the driveway lights becomes unsightly, the Owner shall immediately remove the lights.

F. Landscape Lighting

Landscape lighting is allowed and encouraged in Riviera subject to the following criteria:

1. All landscape lights located in a front yard (or in a side yard facing a street) shall be subject to the wattage limitations noted above under "Exterior Lighting".
2. Fixtures shall be constructed of a durable material such as aluminum.
3. Landscape lighting shall be low voltage only, unless approved in writing by the DRB.
4. Landscape lighting must be controlled with an electric clock or photo-cell device.
5. All light sources must be shielded from view. Shielded up-lighting to accent trees or major plants is permitted and encouraged.
6. All wiring for light fixtures must be buried below grade per the manufacturer's requirements.
7. Controller equipment must be in a discrete location or screened from view from the street or adjacent property.
8. Colored light bulbs, lens, or reflectors are not permitted.
9. Rope lights are not allowed as landscape lighting.
10. "Mini Light Strings" like those commonly used for Christmas and holiday decorations are not allowed as landscape lighting. (except as allowed for Holiday and Seasonal Temporary Lighting)
11. If landscape lighting is installed according to these requirements, DRB approval is not required.

G. String Lights

All such lights, including holiday lights, shall be subject to the following design criteria:

1. The DRB reserves all rights to approve, approve with stipulations or disapprove the use of String Lights at its sole discretion on a case-by-case basis giving consideration to the unique aspects of each property. The use of String Lights must be considered "reasonable" in the opinion of the DRB. The DRB reserves the rights to create special stipulations or to allow minor exceptions as deemed appropriate by the DRB.
2. String Lights are only allowed in the Private Zone or Semi Private Zone (refer to Section XX for a further explanation of the Private Zone and Semi-Private Zone.)
3. String lights must be located within 15'-0" of the main house.
4. String lights must be located a minimum of 5'-0" from any property line; and a minimum of 5'-0" from any fence line.
5. String lights may not be mounted higher than 10'-0" above the adjacent finished grade or the bottom of the lowest single-story roof eave of the existing house, whichever is more restrictive.
6. String lights are allowed to be anchored directly to the home. The string lights must be connected at or below the lowest eave line of the home. A

maximum of two (2) free standing posts are allowed to support the string lights, if necessary. Any posts shall be installed and maintained vertical and plumb. Any posts shall be painted black or dark bronze.

7. No more than 50 total bulbs are allowed.
8. No more than 100 lineal feet total of string lights are allowed.
9. Each light bulb may not exceed 66 lumens (the equivalent of an 11 watt incandescent bulb).
10. Bulbs may be white or clear. Colored lights are not allowed.
11. Lights may not flicker, flash, blink, or animate,
12. "Rope Lights" and "Mini Light Strings" like those commonly used for holiday decorations are not allowed as String Lights under this criteria.
13. String lights should not be on past 10:00 pm; unless the outdoor space is actively being used at the time. String lights are not allowed to be used as security lighting.
14. Owners shall be required to maintain the String Lights in an attractive manner. If the appearance of the string light becomes unsightly, the Owner shall immediately remove the String Lights.

H. Holiday and Seasonal Temporary Lighting

1. Refer to Holiday Lights and Decorations, Section 4 - Site Development Standards.

I. Prohibited Exterior Lighting

The following exterior lighting is prohibited in Riviera:

1. Exterior lighting that is mounted higher than the eave line of the house or ten (10) feet above adjacent finished grade (whichever is the smaller dimension) is not allowed, unless otherwise approved in writing by the DRB.
2. Exterior lighting that obstructs or negatively impacts the view from any other Lot, as determined in the discretion of the DRB.
3. Pole or post-mounted lights are prohibited, except for low-scale pole mounted landscape lights that are 24" tall or less.
4. Colored lights are not allowed (except as allowed for Holiday and Seasonal Temporary Lighting).
5. Lights that flash, sicker, blink, twinkle, strobe, move, animate or similar are not allowed. (except as allowed for Holiday and Seasonal Temporary Lighting)
6. "Rope Lights" that are exposed or visible from any street, sidewalk, Common Area or Adjacent Property are not allowed.
7. "Mini Light Strings" like those commonly used for holiday decorations that are exposed or visible from any street, sidewalk, Common Area or Adjacent Property are not allowed. (except as allowed for Holiday and Seasonal Temporary Lighting)
8. Metal halide, high-pressure sodium, and mercury vapor lights are not allowed for residential uses.
9. Unshielded floodlights.

J. New Lighting Technology

New lighting technology will be reviewed by the DRB on a case-by-case basis

Section 8 **CONSTRUCTION STANDARDS**

8.01 OVERVIEW

As part of any approval to construct or install any Improvement on any Lot within Riviera, the following Construction Standards shall apply during the construction or installation period. These Construction Standards shall apply to each Contractor, property Owner, contractor, subcontractor, vendor, consultant, agent, and employees related to such Improvement work. It is recommended that Owners make these regulations a part of the construction contract documents for any Improvements on a Lot. All Owners shall be bound by these Construction Standards and any violation by a Contractor, contractor (et al) shall be deemed to be a violation by the Owner of the Lot. The Construction Standards may be supplemented from time to time by the DRB or the Havasu Riviera Community Association.

8.02 CODES, ORDINANCES, PERMITS AND GOVERNMENTAL APPROVALS

- A. The Owner is responsible for obtaining all necessary reviews, approvals and permits from the Lake Havasu City and any other governing agency and supplying the Havasu Riviera Community Association with copies of all permits. The Owner is responsible for complying with all codes, ordinances, regulations, and guidelines which apply to any proposed Improvement on a Lot.

B. Construction Access

In general, construction access shall occur across the existing paved or concrete driveway and shall be contained within the property boundaries of the Lot. Construction access is not allowed over Common Areas unless specific approval is granted in writing by the DRB. Construction access is not allowed over Common Areas such as lineal parks, community paths and trails, and common open spaces areas, unless specific approval is granted in writing by the DRB. Construction access is not allowed over the property of others.

C. Construction Vehicles and Parking Areas

Vehicles related to construction activities shall be parked on one side of the street to allow the passage of moving vehicles. Each Owner or their Contractor shall be responsible for protecting the landscaping along the streets. Parking of construction vehicles, trailers and equipment on the streets overnight is prohibited, unless otherwise specifically approved in writing by the DRB or the Havasu Riviera Community Association.

D. Daily Operation

The DRB and the Havasu Riviera Community Association reserve the right to restrict the hours of construction for certain types of Improvements. In general, working hours for a construction site shall be from thirty (30) minutes before sunrise to thirty (30) minutes after sunset unless other hours are designated in writing by the DRB or the Havasu Riviera Community Association. Construction noise shall not be audible from adjacent Lots on Sundays only. Additional restrictions and regulations on hours of construction may be determined by the Havasu Riviera Community Association. Local and State guidelines may

apply.

E. Damage to Property of Others

Damage to property of others, including, but not limited to, open space, landscape, irrigation, utilities, other Lots, roads, driveways, sidewalks, concrete curb and gutter, and/or other Improvements, will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Owner causing said damage in a manner that restores the damaged property to its original condition.

F. Debris and Trash Removal

Owners and their Contractors are required to provide trash and waste receptacles as needed for the scale of the Improvements proposed. For larger projects, a dumpster may be required. The Owners and their Contractors shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Owners and Contractors are prohibited from dumping, burying, or burning trash anywhere within Riviera. During the construction period, each construction site shall be kept neat and clean, and shall be properly maintained to prevent it from becoming a public eyesore or affecting other Lots or any open space. Unsightly dirt, mud or debris resulting from activity on each construction site shall be promptly removed and the general area cleaned up. Dumpsters or other waste receptacles, if any, must be located within the Lot and may not be located on any common area, including the street, the alley, or the parkway adjacent to the streets unless otherwise approved in writing by the DRB.

G. Nuisances; Construction Activities

1. No rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any Lot, Tract or other property, and no odors, loud noises or loud music shall be permitted to arise or emit therefrom, so as to render any such property or a portion thereof, or activity thereon, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to the occupants of such other property. No other nuisance shall be permitted to exist or operate upon or adjacent to any Lot, or Tract or other property so as to be offensive or detrimental to any other property in the vicinity thereof or to its occupants. No Person shall permit anything or condition to exist upon any Lot, Tract or other property which shall induce, breed or harbor infection diseases or noxious Inspection. The DRB shall have the sole authority to determine whether any person, thing, or condition constitutes a nuisance under these Guidelines.
2. Normal construction activities and parking in connection with the building of Improvements on a Lot, tract, or other property shall not be considered a nuisance or otherwise prohibited by the Declaration; however during constructions period, Lots, tracts and other property shall be kept in a neat and tidy condition, trash and debris shall not be permitted to accumulate. Any construction equipment, building materials (supplies of brick, block,

lumber and the like) shall be piled or stored only in such areas as may be approved in writing by the DRB, which may require screening. Cement delivery trucks or pumping equipment may not leave debris from the cleaning or clearing of delivery chutes or pumps on adjacent Lots.

3. The DRB in its sole discretion shall have the right to determine the existence of nuisance. The provisions of this section shall not apply to construction activities of the Declarant.
4. Dust control is to be managed by the Owner or Owner's contractor on an ongoing basis, with daily watering if necessary. Owners and their Contractors must follow all municipal, county, state and federal ordinances, codes, regulations and permits.

H. Excavation of Materials

Excess excavation materials, including but not limited to excess earth materials from swimming pool excavation, must be hauled away from Riviera and disposed of properly. Dumping of excess excavation materials anywhere within Riviera is prohibited.

I. Fire Protection

Each construction site should have always at least one (1) full and operable 7-pound ABC-rated dry chemical fire extinguisher present and available in a conspicuous place. The use of any equipment, which may produce a spark, flame, or significant heat, must be done within reach of a fully charged and working fire extinguisher.

J. Miscellaneous and General Practices

All Owners will be responsible for the conduct and behavior of their agents, representatives, Contractors, and subcontractors while at Riviera. Contractors are prohibited from taking the following actions:

1. Removing any plant material, topsoil, rocks or similar items from any property of others within Riviera, including other construction sites or other undeveloped sites.
2. Use of any firearms, trapping or hunting within Riviera.
3. Careless disposition of cigarettes and other flammable material.
4. Use of, or transit over, any Common Areas, including paths or trails.
5. Use of, or transit over, or access to, any undeveloped portions of Riviera. All undeveloped portions of Riviera are off limits.
6. Use of, or transit over, or access to, any portion of the drainage ways protected by the Army Corp of Engineers 404 permit.
7. No pets, particularly dogs, may be brought into Riviera by construction personnel.
8. Exceeding the posted speed on any street within Riviera.
9. Any open fire.
10. Any activity that is detrimental to the health and well-being of the wildlife within Riviera, as determined in the sole discretion of the DRB.
11. Use of, or being under the influence of, alcohol or any controlled substance

in the course of performing any work relating to an Improvement on a Lot.

K. Safety

It is the responsibility of all Owners and their Contractors to comply with all applicable local, State and Federal safety regulations and standards at all times, including applicable regulations and guidelines of the Occupational Safety and Health Act (OSHA).

L. Sanitary Facilities

Each Owner or their Contractor shall be responsible for providing and maintaining adequate sanitary facilities for its construction workers. Owners or their Contractor may share sanitary facilities if adequate facilities are provided for all construction workers. If portable toilets or similar temporary toilet facilities are needed, they shall be located within the Lot. If portable toilets are needed, they must be located to minimize visual and odor impacts to Adjacent Lots. The location and duration of portable toilets requires the specific written approval of the DRB prior to being delivered.

M. Storage of Materials

All materials related to an Improvement shall be stored within the Lot, unless otherwise approved in writing by the DRB or the Havasu Riviera Community Association. Such materials may only be stored for the period of time needed to install or place such material. Once an Improvement, or phase of an Improvement, is complete, any remaining materials must be removed. Materials may not be stored on streets, alleys or common areas without specific written approval of the DRB or the Havasu Riviera Community Association.

N. Temporary Construction Signage

Temporary construction signage is not permitted unless otherwise approved by the DRB.

O. Washout and Cleaning

Washout of concrete trucks or the washout and cleaning of any equipment by masons, plasterers, painters, drywallers, etc. must be contained within the Lot. Washout or cleaning residue shall not be allowed to flow off the Lot or into streets, alleys, Common Areas or Adjacent Lots. The Declarant may at times provide designated locations for wash out facilities within Riviera. Use of such wash out facilities are subject to the terms specified by the Declarant.

Appendix A **GENERAL**

A.1 DESIGN REVIEW APPLICATION CHECKLIST AND FORM

Please direct any questions about a submittal to the Design Review Board (DRB).

Owners shall not rely on verbal approvals or indications from any person that Improvements will be approved by the DRB. The DRB shall attempt to either approve or disapprove in writing each complete request within fourteen (14) calendar days after receipt of the complete request. If a request is denied within such fourteen (14) calendar day period, then written denial shall be forwarded to the Owner stating the reason for denial. If the DRB requests additional information, then the fourteen (14) calendar day period will not commence until all required information has been submitted. It is an Owner's responsibility to make sure that a request and all additional information required for submittal is received by the DRB.

SUBMITTAL CHECKLIST

A comprehensive checklist of required submittal items is below. Please refer to Section 3 of the Design Guidelines for the submittal process.

PRELIMINARY DESIGN SUBMISSIONS

Each application for DRB review shall include the following items:

- Completed application form, in this document
- Completed Common Wall application form, (if applicable)
- Application fees
- Preliminary Design drawings including but not limited to:
 - Survey of existing conditions prepared by a registered land surveyor. For clarity, the Lot Exhibit provided by the Developer does not satisfy this requirement.
 - Site plan at a scale of 1"=10' minimum indicating the topography, setbacks, and all proposed Improvements, including but not limited to, Residential Units or Structures, pavilions, walls, terraces, walks, driveway, pool, primary landscape features, site walls, etc. In order to ensure the viability of the layout, the Applicant shall also indicate the proposed location of the propane tank (If any), pool equipment (If any).
 - Civil grading and drainage plans in draft form indicating drainage arrows, spot elevations, wall heights, drainage structures, etc. as intended by the Applicant in order to provide for an early assessment of any drainage challenges.
 - Floor plans at a scale of 1/8"=1'-0" minimum indicating all proposed Residential Units or Structures.
 - Exterior elevations at a scale of 1/8"=1'-0" minimum indicating every elevation for each of the proposed Residential Units or Structures. Site walls must be shown in order to allow for evaluation of heights. Indicate the proposed materials and colors. Indicate Building Setback Lines and Maximum Building Height lines tied to actual Pad elevation.
 - Roof plan at 1/8"=1'-0" minimum indicating all proposed Residential Units or Structures. Indicate the proposed materials and colors.

- Roof height analysis
- The Applicant shall indicate the location of site walls and topography within the first 15'-0" of immediately adjacent Lots on the submitted site plans, sections and elevations. The Applicant shall also include the Finish Floor heights, footing depths, mechanical equipment, and trash enclosures of these adjacent properties. This information, if available, shall be provided by the Havasu Riviera Community Association upon written request by the Applicant.
- Digital model indicating a three-dimensional representation of all proposed Improvements. Varying materials shall be indicated with varying colors. The Applicant shall include the boundaries of the site and indicate the topography. This model shall be provided in a format that allows the DRB to manipulate the views. Sketchup is the preferred software.

The Applicant shall submit:

- One (1) full size sets of all required documents
- One (1) reduced 8-1/2"x11" set of all required documents
- One (1) PDF digital copy of all required documents.
- A digital model (SketchUp is preferred)

The Applicant shall ensure that the documents provided are coordinated and complete. A submittal judged to be incomplete or uncoordinated will not be reviewed.

FINAL DESIGN SUBMISSIONS

Each application for DRB review shall include the following items:

- Completed application form, in this document
- Completed Common Wall application form, (if applicable)
- Application fee
- A Response Letter indicating how each of the stipulations provided at the Preliminary Design Approval have been addressed. Indicate all substantial differences between the Approved Preliminary Submission and the Final Submission Documents.
- Complete construction drawings including but not limited to:
 - Civil grading and drainage plans stamped by certified surveyor.
 - Floor plans and exterior elevations/sections (include Building Setback Lines and Maximum Building Height lines tied to actual Pad elevation), roof plans, mechanical plans, electrical plans, and plumbing plans.
 - Landscape plans with all proposed Improvements indicated including contouring, grading, plants, lighting, irrigation, hardscape elements, pools, spas, walls and fences.
 - Roof height analysis
- Submit the Colors and Materials Form along with a coordinated digital sample boards of all exterior materials, colors, and textures formatted to 8-1/2" x 11" or 11" x 17".
- Digital model indicating a three-dimensional representation of all proposed Improvements. Varying materials shall be indicated with varying colors. The Applicant shall include the boundaries of the site and indicate the

topography. This model shall be provided in a format that allows the DRB to manipulate the views. Sketchup is the preferred software.

The Applicant shall submit:

- One (1) full size sets of all required documents
- One (1) reduced 8-1/2"x11" set of all required documents
- One (1) PDF digital copy of all required documents
- The digital model (Sketchup is preferred)

The Applicant shall ensure that the documents provided are coordinated and complete. A submittal judged to be incomplete or uncoordinated will not be reviewed.

LANDSCAPE SUBMISSIONS

A landscape submittal shall include the following, as applicable:

- All hardscape and plants (shown by symbol) displayed in the proposed locations
- Legend with plant material common and botanical names, quantities, and sizes
- Color and location of decorative rock and rip-rap
- Paver style and colors
- Decomposed granite size and color
- Location of all proposed landscape lighting; specify color and voltage; provide sample or color brochure

POOL AND/OR SPA SUBMISSION

A pool and/or spa submittal shall include the following, as applicable:

- Decking color
- Tile color
- Specify pool grade: +/- 0 from finished floor elevation of home
- Show drainage
- Elevation drawings of pool or water feature to indicate height, width, length, color, and materials to be used.
- Pool equipment enclosure and gate exhibit

FEES, DEPOSITS, AND BONDS

A list of required fees and deposits is below for reference. All fees listed are per Lot. Please refer to Section 3 of the Design Guidelines for detailed descriptions.

DESIGN FEES

| | |
|---|------------|
| New Home Design Review Fee | \$1,500.00 |
| Landscape, Pool or Addition Design Review Fee | \$500.00 |
| Incomplete Submittals / Additional Review Not Requested | \$500.00 |
| Professional Consultant Fee | \$200/hour |

DEPOSITS, FEES, AND BONDS

| | |
|--|-------------|
| New Home Compliance Deposit | \$10,000.00 |
| Landscape, Pool or Addition Compliance Deposit | \$5,000.00 |

Design Review Guidelines for Riviera Lake Havasu
September 30th, 2022

| | |
|---|----------|
| New Home Contractor Impact Fee | \$1,000 |
| Owner/Contractor Performance Bond (if required) | \$15,000 |
| Miscellaneous Fees | |
| Construction Compliance | \$1,000 |
| <i>Two Exterior Material Reviews (sample wall and final);</i> | |
| <i>Two Inspections (framing and final)</i> | |

Design Review Guidelines for Riviera Lake Havasu
September 30th, 2022



APPLICATION FOR DESIGN REVIEW

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

This form is to be used for all requests for Design Review. An application for Design Review must include the applicable submittal information set forth in this Appendix A.1 Design Review Checklist and Form, Section 3 of the Design Review Guidelines, and include all necessary fees outlined in this application.

DATE _____

| PROJECT INFORMATION | |
|---|--|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| APPLICANT | APPLICANT NAME _____ EMAIL _____ MAILING ADDRESS _____ |
| ARCHITECT | BUSINESS NAME _____ ARCHITECT NAME _____ LICENSE#* _____ EXPIRES _____ CONTACT PERSON _____ EMAIL _____ |
| CONTRACTOR | BUSINESS NAME _____ CONTRACTOR NAME _____ LICENSE#* _____ EXPIRES _____ CONTACT PERSON _____ EMAIL _____ |
| <i>*The DRB recommends that Owners use licensed contractors, architects, engineers, and other licensed professionals.</i> | |
| DESCRIPTION OF PROPOSED IMPROVEMENTS Provide a clear and comprehensive description of the Improvement(s) in detail and use additional pages and drawings as applicable. | |

Each submittal should convey a clear and comprehensive description of the proposed Improvements and include all drawing and documents required by this Application Form and Checklist per Section 3 of the Design Review Guidelines.

Owner agrees to maintain all Improvement(s) on such Owner's Lot if approved by the DRB. If an Improvement is not maintained in accordance with the Maintenance Standard, the Havasu Riviera Community Association has the right to maintain the Improvement with the Owner bearing all costs. Owner agrees to comply with all Applicable Law and to obtain all necessary permits. Owner agrees not to begin construction of any proposed Improvement(s) until notified in writing of the DRB's approval.

Signature of Owner

Date

As Architect, I have read, understand, and comply with the Design Guidelines and the Declaration concerning design and construction in Riviera Lake Havasu.

Signature of Architect

Date

As Contractor, I have read, understand, and comply with the Design Guidelines and the Declaration concerning design and construction in Riviera Lake Havasu.

Signature of Contractor

Date

A.2 SAMPLE WALL



SAMPLE WALL SUBMITTAL FORM

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

This form is to be used for all requests for Sample Wall Review. An application for Sample Wall Submittal must include the applicable submittal information set forth in this Appendix A.2 Sample Wall Submittal Form, Section 3 of the Design Review Guidelines, and include all necessary fees outlined in the Appendix A.1 Design Review Checklist and Form.

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| ARCHITECT | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |
| CONTRACTOR | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |

DESCRIPTION OF MATERIALS

| | MATERIAL | TEXTURE | CORNERS | PAINT COLOR | | |
|-------------------------|----------|---------|---------|-------------|--------|-----|
| | | | | NAME | NUMBER | LRV |
| PRIMARY STUCCO | | | | | | |
| SECONDARY STUCCO | | | | | | |

| | MATERIAL | SUPPLIER/ MFR | JOINTS | CORNERS | CAPS & SILLS | OTHER NOTES |
|--------------|----------|------------------|--------|---------|-----------------|----------------|
| STONE | | | | | | |

| | MATERIAL | SUPPLIER/MFR | COLOR | OTHER NOTES |
|---|----------|--------------|-------|-------------|
| OTHER WALL MATERIAL <small>(IF APPLICABLE)</small> | | | | |

Design Review Guidelines for Riviera Lake Havasu
September 30th, 2022

| | MATERIAL | COLOR | OTHER NOTES |
|-------------------------------|----------|-------|-------------|
| WOOD ELEMENTS | | | |
| FASCIAS | | | |
| COLUMNS | | | |
| HEADERS, SILLS, LINTELS | | | |
| SOFFITS AND EXTERIOR CEILINGS | | | |
| DECORATIVE METAL | | | |

| | MFR | MATERIAL | FRAMES | GLASS | GRIDS |
|---------|-----|----------|--------|-------|-------|
| WINDOWS | | | | | |

| | MATERIAL /MFR | COLOR | OTHER NOTES |
|---------------------------------|---------------|-------|-------------|
| DRIVEWAY | | | |
| PATIOS AND WALKING SURFACES | | | |
| NEGATIVE EDGE POOL TILE | | | |
| GARAGE DOOR | | | |
| YARD GATES | | | |
| OTHER <i>(IF APPLICABLE)</i> | | | |
| | | | |
| | | | |

A.3.1 FINISHED FLOOR FRAMING COMPLIANCE



AS-BUILT FINISHED FLOOR VERIFICATION

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| PERMIT | # _____ |
| SURVEYOR | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |

| FLOOR ELEVATION VERIFICATION | |
|--|--|
| <p>SLAB ELEVATION(S) PER APPROVED PLAN</p> <p>_____</p> <p>_____</p> <p>Date</p> | <p>ACTUAL SLAB ELEVATION(S)</p> <p>_____</p> <p>_____</p> <p>Date</p> |
| <p>I, _____, hereby certify that the actual slab elevation(s) is accurately indicated above.</p> | |
| <p>Seal, Signature & Date</p> | |

A.3.2 SETBACK FRAMING COMPLIANCE



AS-BUILT SETBACK CERTIFICATION

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| PERMIT | # _____ |
| SURVEYOR | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |

| SURVEYOR'S FIELD NOTES |
|---|
| Minimum setbacks and/or yards set forth in the City approved site plans are recorded as follows*: (Please check all that apply.) |
| From the northerly <input type="checkbox"/> northeasterly <input type="checkbox"/> northwesterly <input type="checkbox"/> lot line: _____ ft. (Plan) _____ (Actual) |
| From the southerly <input type="checkbox"/> southeasterly <input type="checkbox"/> southwesterly <input type="checkbox"/> lot line: _____ ft. (Plan) _____ (Actual) |
| From the easterly <input type="checkbox"/> lot line: _____ ft. (Plan) _____ (Actual) |
| From the westerly <input type="checkbox"/> lot line: _____ ft. (Plan) _____ (Actual) |

| SETBACK VERIFICATION | |
|--|------------------------|
| I, _____, hereby certify that the actual setback distances are accurately indicated above. | |
| _____ Civil Engineer / Land Surveyor (Print or Type) | |
| | Seal, Signature & Date |

**Acceptance of the approved plans and the Setback Certification does not authorize any violation of the City's ordinance and/or codes. All Applicable City ordinances and codes must be met.*

A.3.3 HEIGHT FRAMING COMPLIANCE



AS-BUILT HEIGHT CERTIFICATION

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ |
| PERMIT | # _____ |
| SURVEYOR | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |

| HEIGHT VERIFICATION | |
|--|------------------------|
| Attached is a certified roof plan exhibit indicating the actual elevation of chimney, parapets and/or ridge heights on the above-described property. | |
| I, _____, hereby certify that the actual heights are accurately indicated on the attached exhibit. | |
| _____ Civil Engineer / Land Surveyor (Print or Type) | Seal, Signature & Date |

A.5 COMMON WALL APPLICATION CHECKLIST AND FORM



COMMON WALL APPLICATION

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| PERMIT | # _____ |
| ADJACENT LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |

| COMMON WALL AGREEMENT CHECKLIST |
|---|
| <p>The Applicant shall ensure that the documents provided are complete. An application judged to be incomplete or uncoordinated will not be reviewed. (Please check one the applies.)</p> <p><input type="checkbox"/> Agreement Accepted by the adjacent owner Attach a copy of the notarized City easement agreement for Common Wall to this application. https://www.lhcaz.gov/docs/default-source/department-documents/gradingslopeandcommonretainingwalleasement.pdf?sfvrsn=e1992b7c_24</p> <p><input type="checkbox"/> Agreement Rejected by the adjacent owner Attach documentation of the adjacent owner declining the City easement agreement for Common Wall to this application.</p> <p><input type="checkbox"/> No Response to Agreement from Owner of neighboring Lot Attach documentation of City easement agreement for Common Wall sent to adjacent owner via certified mail or email with read receipt.</p> |

A.6 FIELD CHANGE REQUEST FORM



FIELD CHANGE REQUEST FORM

Submit to:

Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|---|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ LOT ADDRESS _____ OWNER NAME _____ OWNER PHONE # _____ |
| PERMIT | # _____ |
| CONTRACTOR | BUSINESS NAME _____ CONTACT PERSON _____ EMAIL _____ |

| PROPOSED MODIFICATION | |
|--|--|
| DESCRIPTION OF PROPOSED MODIFICATION Provide a clear and comprehensive description of the requested Field Change to the Approved Final Plan in detail and use additional pages and drawings as applicable. Applicant shall also list the reason[s] for which the Field Change is requested, noting any practical difficulties and perceived hardships. | |
| ATTACHMENTS | <input type="checkbox"/> EXHIBIT OF BASELINE IMPROVEMENT (APPROVED FINAL DESIGN) <input type="checkbox"/> EXHIBIT OF PROPOSED IMPROVEMENT |

A.7 PLAN VERIFICATION



PLAN VERIFICATION

Submit to:
Havasu Riviera Community Association
2563 N. Kiowa Blvd, Lake Havasu City, AZ 86403
amy@atmshoa.com

DATE _____

| PROJECT INFORMATION | |
|---------------------|--|
| LOT | LOT OR UNIT # _____ NEIGHBORHOOD _____ |
| | LOT ADDRESS _____ |
| | OWNER NAME _____ OWNER PHONE # _____ |
| PERMIT | # _____ |

| PLAN VERIFICATION | |
|---|-------|
| The Owner/Applicant shall ensure that the documents submitted for City permit match the Final Plans approved by the Havasu Riviera Design Review Board. | |
| _____ | _____ |
| Signature of Owner/Applicant | Date |
| _____ | |
| Name of Owner/Applicant | |

A.8 DEFINITIONS

Unless the context otherwise specifies or requires, the following words or phrases when used in these Guidelines shall have the following specific meanings. Terms used herein which are defined in the Havasu Riviera Community Declaration for Riviera shall have the meanings specified therein.

1. **"Addition"** means any changes, alterations, Modifications or additions to a Lot after its initial construction, including any excavation, cut, fill, Residence, buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, stairs, gates, patios, courtyards, pools, spas, landscaping, exterior lighting, poles, signs, exterior art or sculpture, repainting, and any structure or other Improvement of any type or kind.
2. **"Adjacent Lot"** means any Lot that shares a common boundary with the subject Lot, as well as any Lot that is located directly across a street or alley; or across a Common Area open space less than fifty (50) feet wide.
3. **"Applicant"** means the specific individual person identified as the applicant on the application form submitted to the DRB as the applicant to whom all design review correspondence shall be addressed.
4. **"Architect"** means a person appropriately licensed to practice architecture in the State of Arizona.
5. **"City"** means the Lake Havasu City, Arizona, a municipal corporation of the State of Arizona. See Declaration at Section 1.18.
6. **"Committee"** means the **"Reviewer"** as established pursuant to the Havasu Riviera Community Declaration.
7. **"Common Wall"** means a division wall built and paid for by the Declarant or builder between two adjacent properties belonging to different persons and used for the mutual benefit of both parties. A "Common Wall" may also be a wall built and paid for by two adjacent private property owners who have entered into a private agreement between themselves. It is not necessary that the wall should stand part upon each of town adjoining lots, and it may stand wholly upon one lot. Any wall constructed by an Owner on his Lot or Tract shall not be considered a Common Wall and is specifically excluded from this definition. See Declaration at Section 1.22.
8. **"Community"** or **"Riviera"** means the master-planned area known as Riviera Lake Havasu.
9. **"Concealed From View"** means the obscuring from view of objects permitted under Association documents to be placed, kept or maintained in side or rear yards by placing, keeping or maintaining said objects behind a wall and/or opaque gate of not less than five (5) feet nor more than six (6) feet in height approved by the Design Review Board. To be deemed conceal from view, the objects shall not be Visible From Neighboring Property or Streets within the Havasu Riviera Community. See Declaration at Section 1.24.
10. **"Construction"** means any devegetation, excavation or grading work or the construction, erection or installation of an Improvement on a Lot or Tract. See Declaration at Section 1.28.
11. **"Contractor"** means an individual or entity licensed under the provisions of Title 22 Arizona Revised Statutes to affect the Construction or Modification of

Improvements. See Declaration at Section 1.29.

12. **“Corner Lot”** means any Lot that shares at least one (1) side boundary with a public street or landscape tract and is subject to enhanced site planning, architectural, and landscape requirements.
13. **“Cut”** means removal of soil, rock or other earth materials to create a finished grade that is lower than the existing natural grade.
14. **“Design Review Guidelines”** or **“Guidelines”** means the restrictions, procedures, standards, intent and regulations relating to the design and construction of a Residence and Improvement to the Lot and set forth herein, as adopted and enforced by the DRB, and as amended from time to time by it. See Declaration at Section 1.36.
15. **“Design Review Board”** or **“DRB”** means the **“Reviewer”** as established pursuant to the Havasu Riviera Community Declaration of the Havasu Riviera Community Association. See Declaration at Section 1.35.
16. **“Design Review Consultant”** means the individual, entity or company retained by the DRB to assist in technical evaluation and review for the DRB.
17. **“Design Review Coordinator”** means the individual appointed by the DRB to serve as the coordinator and liaison for the DRB.
18. **“Excavation”** means any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching which results in the removal of soil, rock, other earth materials or other substance from a depth of more than twelve (12) inches below the existing surface of the land, or any grading of the surface.
19. **“Existing Non-Conforming Improvement”** means an Improvement that does not fully comply with the Guidelines due to a variety of reasons. The existence of an Existing Non-Conforming Improvement does not establish precedence nor does it obligate the DRB to approve a similar Improvement in the future even if similar conditions exist.
20. **“Fill”** means any addition of soil, rock or other earth materials to the surface of the land which increases the elevation of such surface from its existing state.
21. **“Finished Graded Pad”** means the engineered finished graded earthen pad that was approved by the City and created as part of the original development and Lot Exhibit of the property upon which the home was constructed.
22. **“Front Yard”** means the area between the sidewalk and the face of the Residence, including the area on the side of the home up to the fence return wall. The Front Yard may include property outside of the established Lot.
23. **“Guest House”** means a structure, separate from the main structure of the Residence, having sleeping facilities for one or more guests.
24. **“Hardscape”** means all constructed elements in the landscape, excluding buildings. This may include, but is not limited to driveways, sidewalks, fences, walls, pools, paving, etc.
25. **“Height”** or **“Maximum Building Height”** means, unless otherwise specified in these Guidelines, the height of an Improvement measured vertically from the primary finished floor elevation of the Residence. The primary finished floor elevation of the Residence shall be the elevation of the primary floor level that is closest to the finished grade of the Lot.
26. **“Improvement”** means: (a) any structure, building, fence or wall; (b) any swimming pool, tennis court, basketball court, road, driveway, parking area or

- satellite dish; (c) any trees, plants, shrubs, grass or other landscaping improvements of every type and kind (whether or not affixed to a structure or permanently attached to a Lot or Tract); (e) security gates; (f) streets; and (g) any other structure of any kind or nature. See Declaration at Section 1.42.
27. **"Landscaping"** means all shrubs, trees, hedges, grasses, and plantings of every kind together with an Irrigation system (including an electrically operated landscape controller) designed to adequately water the shrubs, trees, hedges, grasses, plantings, and other landscaping improvements. Non-organic materials such as colored rocks and boulders may be incorporated in Landscaping. See Declaration at Section 1.44.
28. **"Lot"** means: (a) a portion of the Project intended for independent ownership use and designated as a parcel or lot on any Subdivision Plat and, where the context indicates or requires, shall include any Residential Unit, building, structure or other Improvements situated on the Tract or Lot; or (b) a Condominium Unit. See Declaration at Section 1.49.
29. **"Lot Exhibit"** means the exhibit provided to the Owner after the sale of the Lot. The exhibit illustrates and documents the Lot setbacks, pad elevation(s), maximum building eights, easements, locations of utilities and other Lot specific criteria.
30. **"Modification"** means an Addition, alternation, repair, change or other work which in any way alters the exterior appearance of any Improvement located on a Lot or Tract. See Declaration at Section 1.57.
31. **"Original Construction"** means the materials, colors, methods, details, styles, applications, techniques, and appearance of the construction of a Residence at the time of initial completion of the Residence by the initial Contractor and as constructed by the first initial Owner.
32. **"Owner"** means the Owner (as defined in the Havasu Riviera Community Declaration at Section 1.69) of a Lot. For the purposes herein, the Owner may act through his designated agent, provided that such agent is authorized in writing or by law to act in such capacity.
33. **"Project"** or **"Property"** means the real property of Havasu Riviera Community described in the Havasu Riviera Community Declaration. See Declaration at Section 1.73.
34. **"Public"** refers to anyone using or in the streets, sidewalks, parks, Common Areas of Riviera. This includes the view from open space corridors and from the surrounding neighborhoods. This view is to be considered from a height of three (3) feet to six (6) feet above the finish grade of the viewing area.
35. **"Resident"** means each individual who resides in a Residential Unit. See Declaration at Section 1.77.
36. **"Residential Unit"** or **"Residence"** means: (a) any building, or portion of a building, situated upon a Lot or Tract (other than a Condominium Unit) and designed and intended for separate, independent use and occupancy as a residence excluding guest houses; or (b) a Condominium Unit. See Declaration at Section 1.78.
37. **"Reviewer"** means the Reviewer as established pursuant to the Havasu Riviera Community Declaration of the Havasu Riviera Community Association.
38. **"Structure"** means anything constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.

39. **"Temporary"** means lasting for only a limited duration, not permanent or beyond final construction inspection.
40. **"View Preservation Fencing"** or **"View Fence"** means fencing constructed upon a Lot or Tract which abuts lands designated as natural open spaces, public lands held by the Bureau of Land Management, or public lands owned by the City or another Lot, which view the lake or other area which the Design Review Board deems View Preservation Fencing desirable. The use of View Preservation Fencing does not create or impose a view, light or air easement on any Lot or Tract for the benefit of other Lots or Tracts. See Declaration at Section 1.87.
41. **"Visible From Neighboring Property or Streets"** means, with respect to any given object or Improvement, that such object or Improvement is or would be visible to a natural person six (6) feet tall, standing at ground level on any part of any Lot or Tract, the Common Area or any street within or adjacent to the Project. See Declaration at Section 1.89.

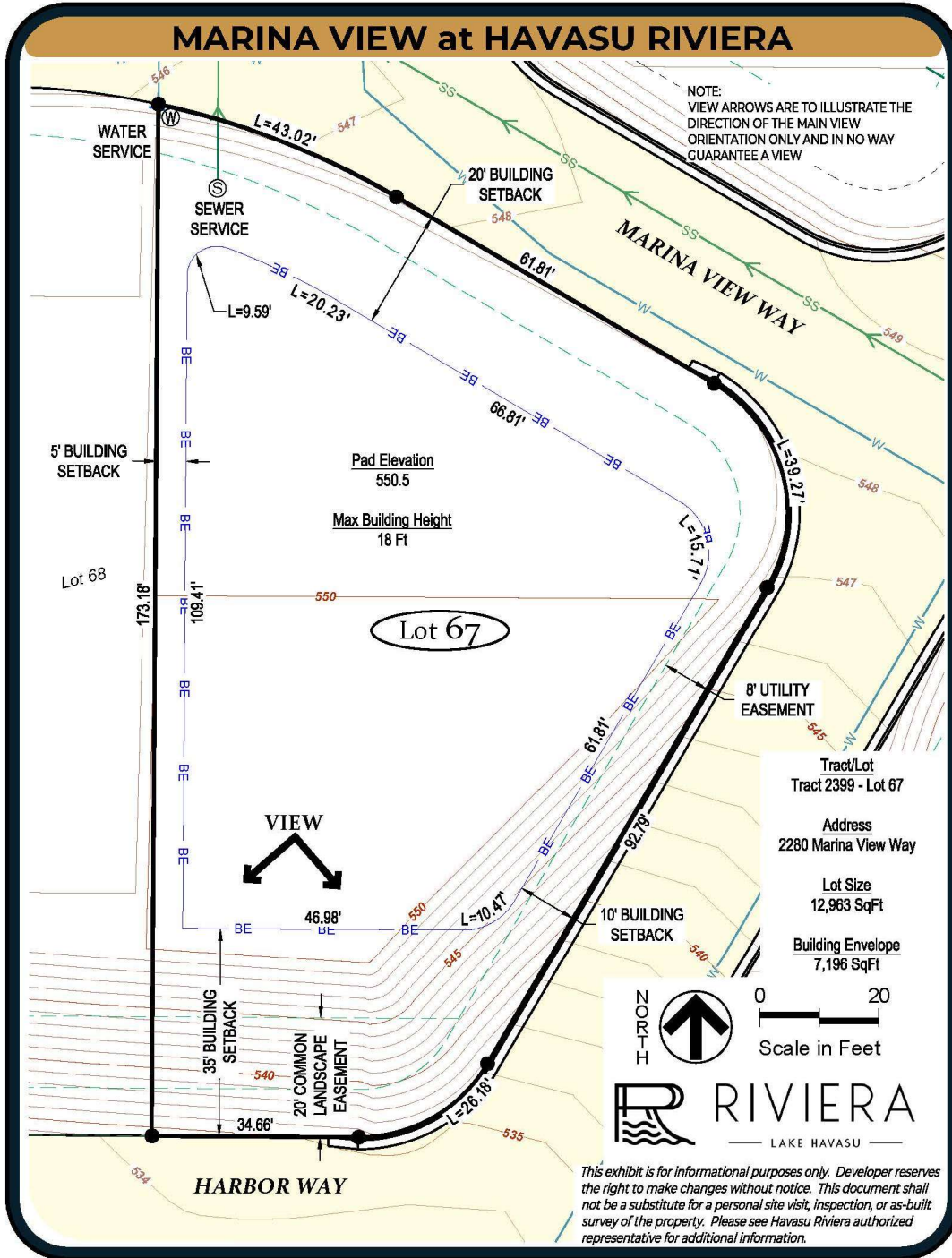


Appendix B **COMMUNITY VISION BOOK**

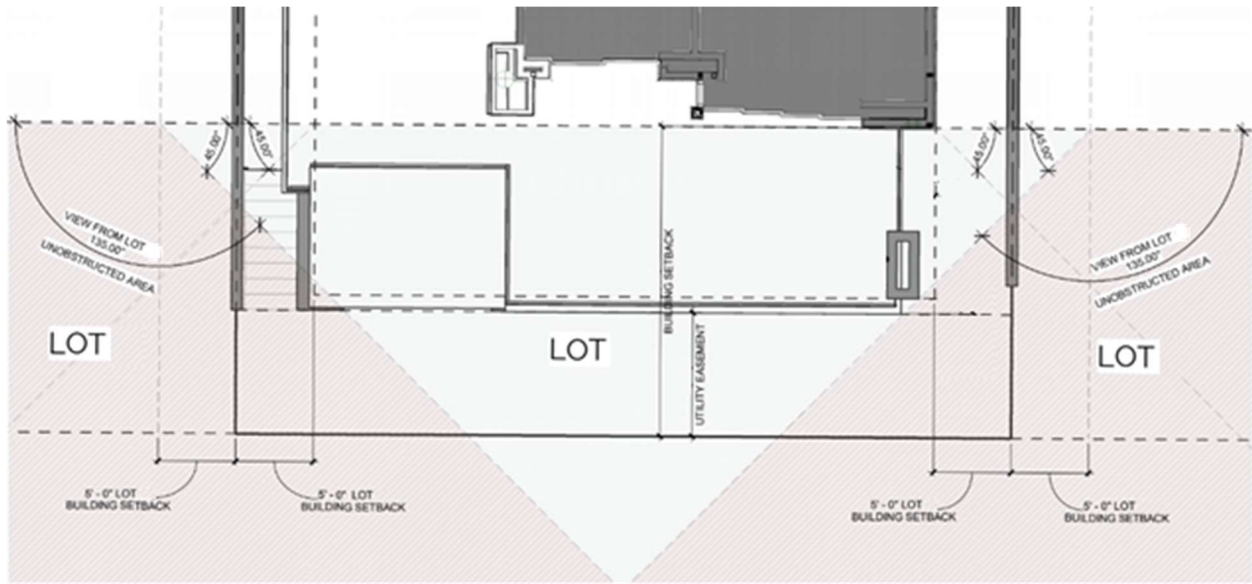
The Community Vision Book developed by the DRB for architectural and landscape styles is included in the New Owner Kickoff Package.

Appendix C **SITE**

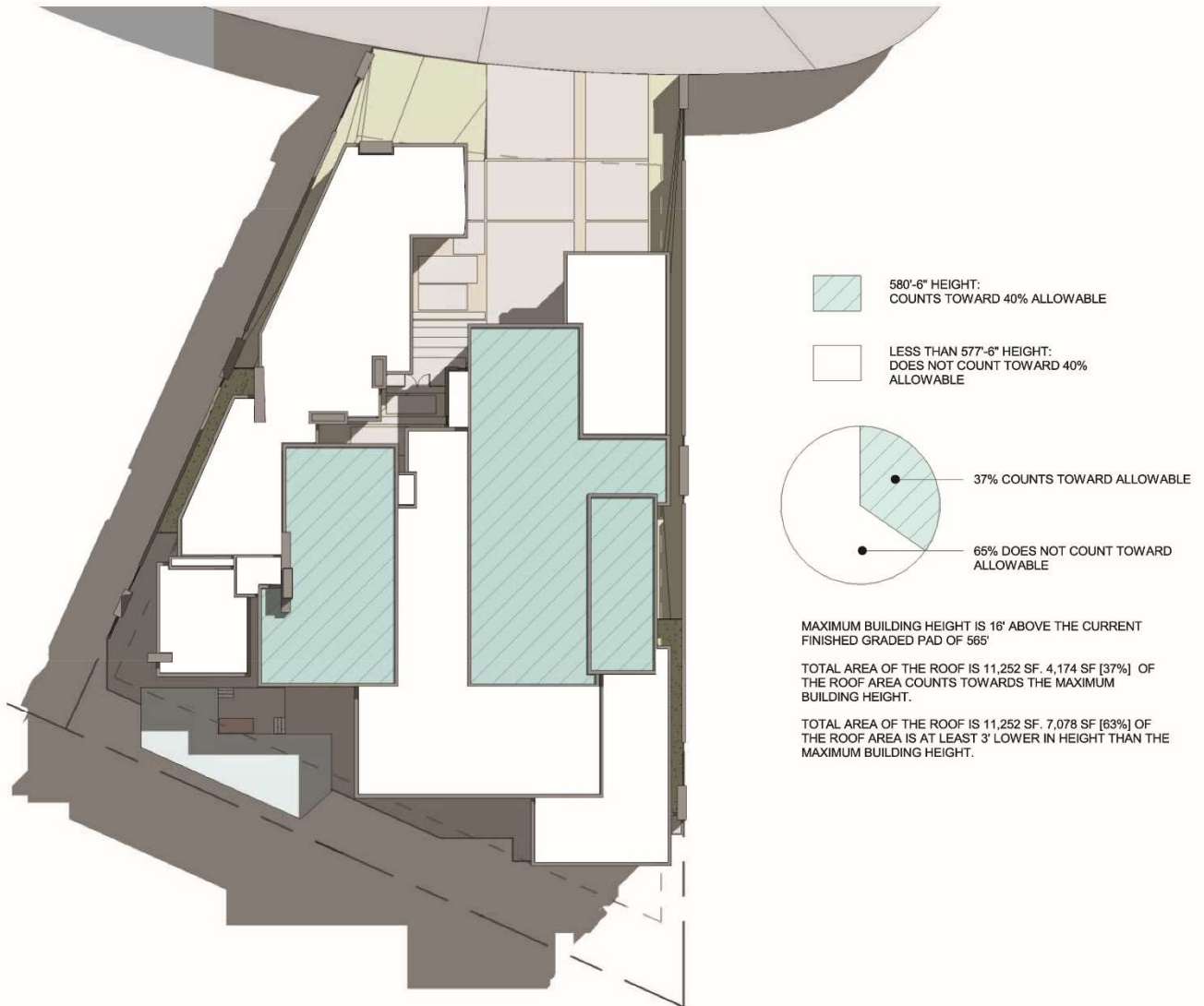
C.1 TYPICAL LOT EXHIBIT



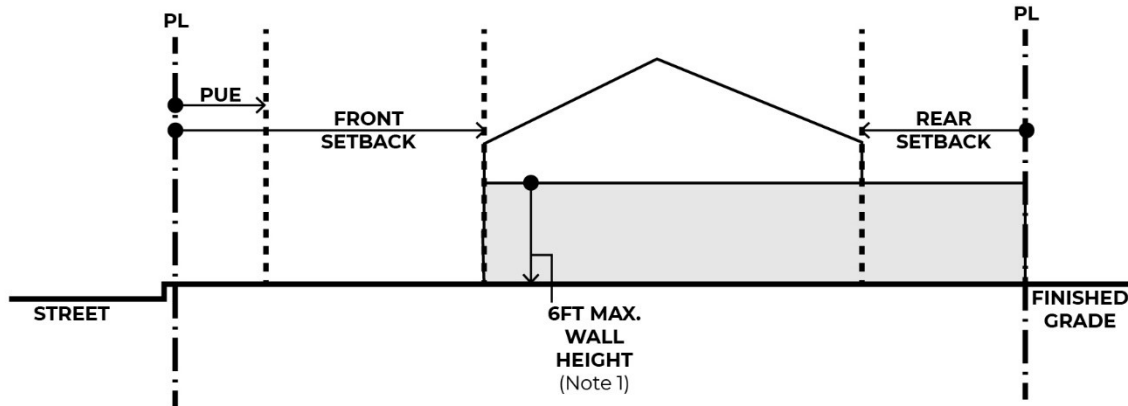
C.2 GRADUATED BUILDING SETBACK DIAGRAM



C.3 MAXIMUM BUILDING HEIGHT ANALYSIS DIAGRAM

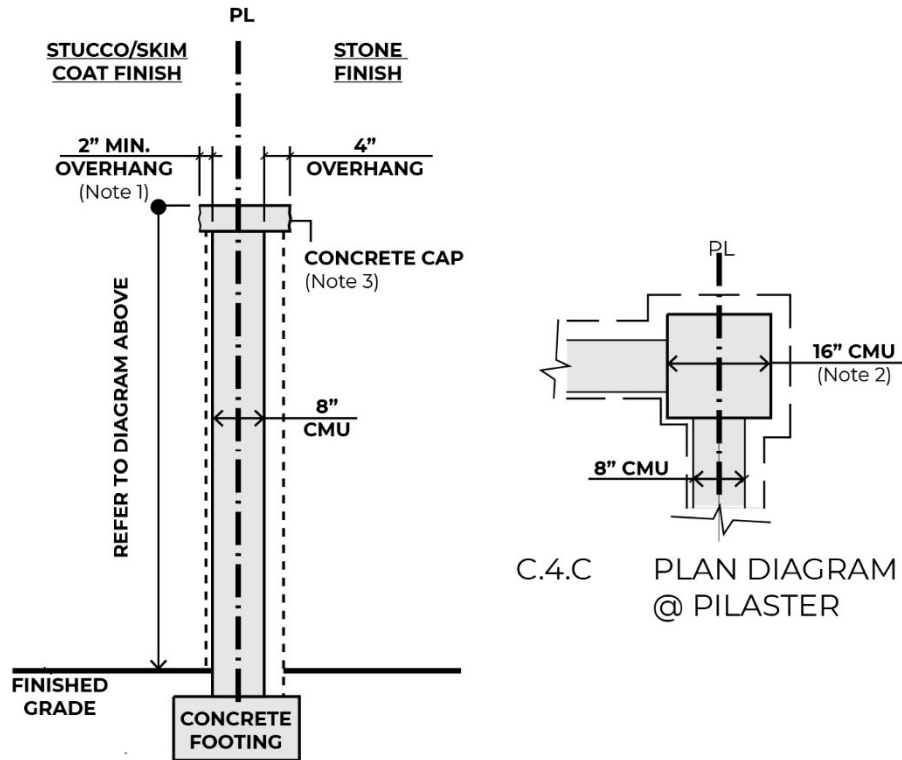


C.4 COMMON WALL EXHIBIT



C.4.A WALL HEIGHT DIAGRAM

Note 1: REFER TO SECTION 4.07 RETAINING WALLS FOR ALLOWABLE HEIGHTS FOR RETAINING WALLS.



C.4.B TYPICAL WALL SECTION DIAGRAM

Note 1: FINISH REQUIRED ON BOTH SIDES OF WALL. MINIMUM FINISH IS PAINTED STUCCO SKIM COAT "FOG".
 Note 2: IF APPLICABLE, 16" X 16" CMU PILASTER. PROVIDE CONCRETE CAP IN FINISH, COLOR, AND MATERIAL OVERHANG COORDINATED TO MATCH TYPICAL WALL.
 Note 3: 4" EXPOSED AGGREGATE CONCRETE CAP, PAINTED TO MATCH WALL.

Appendix D **SIGNAGE**

D.1 SIGN DESIGN GUIDE

Real estate "For Sale" and "For Lease" signs are allowed under Arizona Law. Additional criteria for signs can be found in Section 5.27 "Signs and Signage".

The illustration below explains the preferred and recommended design standards for a "For Sale" and "For Lease" sign.

"Standard" For Sale and For Lease sign



you

Appendix E **LANDSCAPE**

E.1 APPROVED PLANT LIST

TREES

| Botanical Name | Common Name |
|------------------------------------|--------------------------|
| Acacia aneura | Mulga |
| Acacia greggii | Catclaw Acacia |
| Acacia smallii | Sweet Acacia |
| Acacia saligna | Blue-leaf Wattle |
| Acacia schaffneri | Twisted Acacia |
| Acacia willardiana | Palo Blanco |
| Bauhinia congesta | Orchid Tree |
| Bauhinia congesta "Lunariodes" | Pink Orchid Tree |
| Caesalpinia cacalaco | Cascalote |
| Caesalpinia Mexicana | Mexican Bird of Paradise |
| Carnegiea gigantean (N) | Saguaro Cactus |
| Cercidium "Desert Museum" | Hybrid Palo Verde |
| Cercidium praecox | Palo Brea |
| Cercidium floridum (N) | Blue Palo Verde |
| Cercidium microphyllum (N) | Foothills Palo Verde |
| Chilopsis linearis | Desert Willow |
| Fouquieria splendens (N) | Ocotillo |
| Lysiloma microphylla v. thornberi | Desert Fern |
| Olneya tesota (N) | Ironwood |
| Pithecellobium flexicaule | Texas Ebony |
| Pithecellobium mexicanum | Mexican Ebony |
| Prosopis spp. | Mesquite |
| Sophora secundiflora "Silver Peso" | Texas Mountain Laurel |

(N) Native Landscape Zone plant materials are indicated with an (N). Only these plant materials may be used in the Native Landscape Zones.

CACTI / ACCENTS

| Botanical Name | Common Name |
|------------------------------------|----------------------------|
| Agave deserti | Desert Agave |
| Agave geminiflora | Twin-flowered Agave |
| Agave harvardiana | Harvard Agave |
| Agave murpheyi | Hohokam Agave |
| Agave parryi v. huachuensis | Parry's Agave |
| Agave species | Agave |
| Agave toumeyana | Toumey's Agave |
| Agave vilmoriana | Octopus Agave |
| Agave vistoriana | Victoria's Agave |
| Aloe barbedensis | Aloe |
| Asclepias subulate (N) | Desert Milkweed |
| Carnegiea gigantea (N) | Saguaro |
| Cereus sp. | Cereus |
| Dasylyrion acrotriche | Green Desert Spoon |
| Dasylyrion longissimum | Mexican Grass Tree |
| Dasylyrion wheeleri | Desert Spoon |
| Echinocactus sp. | Barrel and Hedgehog Cactus |
| Euphorbia milii | Crown of Thorns |
| Euphorbia myrsinites | Euphorbia |
| Euphorbia rigida | Gopher Plant |
| Ferocactus sp. (N) | Barrel Cactus |
| Fouquieria splendens (N) | Ocotillo |
| Hesperaloe funifera | Coahuilan Hesperaloe |
| Hesperaloe parviflora | Red Hesperaloe |
| Hesperaloe parviflora (yellow) | Yellow Hesperaloe |
| Lophocereus schottii v. monstrosus | Totem Pole Cactus |
| Nolina bigelovii | Bigelow Nolina |
| Nolina microcarpa | Beargrass |
| Opuntia sp. (N) | Prickly Pear & Cholla |
| Pedilanthus macrocarpus | Lady's Slipper |
| Stenocereus marginatus | Mexican Fence Post |
| Stenocereus thurberi | Organ Pipe Cactus |
| Yucca sp. (N) | Misc. Yucca Species |
| Yucca recurvifolia | Curveleaf Yucca |

(N) Native Landscape Zone plant materials are indicated with an (N). Only these plant materials may be used in the Native Landscape Zone.

SHRUBS

| Botanical Name | Common Name |
|--|--------------------------|
| <i>Abutilon</i> sp. (N) | Mallow |
| <i>Acacia craspedocarpa</i> | Leather Leaf Acacia |
| <i>Ambrosia deltoidea</i> | Bursage |
| <i>Anisacanthus quadrifidus</i> v. <i>brevilobus</i> | Mountain Flame |
| <i>Anisacanthus quadrifidus</i> v. <i>wrightii</i> "Mexican Flame" | Flame Honeysuckle |
| <i>Anisacanthus therberi</i> | Desert Honeysuckle |
| <i>Asclepias</i> sp. | Milkweed |
| <i>Baileya multiradiata</i> (N) | Desert Marigold |
| <i>Bougainvillea</i> sp. | Bougainvillea |
| <i>Buddleia marrubifolia</i> | Wooly Butterfly Bush |
| <i>Caesalpinia gilliesii</i> | Desert Bird of Paradise |
| <i>Caesalpinia Mexicana</i> | Mexican Bird of Paradise |
| <i>Caesalpinia pulcherrima</i> | Red Bird of Paradise |
| <i>Calliandra californica</i> | Baja Red Fairy Duster |
| <i>Calliandra eriophylla</i> | Fairy Duster |
| <i>Cassia artemisioides</i> | Feathery Cassia |
| <i>Cassia nemophila</i> | Desert Cassia |
| <i>Cassia oligophylla</i> | Outback Cassia |
| <i>Cassia phyllodenia</i> | Silver-leaf Cassia |
| <i>Celtis pallid</i> | Desert Hackberry |
| <i>Convolvulus cneorum</i> | Bush Morning Glory |
| <i>Cordia boissieri</i> | Anacahuite |
| <i>Cordia parvifolia</i> | Small Leaf Cordia |
| <i>Dalea frutescens</i> "Sierra Negra" | Sierra Negra Dalea |
| <i>Dalea pulchra</i> | Indigo Bush |
| <i>Dicliptera suberecta</i> | Velvet Honeysuckle |
| <i>Dodonea viscosa</i> | Hopbush |
| <i>Dodonea viscosa</i> "Purpurea" | Purple Hopbush |
| <i>Encelia farinose</i> (N) | Brittlebush |
| <i>Ericameria laricifolia</i> | Turpentine Bush |
| <i>Hymenoxis acaulis</i> | Angelita Daisy |
| <i>Justicia californica</i> | Chuparosa |
| <i>Justicia ovate</i> | Red Justicia |
| <i>Justicia spicigera</i> | Mexican Honeysuckle |
| <i>Lantana</i> sp. | Lantana |
| <i>Larrea tridentate</i> (N) | Creosote Bush |
| <i>Leucophyllum candidum</i> "Thunder Cloud" | Thunder Cloud Sage |
| <i>Leucophyllum frutescens</i> | Texas Sage |
| <i>Leucophyllum frutescens</i> "Compacta" | Compact Texas Sage |
| <i>Leucophyllum frutescens</i> "Green Cloud" | Green Cloud Sage |

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|--|------------------------|
| <i>Leucophyllum frutescens</i> "White Cloud" | White Cloud Sage |
| <i>Leucophyllum hybrid</i> "Rain Cloud" | Rain Cloud Sage |
| <i>Leucophyllum laevigatum</i> | Chihuahuan Sage |
| <i>Leucophyllum langmaniae</i> "Lynn's Legacy" | Lynn's Legacy Sage |
| <i>Leucophyllum langmaniae</i> "Rio Bravo" | Rio Bravo Sage |
| <i>Leucophyllum pruinosum</i> "Sierra Bouquet" | Sierra Bouquet Sage |
| <i>Leucophyllum revolutum</i> "Sierra Magic" | Sierra Magic Sage |
| <i>Leucophyllum zygophyllum</i> | Blue Ranger |
| <i>Lotus rigidus</i> | Desert Rock Pea |
| <i>Mimosa dysocarpa</i> | Mimosa |
| <i>Nerium oleander</i> | Dwarf Oleander |
| <i>Penstemon</i> sp. (N) | Penstemon |
| <i>Plumbago scandens</i> "Summer Snow" | Summer Snow Plumbago |
| <i>Rosa banksiae</i> "Alba Plena" | White Lady Bank's Rose |
| <i>Ruellia brittoniana</i> | Ruellia |
| <i>Ruellia peninsularis</i> | Shrub Ruellia |
| <i>Salvia chamaedryoides</i> | Mexican Blue Sage |
| <i>Salvia clevelandii</i> | Chaparral Sage |
| <i>Salvia leucantha</i> | Mexican Bush Sage |
| <i>Senna wislizenii</i> | Shrubby Senna |
| <i>Simmondsia chinensis</i> | Jojoba |
| <i>Sophora secundiflora</i> | Texas Mountain Laurel |
| <i>Sphaeralcea ambigua</i> (N) | Desert Globemallow |
| <i>Tagetes lemmoni</i> | Mt. Lemmon Marigold |
| <i>Tecoma stans</i> | Yellow Bells |
| <i>Vaquelinia californica</i> | Arizona Rosewood |
| <i>Viguiera deltoidea</i> | Goldeneye |
| <i>Zauschneria californica</i> | California Fuchsia |
| <i>Zizyphus obtusifolia</i> (N) | Graythorn |

(N) Native Landscape Zone plant materials are indicated with an (N). Only these plant materials may be used in the Native Landscape Zones.

The DRB may approve plants that are not on this list or delete plants that are on this list from time to time, at its sole discretion. Such approval of additional plant materials may be limited to a specific location or may be limited to specified portions of the community or may be allowed throughout the community, at the discretion of the DRB.

Any request to the DRB for approval to use plant material not on the Approved Plant List must be accompanied by a photograph of the proposed plant and information including growth characteristics, mature height, water use, pollen characteristics and applicability to this climate. The DRB reserves the right to not allow any plant material that it deems inappropriate for Riviera or for a particular application.

E.2 PROHIBITED PLANT AND LANDSCAPE MATERIAL LIST

The intent of this list is to preserve Riviera's integration into the surrounding Mohave Desert environment in which it was built. The following plants are prohibited from use within Riviera because of their invasive or undesirable characteristics and/or adverse effects on the native environment.

1. Any species of plant, shrub or tree whose mature height may be visible above private walls or from surrounding property, unless it is on the Approved Plant Palette/List, or has been previously approved by the Covenant Commission.
2. Palms (Palmae) – Dwarf varieties allowed in Private Yard Zone only.
3. Pine Trees (Pinus)
4. Cypress (Cupressus), False Cypress (Chamaecyparis), Juniper or Cedar (Juniperus)
5. Olive Trees (except fruitless varieties)
6. Sissoo Trees (Dalbergia)
7. Mexican Palo Verde (Parkinsonia aculeate)
8. All variety of Citrus
9. Oleander (Nerium Oleander) and Thevetia species
10. Desert Broom (Baccharis sarothroides)
11. Fountain Grass (Pennisetum setaceum)
12. Common Bermuda Grass (Cynodon dactylon) in seed, sprig or sod form
13. All plants on the Arizona Noxious List (list changes)

E.3 TYPICAL FRONT LANDSCAPE ZONE DETAIL

A Typical Front Yard Landscape Zone Detail will be developed by the DRB for general guidance and illustration on the landscape requirements of the Front Landscape Zone.

Appendix F **TBD**

(PLACEHOLDER FOR FUTURE)

Appendix G **CONSTRUCTION**

(PLACEHOLDER FOR FUTURE)

Appendix H **OTHER**

H.1 SOLAR ENERGY DEVICE DESIGN GUIDE

Solar Energy Devices, including photovoltaic and solar hot water systems, are excellent ways of providing renewable and non-polluting energy sources for residential use. Such systems are encouraged, provided they follow the same thoughtful principles of design that have been used throughout Riviera. Although an Owner may have certain legal rights to install solar energy devices per the law, these guidelines are provided to encourage quality design and integration of these solar energy devices into the architecture, landscape and site design for a Lot. The greatest success will come not only by providing earth-friendly and environmentally-responsible solar energy devices, but also by designing them in such a way that they are integrally-designed and aesthetically-pleasing to the entire community.

A. Definition of a Solar Energy Device per A.R.S. §44-1761

1. A system or series of mechanisms designed primarily to provide heating; to provide cooling; to produce electrical power; to produce mechanical power; to provide solar daylighting; or to provide any combination of the foregoing means of collected and transferring solar generated energy into such uses either by active or passive means. Such systems may also have the capability to store such energy for future utilization. Passive systems shall clearly be designed as a Solar Energy Device such as a Trombe wall and not merely a part of a normal structure, such as a window.
2. If A.R.S. §44-1761 is expanded in the future to include other types of Solar Energy Devices, this section shall encompass those Solar Energy Devices as well.

B. Placement

1. If the Solar Energy Device is one of the devices listed in A.R.S. §44-1761, the placement of the Solar Energy Device must be approved in advance by the DRB in writing prior to installation. Such Solar Energy Device must comply with the following regulations, to the extent that they do not impair the functioning of the device, restrict its use, or adversely affect the cost or efficiency of the device.
2. A Solar Energy Device must be placed entirely within the property or Lot of the Owner. No Solar Energy Device may encroach upon a Common Area, right-of-way, street, or property of another owner.
3. The location of a Solar Energy Device must comply with all applicable City, County and State laws, regulations and codes including applicable setbacks and height limits.
4. Roof-mounted Solar Energy Devices are strongly discouraged on roof planes that face streets, including side streets, if other alternatives for effective use are available. A Solar Energy Device should be placed in the back yard or on a portion of the roof that does not face a street, to the

maximum extent possible. Ground-mounted Solar Energy Devices located in enclosed rear yards are encouraged.

5. The Solar Energy Device should be shielded from view from any other Lot, street or Common area, to the maximum extent possible.
6. Solar Energy Devices that are located on a sloped roof plane are required to be arranged in a simple rectangular shape. Random and arbitrary layouts are not allowed, since they do not relate to the building forms. Solar Energy Devices that are arranged in staggered, stair- stepped and checkerboard shapes are not allowed provided that alternatives for effective use are available. The simple rectangular shape of solar panels will provide a thoughtful form on the roof of the building and will integrate with the architectural forms of the building.
7. Roof mounted Solar Energy Devices that utilize panels must place the panels in the same plane and slope as the roof plane on which they are located. Panels may not be placed at a slope or angle that is different than the roof plane on which they are located, provided that alternatives for effective use are available.
8. The highest point of a Solar Energy Device may not be higher than the base of the ridge tile on the ridge of the roof plane on which the device is located, unless necessary for the proper functioning and use of the Solar Energy Device.
9. A Solar Energy Device must be located a minimum of 8" from the rake end of any roof.
10. A Solar Energy Device may not extend or overhang an existing roof form, unless such layout is to achieve a better or acceptable aesthetic architectural detail, unless necessary for the proper functioning and use of the Solar Energy Device.
11. At times, if may be necessary to relocate existing rooftop vents in order to achieve a layout and arrangement of panels that complies with these Guidelines.
12. Any Owner who installs a Solar Energy Device on their property hereby acknowledges that trees along the streets, parks, open spaces, common areas and on adjacent properties will continue to grow and may impact the solar shading of an Owner's Solar Energy Device. The Owner further acknowledges that the Riviera Community Association and the owners of adjacent properties have no obligation whatsoever to trim, prune or otherwise alter such trees now or at any time in the future.
13. Any Owner who installs a Solar Energy Device hereby acknowledges that any front yard trees (or side yard trees in the case of a Corner Lot) that are required by these Guidelines that are located on the Owner's property are required to remain and may not be trimmed or pruned in a manner inconsistent with the overall community standards for similar species of trees, if such trees grow and eventually impact the solar shading of the Owner's Solar Energy Device.

C. Installation Details

1. Solar Energy Devices that are mounted on a roof must have a black or

- anodized bronze frame and blend in with the approved roof colors. No unfinished metal frames that are grey, silver, chrome or shiny are allowed. Any application to the DRB must include a specification for the frame color.
2. All EXPOSED brackets, fasteners, pipes, conduits, clips, attachments, boxes and similar accessories must be in the colors of black, bronze or painted to match the surface to which they are attached. No shiny, silvery, grey, chrome or similar finishes may be exposed from view from an adjacent property. (this does not apply to concealed and hidden accessories)
 3. A roof-mounted Solar Energy Device shall be placed as close as possible to the existing roof plane. In an effort to keep a roof-mounted photovoltaic Solar Energy Device as close to the roof plane as possible, while still providing the necessary air flow under the device, the "posts" that support the device above the roof substructure may not be taller than 6", unless necessary for the proper functioning and use of the Solar Energy Device.
 4. In an effort to keep the profile of a roof-mounted Solar Energy Device as low and as unobtrusive as possible, it is recommended (although not required) that the roof tiles be removed in the area to receive the solar panels so that the panels can be installed as close to the roof substructure as possible, which provides for great integration with the roof plane. A roof membrane can be installed in the location in which the tiles were removed to ensure proper weather protection.
 5. No exposed conduits, wiring, piping and similar elements are allowed on the roof unless such elements are painted to match the color of the adjacent surface. It is strongly encouraged that conduits, wiring and piping should be run through the attic space. Minor exposed connections are excepted, if painted to match the surface that they are adjacent to. In an effort to minimize the installation cost, the DRB may allow small sections of conduit or piping to be exposed on the side of the home provided that the location is generally inconspicuous and the conduit is painted to match the house color. Any exposed conduits on the side of a home must be screened from view to the extent feasible.
 6. To the greatest extent possible, all accessory components of a Solar Energy Device, such as an inverter and DC disconnect, should be located behind the existing side yard fence. For photovoltaic systems, the meter box may be placed adjacent to the electrical service entrance section (SES) of the home.
 7. The exposed disconnect switch box, disconnect box, meter box or any other appurtenances should be painted to match the adjacent wall or roof surface on which they are located. It is not necessary to paint over labels or placards on these boxes. It should be noted, that some installers recommends that these boxes not be painted until after interconnect approval by the local utility company.
 8. Any water storage tank or water storage facility associated with a hot water Solar Energy Device may not be placed on the roof. Such storage facility must be concealed within the building structure or placed on the ground and screened according to the provisions of these Guidelines.
 9. Installation of Solar Energy Device must be pursuant to the manufacturer's

instructions.

10. The Owner must obtain a building permit for this work and must provide the DRB with a copy of the building permit for our files.

D. Maintenance

1. The Owner is responsible for all costs associated with the installation, operation and maintenance of the Solar Energy Device.
2. The Owner shall keep the Solar Energy Device in good repair.
3. If the Solar Energy Device becomes broken or non-functioning for a period of longer than twelve consecutive months while the home is occupied, the DRB or the Association may (but is not obligated to) require the Owner to remove the Solar Energy Device. This criteria is to ensure that obsolete, non-functioning Solar Energy Devices do not remain on a roof if they are no longer functioning.

E. Enforcement

1. The Association and the DRB shall have the authority to enforce the provisions of this section of these Guidelines, as provided by the governing documents.
2. Notwithstanding any provision contained in this section of these Guidelines or any other document governing the Association, this section shall not be enforced in a way that (i) prevents the installation of a Solar Energy Device; (ii) impairs the functioning of the Solar Energy Device; (iii) restricts the use of a Solar Energy Device; (iv) adversely and significantly affects the cost or efficiency of a Solar Energy Device, therefore the Riviera DRB reserve all rights to approve or allow exceptions to these Guidelines on a case- by-case basis, as it deems appropriate.

F. Severability

1. If any provision of this section of these Guidelines is ruled invalid, the remainder of these rules shall remain in full force and effect.
2. If the State of Arizona Legislature modifies A.R.S. §33-1816 and A.R.S. §44-1761, the modified laws shall be incorporated into this section, as if fully set forth herein.

G. Design Review Application Submittal Requirements

1. Any application to the DRB for a Solar Energy Device shall include the following items as a minimum.
2. Application Form
3. A Site Plan, accurately drawn to scale, showing the location of property lines, setbacks and existing Improvements.
4. Drawings and plans with sufficient information and accurately drawn to scale to show the location, placement, size, shape, configuration and dimensions necessary to accurately explain and illustrate the proposed Solar Energy Device.
5. Cut sheets from the manufacturer or vendor for any rooftop portions of the

- Solar Energy Device, showing dimensions and colors.
6. Photographs of the existing home showing:
 7. View of the entire front elevation of the home. (no partial views)
 8. View of the entire side or rear elevation of the home on which Solar Energy Device will be mounted. (no partial views)
 9. Each photograph to be 8" x 10" minimum in size. (8-1/2 " x 11" color prints are preferred)
 10. A photo-simulation or other graphic representation that illustrates the general appearance of a roof-mounted Solar Energy Device on a photograph of the existing home.
 11. A photo-simulation or other graphic representation that illustrates the general appearance of a roof-mounted Solar Energy Device on a photograph of the existing home.
 12. The Owner must obtain a building permit for this work from the applicable governmental agencies and must provide the DRB with a copy of the permit for our files.
 13. The schedule and timing for reviews by the DRB shall be as described in these Guidelines.

H. Design Review Guidelines Amendments

1. The DRB and the Association reserve all rights to modify, change, expand or amend these Guidelines for Solar Energy Devices at any time and without notice in order to adjust for changes in equipment or technology as well as to further the objectives and criteria for Solar Energy Devices within the community, subject to applicable laws.

THE PLANS FOR A SOLAR ENERGY DEVICE MUST BE SUBMITTED TO THE RIVIERA DRB FOR REVIEW AND APPROVAL. CONSTRUCTION OR INSTALLATION MAY NOT COMMENCE UNTIL SUCH APPROVAL IS GRANTED IN WRITING.

H.2 PROPANE TANK DESIGN GUIDE

A. Overview

1. Installing LP-Gas containers and piping requires planning and expertise to best ensure a safe and legal operation. The Lake Havasu Fire Department (LHCFD or FD) approves the cylinder and associated piping locations and directs the installer to meet applicable codes and standards.
2. This Guide pertains to residential installations, or modifications of LP-Gas containers, and associated piping for any container 25 gallons or more including:
 - a) Aboveground tanks
 - b) Mounded/Underground tanks

B. Specifications

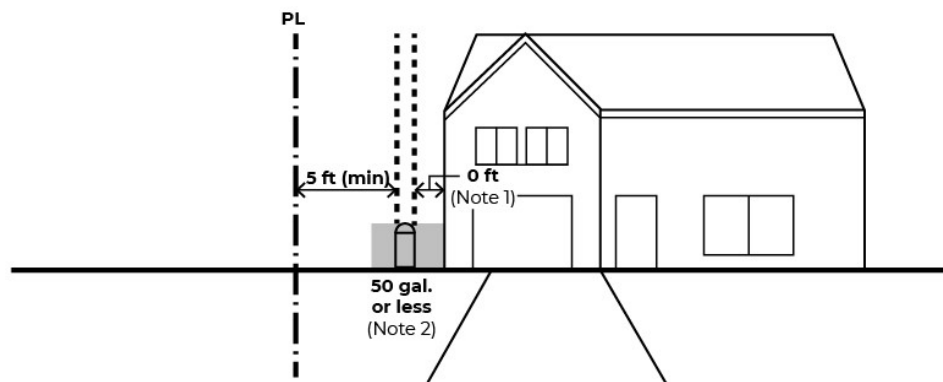
1. Refer to [Lake Havasu City Fire Department Specification #24 Standards for Installation of LP-Gas Containers and Piping](#).

C. Permits

1. Permits are typically obtained through the installer.
2. Refer to FD specifications hyperlink above for the complete list of permits required.

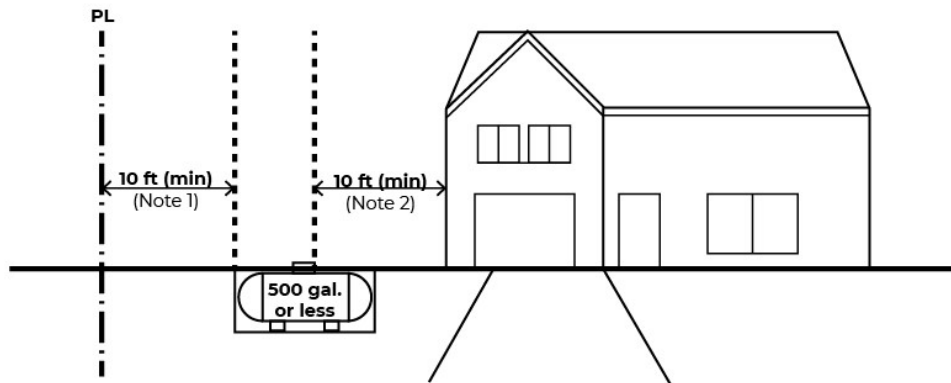
D. Location

1. Containers shall be located with respect to buildings, public ways, or lot lines of adjoining property of properties which can be built upon, refer to FD Specifications hyperlink above for code required locations.
2. Exception: It is LHCFD policy that a minimum of a 6-inch grouted solid concrete masonry wall (for the length and height of the container), reinforced with rebar, be constructed if it is necessary for a tank to be placed closer to the property line than permitted, refer to FD specifications hyperlink above.
 - a) Typical aboveground (upright cylinder tank) location:



Note 1: 5 foot height distance must be maintained between container's pressure relief device, fill valve, and vent discharge from any source of ignition, and building openings.
Note 2: Not permitted without full screening.

b) Typical mounded / belowground location (preferred):



Note 1: Distance reduced to 6 feet with solid wall enclosure per LHCFD exception, to be verified.

Note 2: Distance must be maintained between the container's pressure relief device, fill valve, and vent discharge from any source of ignition.

3. A distance of 10 feet must be maintained between the container's pressure relief device, fill valve, and vent discharge from any source of ignition. (Example: A/C units, compressor, pool equipment, solar equipment, etc.)
4. The container location shall be level. A continuous reinforced concrete slab shall be poured to a minimum of 4-inches thick and extend approximately 6-inches beyond all supports of any container. Exception: Two reinforced concrete slabs of minimum 4-inch thickness the length of each container base extending 6-inches on both sides is also acceptable unless ground erosion is an issue. Then a continuous slab, or other approved non-combustible base, will need to be installed.
5. Containers must be located out of flood danger.
6. Containers shall be kept properly painted.
7. All valves must be protected with approved covers.
8. No part of an aboveground container shall be located in the area 6 feet from either side of an overhead power line in excess of 600 volts. Note: The power line drop going to a residence is less than this amount. [If you encounter a line on which you are unsure of the voltage, call Unisource Energy Services at (520) 571-4000.]
9. Containers in a location where subject to vehicular traffic shall be adequately protected against such damage. See LHCFD Specification #15 Vehicle Crash Protection.
10. Weeds and other combustibles shall be kept a minimum of 10-feet away from all LPG containers.

E. Piping

1. Refer to FD specifications hyperlink above for piping requirements.

F. Installation of Underground and Mounded Containers

1. Underground and mounded container installations must comply with all provisions of the LP-Gas CODE §666, all subsections and other applicable

regulations.

G. Inspections

1. Refer to FD specifications hyperlink above for complete list of inspections.