3.4.13.p Antennas/Satellite Dishes: No antenna or other device such as satellite dishes, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used, or maintained outdoors on any Lot or Parcel, whether attached to a building or structure or otherwise, unless approved by the Design Review Committee.

3.4.13.q Solar Application: Passive solar application, or the orientation and design of the Residence for maximum winter sun gain will reduce the winter heating needs, and will be encouraged. Solar collectors can result in excessive glare and reflection, and can only be approved by the Design Review Committee if they are integrated into the Structures or Landscaping on a Lot or Parcel and are not Visible from Neighboring Properties.

3.4.13.r Foundations: All exterior wall materials must be continued down to finish grade thereby eliminating unfinished foundation walls.

3.4.13.s Additional Construction and/or Exterior Changes: Any changes to the approved plans before, during, or after the construction of an Improvement ***must first be submitted to the Design Review Committee for approval***. All submittals shall be accompanied by a cover letter, letter of transmittal or a copy of the Design Review Committee's "Application for an Alternation and/or Modification to an Existing Structure or Lot" describing the revisions proposed.

3.4.13.t Mailboxes: Mailbox designs were developed to provide consistency within the MacDonald Highlands community while conforming to its design philosophy; and to adhere to the specifications, and the installation, spacing and location requirements of the United States Postal Service. The mailboxes were chosen mainly for their rectilinear design characteristics, which echo the streetlight design of the community.

Community mailbox designs are as follows:

- Eisenhower Single Post, Model #N1017745, Color Black, available through Postal Products Unlimited Inc., Milwaukee, Wisconsin (800) 229-4500
- Grant Double Post, Model #N1017746, Color Black, available through Postal Products Unlimited Inc., Milwaukee, Wisconsin (800) 229-4500

When placing your order with Postal Products Unlimited reference **QUOTATION #293646** and you will receive a discount on your order. The Sales Representative who handles the MacDonald Highlands Community is Brian Majewski at Extension 1017.

Address numerals for ***ALL*** mailboxes shall be uniform throughout the community. Numerals are available exclusively through Proffiti Signs & Graphics, Henderson, Nevada (702) 564-8087. The required font is **"Garamond Bold / Double Spaced / 1.5"-High / Color White"** and address numerals shall be installed on ***both sides*** of the Postal Products Unlimited Inc. mailbox unit, as shown below (names are not permitted).

Only address numerals are allowed on mailbox units; names are not permitted.

It is the responsibility of a Lot Owner to install the appropriate mailbox unit for each residence. If a double post is required (refer to Exhibit "ar" for site locations, and mailbox selection and specification requirements) both property owners ***will share*** the purchase and installation costs of the specified unit, and the first Lot Owner onsite shall coordinate the purchase and installation of said unit.

Only specified mailbox designs will be permitted in the MacDonald Highlands community and their locations **cannot** be changed unless approved by the Design Review Committee.

3.4.13.u **Security:** MacDonald Highlands is designed to allow the Association to provide an exclusive and private environment. The 24-hour, manned guardhouse and gates are constructed at the entrance to MacDonald Highlands.

A six-foot high wall will surround the north and west property boundaries. For entry, each Lot Owner will be allotted two (2) entry cards or keys to open the specially designed gate entry (additional cards or keys may be obtained upon request). As each Lot Owner approaches the guardhouse, the guard on duty will be able to control the gate entry for easier access into the community for its Residents. The Streets within MacDonald Highlands are private streets, thus minimizing street traffic and protecting Resident privacy.

GOLF COURSE MAINTENANCE FACILITY

PA 1

GOLF COURSE

PA 1

Stephanie Street

PA 11

GOLF COURSE

PA 18

PA 4

ART

NO

PA 2B
PALISADES UNIT 1

PA 2A
PALISADES UNIT 2

PA 11

PA 16

PA 5

PA 8A

PA 10

GOLF COURSE CLUBHOUSE

GOLF COURSE

PA 5A
HIGHLANDS UNIT 1

HIGHLANDS UNIT 2

PA 12

PA 5B

PA 28
DRIVING RANGE

PA 18

PA 7

GOLF COURSE

PA 20

PA 13

10 "Eisenhower" Single

100 "Grant" Double

1 Single / Double Combination

175 Custom Pedestal Cabinet

Parts of this exhibit are conceptual, developer reserves the right to change lot configurations at anytime.

MAILBOX TYPE & LOCATION SITE PLAN

MACDONALD HIGHLANDS

VPOINT

1 - 1

Exhibit "ar"
Page 3.108

4.A.0 SITE PLANNING CRITERIA - ATTACHED HOUSING (Planning Areas 13 & 20)

4.A.1.1 Introduction

The natural topography, vegetation and setting of MacDonald Highlands creates a unique environment which requires careful attention throughout the site design and development process for the Multi – Family Attached housing neighborhoods in the community. Because attached housing generally requires larger structures than an individual single-family residence, the integrated design of site and structure is crucial to ensure that a harmonious relationship is achieved with the surrounding desert landscape. The design of attached housing neighborhoods must fully analyze the unique physical characteristics of the site, including topography, slope, views, drainage, vegetation, and access.

4.A.1.2 Building Envelope

The Building Envelope for multi-family attached product within MacDonald Highlands shall be defined as those front, rear and side setbacks established in Section 19.6.9.c(7) of the City of Henderson Development Code and shown on Table 19.3.4.1, Residential District Intensity and Dimensional Standards, located on Page 4A.3 of these guidelines.

4.A.1.3 Building Orientation

The Multi-Family Attached parcels within MacDonald Highlands have been designed to provide a sense of exclusivity to each of the neighborhoods. This exclusivity is further achieved through the ample sizing of these parcels to enable the creation of a pleasant neighborhood character with a sense of openness between structures. The siting of individual structures on the parcel should consider the following two primary factors: 1) View Orientation and 2) Relationship to the overall community. The Design Review

Committee will give extensive consideration to view corridors, impacts on adjacent homes and neighborhoods, solar orientation, drainage patterns, and impacts to existing site conditions.

4.A.1.3.a View Orientation: The hillside character of MacDonald Highlands provides spectacular view opportunities for most of the neighborhoods throughout the community. The orientation of major rooms, patios and terraces should be designed to take advantage of these dramatic views. The use of large picture windows and corner glass are especially effective in capturing the views offered by the site, and are characteristic of the Desert Elegance style of architecture. Buildings should be clustered around recreational and common open space elements, and sited to maximize both internal and external views.

With the golf course orientation of MacDonald Highlands, there is an inherent risk that golf balls and the play of golf may impact parcels or structures with golf course frontage. The Design Review Committee strongly recommends that careful consideration be given during the planning of site improvements, to the possibility of errant golf balls, particularly regarding the orientation of windows or other breakable surfaces of the structure. Netting, screens, excessive landscaping, fences or large blank walls will not be allowed. Evaluation of the proper siting, orientation, massing and setbacks should provide for maximum golf or view orientation with minimal adverse impact from the play of golf. Design consideration should also be given to the noise generated by golfers, golf carts and maintenance vehicles.

Table 19.3.4.1

Residential District Intensity and Dimensional Standards

Site Development Standard	Zoning Districts				Additional Regulations
	RS	RM	RH	RX	
Minimum District Size	N/A	RM-16 (Multifamily)=10 acres RM-8-E & RM-10-E=5 acres	10 acres	10 acres	
Maximum Density (units/gross acre)	RS-1A=1 RS-2=2 RS-4=4 RS-6=6	RM-8=8 RM-10=10 RM-16=16	RH-20=20 RH-24=24 RH-30=30 RH-36=36	RX-5=5 RX-8=8	7
Minimum Lot Dimensions					
Area (square feet)	RS-1A=40,000 RS-2=20,000 RS-4=10,000 RS-6=6,000 RS-6-PUD=5,000	RM-8-E=4,000 RM-10-E=4,000 RM-16 (Mulifamily)=N/A	N/A	RX-5=6,000 RX-8=2,800	1, 2, 9
Width (feet)	RS-1A=100 RS-2=100 RS-4=75 RS-6=60 RS-6-PUD=50	RM-8-E & RM-10-E=40 RM-16 (Multifamily)=N/A	N/A	40-60	1, 8, 9
Minimum Setbacks (feet)					
Front	25, except RS-6=20 RS-6-PUD= Sec.19.5.4.E.8	RM-8-E & RM-10-E=20 RM-16 (Multifamily)=see Sec. 19.6.2.G.9	See Sec. 19.6.2.G.9	RX-5=20 RX-8=10	3, 5, 9
Interior Side	RS-1A=10 RS-2=10 RS-4=7.5 RS-6=5 RS-6-PUD=5	RM-8-E & RM-10-E=5 RM-16 (Multifamily)=see Sec. 19.6.2.G.9	See Sec. 19.6.2.G.9	RX-5=8 RX-8=0	4, 5, 9
Street Side	15, except RS-6=10 RS-6-PUD= Sec.19.5.4.E.8	RM-8-E & RM-10-E=10 RM-16 (Multifamily)=see Sec. 19.6.2.G.9	See Sec. 19.6.2.G.9	RX-5=12.5 RX-8=5	9
Rear	30, except RS-6=15 RS-6-PUD=15	RM-8-E & RM-10-E=10 (15 perimeter) RM-16 (Multifamily)=see Sec. 19.6.2.G.9	See Sec. 19.6.2.G.9	RX-5=15 RX-8=0	5, 9
Maximum Height (feet)	35	RM-8-E & RM-10-E=30 RM-16 (Multifamily)=35	35	15	6
Maximum Lot Coverage (percentage)	N/A	RM-16 (Multifamily)=40 RM-8-E & RM-10-E=N/A	40	40	
Minimum Spacing Between Units (feet)	N/A	RM-16 (Multifamily)=20 (30 window-to-window) RM-8-E & RM-10-E=10	20 (30 window-to-window)	RX-5=see additional regulations RX-8=15 side/side & end/end	10 11

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4.A.1.3.b Relationship To Adjacent Lots & The Overall Community: Multi-Family Attached structures should be designed to blend into the overall character of the desert environment as much as possible, minimizing any negative visual impact from surrounding areas. The design of individual buildings should carefully consider the scale, proportion, and massing of building elements to ensure the resulting structure is compatible with the overall philosophy of MacDonald Highlands.

It is the intent of these guidelines to ensure that not only are the architectural designs consistent with community standards but that each new unit compliments and enhances those homes that already exist. An important aspect of the MacDonald Highlands philosophy is the goal of having the home fit within the existing terrain and not reconfigure the terrain to fit within the home. Careful consideration of the surrounding site conditions should be designed as an integral element of the lot's development. Therefore, the Design Review Committee will require all developers to provide the Design Review Committee with cross-sections as shown in Exhibit "V" (Section 3/Page 3.20). In addition to presenting the proposed elevations of the home, the cross-section must depict the proposed contours carried out to the lot lines.

Cross-sections are to be included in the Schematic Plan Review Submittal.

The building setbacks specified on Page 4A.3 are minimum requirements. It is strongly encouraged for the design of individual structures to incorporate additional setbacks, where appropriate, to further enhance the character of the neighborhood and to increase the distance between adjoining buildings and residences. The use of additional setbacks may be applied to certain structures to ensure specific siting issues are appropriately considered.

4.A.1.4 Parking And Driveway Criteria

Parking and driveway design standards shall be those set forth in the City of Henderson Development Code.

4.A.1.4.a **Location:** Parking courts and driveways should be located in a manner, which minimizes their visual impact on significant natural features of the parcel such as vegetation, washes or drainage ways. They should also be located such that there is no interference with drainage in the street right of way.

4.A.1.4.b **Materials:** All parking courts and driveways are required to be patterned concrete, stone, brick, bomanite, or other similar textured paving materials. The color of driveway materials must be compatible with the guidelines as outlined in Section 4A.2.5 of these design guidelines. Ordinary concrete without color or textural embellishment will not be allowed.

4.A.1.4.c **Garage Placement:** It is encouraged for garage doors to be out of view from streets or other public spaces. Whenever possible, structures should be designed such that garage doors are located at right angles to the street. Where this is not possible, adequate landscaping shall be provided to soften the visual appearance of the garage doors.

4.A.1.4.d **Parking Spaces Required:** Parking capacities shall conform to Section 19.6.2.c(10) of the City of Henderson Development Code.

4.A.1.4.e **Repair Of Damages:** It shall be the lot owner's responsibility to repair existing streets, curbs, sidewalks, utilities, neighboring lots, or other existing elements, which may be damaged as a result of construction activity on the owner's lot.

4.A.1.5 Site Amenities

4.A.1.5.a Swimming Pools, Spas and Hardscape: Swimming pools, when provided, should be designed as a focal element for the neighborhood, but should be screened from direct view of neighboring properties. They must be constructed according to the City of Henderson Regulations and other applicable regulations, including required fence and enclosure heights. Doors and gates leading to swimming pools and spas must meet the City of Henderson safety and closure regulations.

Pool backwash or pool draining is not allowed to be disposed of in the sanitary sewer system nor, due to environmental concerns, is it allowed to be disposed of into a wash or other natural drainage area. Any applicable state, federal or City of Henderson regulations governing disposal of pool water must be followed.

4.A.1.5.b Tennis Courts: Tennis courts are subject to the review and approved by the Design Review Committee. When allowed, tennis courts should be fenced and sited for minimal visual impact from the street or from neighboring properties. The construction of tennis courts below grade helps to reduce the need for fencing. Lighting from tennis courts will not be permitted to spill onto adjacent property, and no tennis court lighting shall be installed without the approval of the Design Review Committee.

4.A.1.5.c **Sports Courts:** The location of all hard and soft surfaced dimensioned sport courts, such as basketball, racquetball, volleyball, and other similar facilities are subject to review and approval by the Design Review Committee. All such courts must have a minimum of a 10' setback from property walls to allow for light fixture placement and landscape screening. Lighting, if installed, shall be located, directed and shielded so that light rays and glare do not extend beyond the lot boundaries.

4.A.1.5.d **Exterior Recreational Or Play Equipment and Pool Slides:** All exterior recreational or play equipment such as swing sets, slides, play structures, jungle gyms, pool slides and other similar equipment must meet the intent and requirements of all sections of the Design Guidelines, including color. All exterior recreational or play equipment requires specific approval of the Design Review Committee prior to installation.

4.A.1.5.e **Exterior Lighting:** The goal of MacDonald Highlands, to preserve the visual character of the desert environment, extends to nighttime as well as daytime conditions. In order to preserve the dramatic views of the city lights and the night sky, which tend to be obscured by excessive local lighting, the following guidelines have been established for residential site lighting. Site lighting is defined as lighting mounted to the any exterior surface of the residence, ground, trees, site walls, fences or any other site feature for the purpose of providing security, decorative accent or functional lighting to outdoor spaces.

- Subtle, low-level lighting of landscape areas is encouraged. Landscape lighting, however, shall not intrude or produce a glare onto adjacent lots, lots across the street, or onto any public space. Landscape lighting must be directed downward onto vegetation or

prominent site features, and may not be used to light walls or building elements. All lighting must be directed toward the interior of the lot upon which it is located.

- Building mounted lighting must be directed downward away from adjacent lots, streets, and community open spaces, and may not be used to light walls or building elements for decorative purposes.

- All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from neighboring property; no bare lamps will be permitted.

- Recessed and soffit lighting in *entries, above garage door bays, and on patios and covered balconies* shall have a maximum wattage of 75 watts and the lamp must be recessed a minimum of 3" into the ceiling. Recessed lamps must also have a minimum 5' separation between fixtures.

- Only incandescent lamps with a maximum wattage of 75 watts will be allowed for exterior lighting unless specific approval is received from the Design Review Committee. Low voltage lighting is recommended, since these fixtures are typically small and can be easily concealed within the vegetation. Colored lights will not be allowed for exterior lighting.

- Tree lights are allowed, however, no chasing, twinkling or blinking lights are permitted.

- If problems occur with ***any*** exterior lighting, the HOA and/or Design Review Committee reserve the right to require such fixtures be disconnected.

4.A.1.6 Hillside Design Criteria

Site Design: The Multi-Family Attached neighborhoods are characterized by sloping topography which provides many challenges as well as opportunities. While hillside development offers dramatic view opportunities, it also creates highly visible elements on the landscape itself. Therefore, careful consideration must be undertaken to ensure that hillside architecture blends naturally into the surrounding desert environment. Upon completion of construction, the finished grade around the buildings and site walls should lie against the walls, as near as possible, to the original angle of slope.

Building heights may be increased in order to minimize the impact of mass grading and/or to reduce site coverage. The focus will be not only to minimize site disturbance but also to restore and improve landscape coverage in areas that are disturbed.

During the preparation of a preliminary site plan for the neighborhood, consideration should be given to the impact of the proposed buildings and site improvements on neighboring properties regarding privacy, view preservation, natural drainage, and ease of access.

While the natural topography of MacDonald Highlands varies considerably between neighborhoods, the following general limitations apply, unless the Design Review Committee approves special circumstances supporting an exception:

- No change in natural or existing drainage patterns for surface water shall be made that could adversely affect adjacent properties.

- Retaining walls and other walls not directly supporting a building structure, except screen walls, shall typically not exceed 8 feet in height, measured vertically from the lowest finished grade adjacent to the wall along the exterior side of

the enclosure. Where additional height is necessary, and subject to approval by the Design Review Committee, retaining walls must be terraced with a minimum separation of 4 feet between walls and an overall height not to exceed 24 feet. Subject to approval by the Design Review Committee, other acceptable methods for minimizing the impact of retaining walls greater than 8 feet in height include: landscaping with mature indigenous trees or large shrubs; and/or using a different texture and/or material such as stone for a portion of the wall treated to blend with the natural terrain.

- *Screen walls*, walls not supporting a building structure or retaining earth, may not exceed 6-feet in height (per City of Henderson requirements) measured from finish grade along the exterior side of the enclosure in the manner described above for retaining walls.

- Stone used as a landscape material shall be 1" or less in size, and shall match the color of the existing native stone on the homesite. Rounded pea gravel may not be used as a landscape or driveway material.

- Native stone indigenous to the site is allowed for riprap or other landscape treatments, as well as river rock stained to match the native stone.

4.A.1.7 Parcel Grading And Drainage

Parcel grading and drainage should be done with a minimum disruption to the site. Structures, roads, driveways and any other site improvements should be designed to fit the existing contours of the site, minimizing the amount of excavation required rather than altering the site to fit a non-responsive structure or improvement onto the site.

Surface drainage shall not flow to adjacent properties or open spaces except as established by existing natural drainage patterns, or cause a condition that could lead to off-site soil erosion onto such areas.

The design of site improvements should carefully evaluate the potential for erosion based upon the percentage and direction of slope, soil type and vegetation cover. When a change in the natural drainage within a parcel is necessary, right angle diversions should be avoided, but rather should create positive drainage in a logical and natural manner. The potential for erosion should be minimized through the use of native rock, plant material, and/or rip rap in disturbed areas. Any changes in a drainage pattern require contour grading and mature landscape to return the drainage way to it natural appearance.

Drainage facilities shall be designed to maintain the natural run-off characteristics. Drainage facilities shall be designed in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design manual. Private drainage facilities, cross lot drainage easements or rear lot drainage easements shall be privately maintained.

Extensive grading activity on a development parcel within MacDonald Highlands is discouraged. Culverts, when used, should be concrete with exposed surfaces treated with PERMEON to match the adjacent natural landscape of the desert. In addition, end walls or other terminal structures should be similarly treated.

Where grading is unavoidable, careful consideration should be given to the impact to the natural appearance of the surrounding landscape. The following measures should be used to minimize negative visual effects of site grading, including:

- Exposed escarpments shall not exceed 2:1 in slope except as otherwise approved by a licensed Geotechnical Engineer. In order to provide a natural appearance to such escarpments, the slopes should be varied (2:1, 3:1, 4:1 & 5:1) providing an undulating appearance.

- Cut and Fill conditions in excess of 2:1 slope shall use riprap or other rock-type erosion control methods, subject to City of Henderson approval. Riprap or other erosion control features shall be stained with PERMEON to match the surrounding conditions of the natural desert environment.

- Smooth transitions between escarpments and natural topography are required at the top and toe of such slopes by rounding the transition areas.

- Disturbed areas should be reshaped to duplicate the original natural slope to the extent feasible.

- Disturbed areas should incorporate erosion control measures such as landscaping, riprap, or other similar techniques, as approved by the Design Review Committee and the City of Henderson.

- The grading of a development parcel should respect the existing natural drainage conditions of the site. Where feasible, existing drainage channels should be maintained in their natural condition.

4.A.1.8 Retaining Walls

The use of retaining walls may be necessary in certain graded conditions, and the maximum height of the block portion of the retaining wall cannot exceed 8 feet in height.

Where additional height is necessary, retaining walls must be terraced with a minimum separation of 4' between walls to allow for adequate landscaping. The maximum height of the block portion of an individual retaining wall in a terraced condition remains at 8 feet.

Open railings up to an additional 3' in height may be allowed on top of a maximum 8' high retaining wall, subject to approval by the Design Review Committee. The Design Review Committee must specifically approve the design of such railings. The maximum height of a

retaining wall with iron is 11'-0". However, if the height of the retaining wall is minimized the height of the iron may be increased accordingly, not to exceed a combined height of 11'-0".

Retaining walls should follow the existing contours of the site to ensure a natural blending into the surrounding desert environment.

Retaining walls should have a natural appearance through the use of such materials as stone, brick, split-face CMU, "rockery walls" or slump-stone colored to match the adjacent structure or a color that is compatible with the surrounding desert landscape. Precision-cut concrete blocks or exposed concrete retaining walls will not be permitted.

4.A.1.9 Vehicular Circulation

Within the hillside neighborhoods, all roadways whether public or private, shall be designed according to the standards described in Section 4.A.1.10, as well as AASHTO requirements. The standards are also intended to supplement the Public Works Department Plan Review Guidelines. Roadways should be located such that impacts to the natural environment are avoided.

Roadways, parking courts, and driveways should follow the topography of the area to minimize grading cuts and fills. Curvilinear horizontal alignments and gently rolling profiles consistent with the natural topography will minimize unnecessary site disturbance. Significant features such as rock outcroppings should be avoided. In the event that rock outcroppings are unavoidable the Developer of the multi-family parcel shall treat them with PERMEON to match the desert landscaping.

Driveways must meet or exceed those standards established by the City of Henderson Development Code and the City of Henderson Fire Department.

4.A.1.10 ROADWAY STANDARDS

For roadways serving greater than 100 residential units, the design criteria shall be reviewed on a case-by-case basis with the City of Henderson Public Works Department.
For roadways serving 100 or fewer units, the following standards shall apply:

Right of Way:	42 ft (no parking or parking one side) 45 ft (parking on both sides)
Travel Lanes:	2
Face of Curb Dimension:	24 feet (no on-street parking) 28 feet (parking on one side) 36 feet (parking on both sides)
Curbing	Curbing shall be required. (Curb type shall be as approved by the City Engineer)
Design Speed:	20 miles per hour
Stopping Site Distance:	125 feet
Site Distance (intersections):	200 feet
Minimum Center Line Radius (w/o Superelevation):	180 feet
Minimum Center Line Radius (w/2% Superelevation):	140 feet
Minimum Grade:	0.4%
Maximum Grade:	15%, except that a fire apparatus road within 50 feet of a structure, the grade shall not exceed 8%. In lieu of providing an 8% roadway grade within 50 feet of a structure, the structure shall have a full building fire sprinkler system per City of Henderson Fire Department requirements.
Maximum Grade Length:	7 - 9%: 1400 feet 9 - 12%: 700 feet 12 - 15%: 350 feet
Minimum Curve Length:	100 feet
Vertical Clearance:	13.6 feet
Sidewalks:	Minimum lot sizes less than 20,000 sq. ft.: 4' walk; one-side only Minimum lot sizes greater than 20,000 sq. ft.: No sidewalk required
Cul-de-sacs:	Radius (45 foot measured to the face of curb)
Maximum Units Served:	25.
Vertical Curves	Required if grade difference exceeds 1%.
Roadway Aprons:	2% maximum slope measured 4 feet from the back of curb on both sides of the street.
Right of Way Slope:	3 feet horizontal for 1 foot vertical behind the roadway apron and within the right of way.
Cross Slopes:	4%
Street Lighting:	Intersections and other locations for public safety as required by the City of Henderson Public Works.
Intersection Spacing:	200 feet, measured centerline to centerline.

4.A.1.11 WATER (Public Works)

Water System Design: All water systems shall be designed in accordance with the Uniform Design and Construction Standards for Water Distribution Systems, Clark County and the Uniform Standard Specifications for Public Works Construction, Clark County area.

4.A.1.12 WATER (Fire Department)

4.A.1.12.a **Water System Flow:** The water mains and the distribution system shall be designed to deliver a minimum residual pressure of 20 pounds per square inch (psi) at the fire hydrants in service during maximum day demand plus the required fire flow demand. Minimum fire flow shall be equal to 750 gallons per minute (gpm) for residential property classified as a Group R, Division 3 occupancy. All other occupancies shall be as prescribed by the Fire Code. The system shall be designed to provide a minimum of 40 psi during peak hour conditions without fire flow. A maximum pressure delivery at the point of service shall not exceed 120 psi.

4.A.1.12.b **Building Fire Sprinkler Systems:** All buildings shall be provided with an approved automatic fire sprinkler system in accordance with the Fire Code in effect at the time of plan submittal. Neither The Foothills Partners nor MacDonald Highlands Realty shall be held liable for any revisions that the City of Henderson Fire Department shall make to fire sprinkler requirements. The water system design shall accommodate the requirements for building fire sprinkler systems. The building fire sprinkler system shall meet City of

Henderson requirements, in addition to the Fire Code requirements.

(Based upon steeper road grades, reduced roadway design speeds, reduced roadway width, longer dead ends and cul-de-sacs, reduced water system design requirements and relaxed secondary access requirements, the response time for emergency vehicles is increased above that of conventional development patterns within the City of Henderson. Given the increased response time, a waiver of the requirement for building sprinkler systems is subject to review and approval by the Fire Marshal.)

4.A.1.12.c **Water Main Sizes:** Residential water main sizes shall be a minimum of 6 inches in diameter or as required by the City of Henderson Public Works Department. If minimum fire flow requirements are met, fire hydrant branch lines shall not be required to be looped.

4.A.1.12.d **Fire Hydrant Branch Lines:** Fire hydrant branch lines shall be set at right angles to street mains. The hydrant shall be set at the end of the branch line and shall face the branch. No horizontal or vertical bends or reducers shall be used in installing fire hydrant branch lines unless specifically approved by the City of Henderson. Under no circumstances shall any size or manner of tap be made on a fire hydrant branch line.

4.A.1.12.e **Fire Hydrant Location and Distribution:** The number and spacing of fire hydrants shall meet the approval of the Fire Prevention Division. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be located along fire apparatus roads as follows:

- Spacing of fire hydrants shall normally start by placing fire hydrants at all intersections or;

- In all residential areas, fire hydrants shall not be spaced greater than 750 feet apart, or;
- The maximum distance from a Group R, Division 3 Occupancy to a fire hydrant shall not exceed 500 feet, as measured from an approved point on a street or road frontage to a fire hydrant.

4.A.1.13 Wastewater Collection And Treatment

Wastewater collection systems shall be designed in accordance with the Design and Construction Standards for Wastewater Collection Systems, Clark County, 1991 and the Uniform Standard Specifications for Public Works Construction, Clark County area. Septic systems shall not be permitted.

4.A.1.14 Homeowners Association

Each hillside development plan that provides for private streets or improvements, common areas or natural areas shall establish and maintain a Homeowners Association. The association shall be responsible for the maintenance and upkeep of all private streets and improvements as well as all common and natural areas.

Natural areas may be designated as a deed-restricted portion of a privately owned lot, or as a separate parcel. Such parcel may be under the ownership of a homeowner's association or deeded to any organization, which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the City of Henderson. To protect the natural areas, covenants that run with the land, shall be recorded in favor of the City of Henderson and of all owners with record interest in the natural area.

4.A.1.15 Hillside Architecture

The sloping topography of a hillside neighborhood provides many challenges as well as opportunities. While hillside development offers dramatic view opportunities, it also creates highly visible elements on the landscape itself. Therefore careful consideration must be undertaken to ensure that hillside architecture blends naturally into the surrounding desert environment.

The terrain in MacDonald Highlands provides a variety of landform and slope conditions throughout the community, requiring different Cut and Fill treatments depending on specific conditions, to ensure that the Single Family Attached structures are well-integrated with the site. The following guidelines address the general Cut and Fill situations. Evaluation of the proposed site improvements will be based on conformance with these Cut and Fill guidelines. The Design Review Committee reserves the right to request that the proposed finish floor elevations be adjusted due to Cut and Fill conditions regardless of compliance with Building Height requirements.

Cut and Fill conditions must meet the intent and goals of these guidelines as well as their technical application. The Design Review Committee may allow exceptions to the technical Cut and Fill guidelines when, in the opinion of the Design Review Committee, the objectives and intent of the Guidelines are still met.

All Cut and Fill excavations must occur within the parcel and any excess fill material must be removed from MacDonald Highlands and disposed of in accordance with the requirements of the City of Henderson. Excavated material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

The building mass of individual structures should be compatible with the existing natural landforms of the site and surrounding area. This can be effectively accomplished by separating the structure into a series of smaller building forms that conform to the natural topography of the site.

Predominant roof ridgelines should be designed parallel to the natural contours of the site to minimize the visual impact of roofs and gable ends.

Materials and colors should be selected on their ability to blend into the surrounding desert landscape.

4.A.1.16 View Preservation

The hillside character of MacDonald Highlands provides spectacular view opportunities for most of the single family attached neighborhoods throughout the community. The orientation of major rooms, patios and terraces should be designed to take advantage of these dramatic views.

The existing terrain provides the opportunity to create multi-level structures that terrace down the hillside, in either a townhome or stacked flat configuration. This terracing allows views to be captured from each level of the building.

While views should be maximized from individual neighborhoods, the buildings should be designed and sited such that view opportunities from surrounding lots are not obstructed.

4.A.2 ARCHITECTURAL DESIGN CRITERIA - ATTACHED HOUSING (Planning Areas 13 & 20)

4.A.2.1 Architectural Character

The primary goal for the design of Single Family Attached residences within MacDonald Highlands is to create a structure that integrates the architecture of the building with the natural character of the surrounding desert landscape. The resulting architectural style is best described as "Desert Elegance", exemplified by strong horizontal building forms with a minimum of ornamentation. This integration of architecture to the site is further enhanced through the extensive use of terraces and courtyards providing a strong indoor/outdoor relationship to the building's residences. Finally, the proper use of color is crucial for the successful design of the structure. Building colors should be selected for their ability to blend naturally into the desert environment, such as "earthy" tones of buff, sand, beige, gray and other similar hues. Bold color schemes featuring crisp whites, pastels, or bright colors will not be permitted.

The purpose of the Architectural Design Criteria is to ensure that the architectural character of the attached residential neighborhoods is compatible with that of the overall character envisioned for MacDonald Highlands, while encouraging unique, innovative and creative design solutions. Individual consideration will be given to the aesthetic and physical relationships of the building to the site.

4.A.2.2 Architectural Components

BUILDING FACADES	ROOFS	ARCHITECTURAL FEATURES/ ACCENTS
▪ FORM / MASS ▪ COURTS / PORCHES ▪ SHADOW OPENINGS ▪ MATERIALS / TEXTURE	▪ ROOF PITCH ▪ OVERHANGS ▪ MATERIALS	▪ ACCENT WINDOWS / DOORS ▪ DECKS / PATIOS ▪ FENCES / WALLS ▪ ACCENT COLOR / TREATMENTS

The architecture of attached residential dwellings can be broken down into three major components, including 1) Building Facades, 2) Roofs, and 3) Architectural Features & Accents. The proper design treatment of these three components will result in a visually pleasing residence and neighborhood environment throughout MacDonald Highlands. The following is a general description of how each of these components should be addressed relating to the Desert Elegance architectural style.

APP00304
JA_1952

4.A.2.3 Building Facades

The three dimensional success of a building and its site elements is a result of the careful treatment of building mass, proportion and scale, articulated by a variation in texture, materials, and color treatment. In general, large unarticulated building masses should be avoided because of the resulting scale, which would be out of balance in achieving a desirable relationship to the desert environment. Structures that require greater amounts of space, should have vertical and horizontal offsets to break up the building mass and create a more desirable scale and visual interest to the dwelling. The interplay of shade and shadow, along with texture and openings in large building surfaces provides interest and balance to the building. In addition, the use of terraces, porches and balconies, window and entry treatments further emphasize building articulation. Together, each of these elements enable the creation of Multi-Family Attached residential neighborhoods, which blend harmoniously into the natural desert environment.

4.A.2.4 Building Massing And Scale

The Desert Elegance architectural style features a strong horizontal character achieved through the predominant use of one-story building forms.

4.A.2.4.a Building Height: the design of the Single Family Attached residences should carefully consider the existing site conditions, and should be designed as an integral element of the landscape. Stacking is encouraged to minimize site disturbance.

Height requirements for multi-family attached product shall be those set forth in Section 19.6.2.c(9) of the City of Henderson Development Code, excepting those areas where a maximum ridgeline of 45' will reduce overall site disturbance, subject to City of Henderson-approval.

All height limitation criteria form the basis of general massing only. For example, it is expected that all elevations will not only take advantage of the view from within the residence, but will also provide pleasant views from all surrounding areas, as well. All side and rear elevations should be articulated to break up the facade into smaller elements, as well as adding the richness of shade and shadow. Large blank walls will not be allowed. Failure to provide adequate articulation and richness may be grounds for rejection of the design by the Design Review Committee.

4.A.2.4.b Massing: The proper massing of Desert Elegance architecture will reduce the visual scale of a large structure, and create a texture, which helps blend the building with the surrounding natural environment.

Buildings should be composed of clusters of simple rectangular-volume building forms, arranged in an asymmetrical manner, and should feature multi-levels terraced to existing topographic conditions.

4.A.2.4.c Articulation: The horizontal character of Desert Elegance architecture is enhanced by the integral design of outdoor living spaces such as terraces and patios as a transition between the building's residences and the natural landscape environment. Extended roof forms and broad overhangs are often used to provide cover for these spaces, protecting them from the harsh climatic conditions of the desert.

The horizontal character of Desert Elegance architecture is further enhanced by the use of articulated roof forms combining low pitched hip roofs and flat roof forms. The zoned activity areas are often highlighted by the use of pyramidal roof forms.

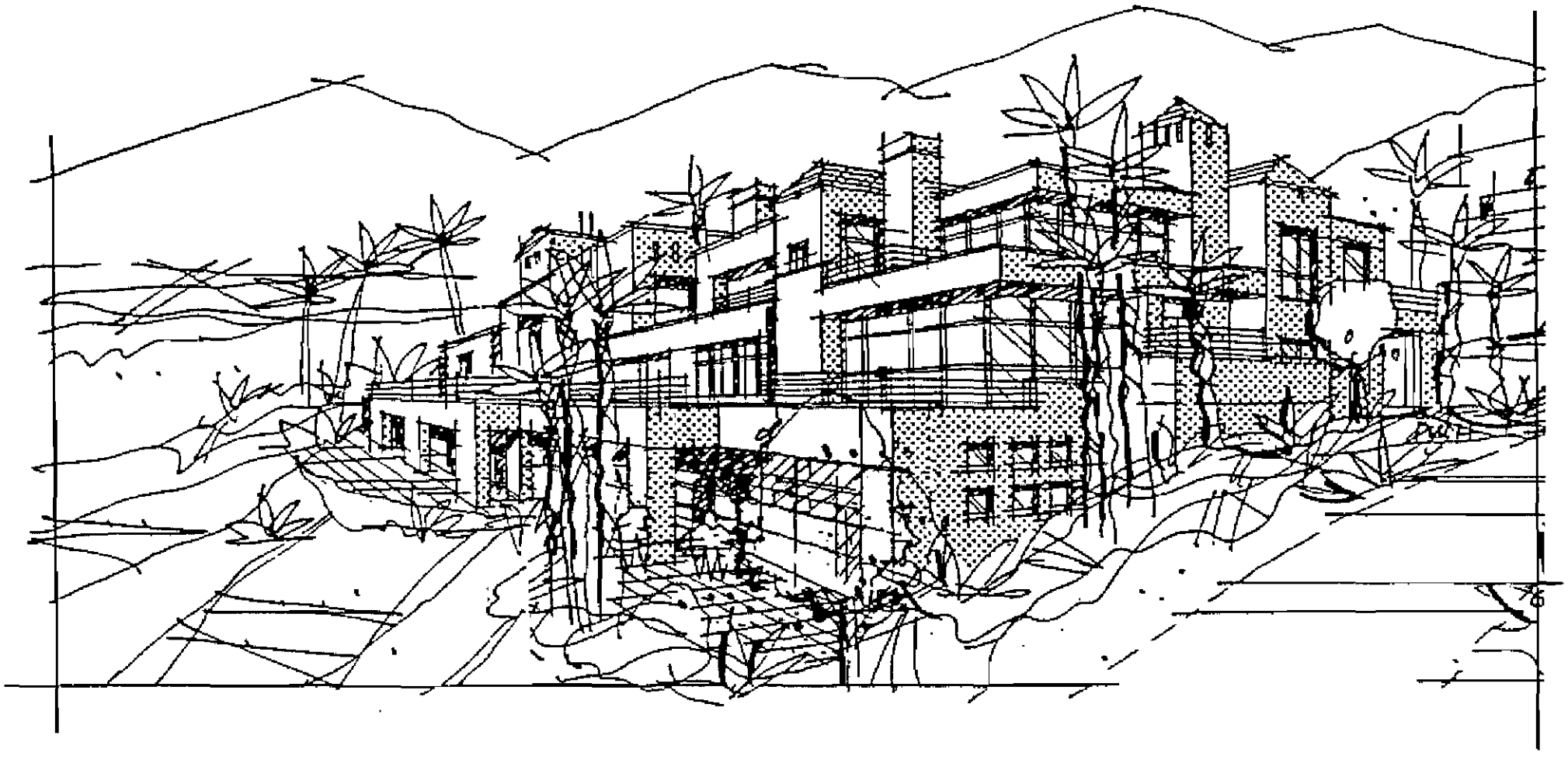
4.A.2.5 Exterior Materials

Exterior surfaces shall generally be of natural material that blend with and are compatible with the natural landscape. Materials should be selected based on their ability to withstand the extreme climatic conditions of the desert. Exterior building walls shall consist of at least one, but not more than three of the following:

- Stone such as the following:
  - Granite (Thermal or Honed Finish)
  - Arizona Sandstone (Thermal or Honed Finish)
  - Slate (Cleft Finish)
- Split-face CMU block of earth tone colors compatible with the surrounding desert environment
- Brick (clay)
- Stucco or plaster with a light to medium texture, such as dash, smooth, sand or lace. (Heavy textures such as swirl or heavy trowel are prohibited.)
- Glass / Glass Block

Large expanses of painted surfaces, particularly wood, will not weather well in desert conditions and will not be approved.

All residences shall feature "wrap-around" architecture that is all four sides of the building shall have a consistent level of detail in terms of materials and architectural detailing. The purpose of this requirement is to ensure that all elevations of a Residence will be considered equally during the evaluation and review process, particularly for those residences with frontage on the golf course or other public spaces.



BUILDING FACADES—MASS EXHIBIT

Exhibit "as"

APP00308
JA_1956

All surface treatments or materials shall be designed to appear as an integral part of the design, and not merely applied. All materials shall wrap columns, porches, or balconies in their entirety. Material wainscoting (i.e., the application of stone along the lower portion of an elevation) and random patterns are not preferred—applying masonry material in massed elements is more appropriate to the Desert Elegance architectural theme of the community.

Material changes (where proposed) should occur at inside corners. Siding materials shall be continuous to within 6" of finished grade. Exposed footings are not permitted.

Highly reflective finishes (except glass) shall not be used on any exterior surfaces.

4.A.2.6 Color Overview

Nestled in the McCullough Mountain range, the community of MacDonald Highlands has a unique natural setting. Building colors and materials must be in muted desert shades in order to blend the residences harmoniously into the surrounding desert landscape. To help builders and architects achieve this goal, MacDonald Highlands has developed a color program that:

- Identifies appropriate colors.
- Outlines criteria for color selection.
- Gives guidelines for color implementation.

All builders and architects shall utilize this color program in the planning and execution of exterior finishes.

4.A.2.7 Color Program

Roof, field, and masonry color palettes have been identified for use at MacDonald Highlands. Builders are required to make their selections from these palettes, however, additional colors and color combinations may be considered by the Design Review Committee provided the alternate color(s) complies with community-specified light reflectance value ranges, and is consistent with and compliments the natural surroundings. Final approval or disapproval of alternate paint colors and/or color combinations will be judged at the sole discretion of the Design Review Committee.

The community-approved palettes are defined by the following criteria:

- Roof colors that are flashed or modeled and have a medium light reflectance value (LRV).
- Field colors that are muted shades with a light reflectance value (LRV) between 60% and 15%.
- Masonry materials that are natural in form and compatible in color with the desert environment.

Multi-Family Parcels Are Strictly Limited To Use Of The Upper Hillside Color Palette.

The Upper Hillside areas may only use the colors in the Field Color Palette with a LRV between 55% and 25% for the primary field colors. However, secondary field colors in the Upper Hillside areas may be selected from any color in the Field Color Palette. Exhibit "at" (Pages 4B.73-76) provides a full listing of all approved roof, field and masonry (faux) materials.

The remaining colors to be identified for a residential color scheme, fascia, trim, garage door & accent must also be in muted shades that blend appropriately with the desert environment. These colors may be selected by the builder or architect, from their own source, as long as they maintain a LRV of 70% or less and will be reviewed by the Design Review Committee.

4.A.2.8 Color Palette Design Kit

A "Color Palette Design Kit" (Design Kit) has been created for use by the builders and architects in MacDonald Highlands to assist them with their selections from the defined roof, field and masonry palettes. Each Kit contains a color fan deck of the Field Color Palette as well as a listing of the approved roof and masonry colors. Within the Field Color Palette, the Upper Hillside primary field color options will be identified by shortened paint chips. Listed on the front of each chip in the fan deck is the manufacturer's reference number, name and light reflectance value (LRV).

FRAZEE PAINT was selected for use in the Design Kit, ***however, manufacturer crossovers are acceptable so long as the corresponding Frazee number, name and LRV are noted when submitting a color package or scheme to the Design Review Committee for review.***

4.A.2.9 Builder Color Requirements

Builder color palettes shall utilize the following guidelines:

4.A.2.9.a Color Scheme Number:

- Attached Housing shall have three-color schemes minimum.

4.A.2.9.b Roof Colors: Roof colors shall be selected from the defined palette. ***Manufacturer crossovers are acceptable only if they maintain the roof color criteria.***

- Attached Housing projects shall have one roof color or blend.

4.A.2.9.c Building Colors: Each color scheme shall have a minimum of three different colors not counting the roof or any masonry material. All field colors shall be different with a discernable difference between them. Schemes utilizing a primary and secondary field color shall have a 15% LRV spread between them. Only one third of the color schemes may use the same fascia color. Only one third of the color schemes may use the same trim color. All accent colors are to be different.

4.A.2.9.d Masonry:

- Attached Housing projects shall have a masonry material integral to the design of the project.

4.A.2.9.e Color Plotting: In an effort to offer the most balanced blend of materials and colors as possible, adjacent and facing residences shall not have the same front or rear elevation and shall not have the same color scheme. However, opposite hand footprints with variations in elevation design elements and a different color scheme will be permitted.

4.A.2.10 Color Submittals

Submittals for Builder color packages to the Design Review Committee must contain the following information:

A color and material sample board showing the selected building colors, roof and masonry material. The Frazee paint reference number, name and LRV must be identified on the board. ***Paint crossovers must list the Frazee color as well.***

When multiple field colors are used, exterior elevations showing the color application strategy shall be submitted (i.e., Color Blocking Exhibits). See Exhibit "au" (Page 4 B.77) for submittal example.

Manufacturer cut sheets, photographs or samples of any materials, which require further or more detailed explanation such as: lighting, special ornamentation elements, custom gates, etc.

4.A.2.11 Roof Design

Roofs are a significant component in the overall appearance of a building, and careful consideration must be undertaken to ensure that the design and scale of the roof is compatible with the architectural style of the building and context of the overall MacDonald Highlands community. Roofs should be simple shapes without overly complex joining. Predominantly low to moderately pitched hip roofs are encouraged, with small portions of flat roofs permitted to enhance the desert character of the architecture. Roof articulation should enable the roof forms to blend into the natural desert environment.

4.A.2.11.a Roof Form and Slope: Multiple roof forms are encouraged which emphasize the overall simplicity of the building's form.

Low-pitched hip roofs are the predominant type of roof in Desert Elegance architecture. Roof pitches on multi-family attached product shall not exceed a maximum slope of 6:12.

Pyramidal roof forms are often used to highlight architectural forms and floor plan elements of the building.

Small portions of flat roofs used in conjunction with the low-pitched hip roofs further enhance the Desert Elegance character of the architecture. The use of flat roofs should be limited primarily to covering exterior spaces to minimize waterproofing constraints.

Parapets a minimum of 10" up to a maximum of 36" above the adjacent roof surface should surround flat roofs. Parapets must return and end in an intersection with a building mass.

Flat roofs that do not have parapets may be approved by the Design Review Committee if such roofs are free of any skylights, roof penetrations, roof vents, plumbing vents, or other similar elements, and if in the opinion of the Design Review Committee, any drainage crickets are not distracting to the overall design character of the residence. On flat roofs, the flashing detail between the roof and the parapet wall must be kept horizontal, not sloped to follow the roof or cricket slope, and all flashings must be painted to match the walls.

Roofs featuring broad overhangs are encouraged to provide shade protection from harsh desert climatic conditions. However, roof overhangs and/or cantilevered elements may not exceed more than 5'-0" into the side yard setback.

A variety in rooflines is encouraged to avoid a common roofline along the street scene. Rooflines of adjoining structures should vary ridge heights and the direction of main ridgelines to enhance the roofscape of the overall neighborhood.

Predominant roof ridgelines should be designed parallel to the natural contours of the site to minimize the visual impact of roofs and any gable ends.

Creatively designed skeletal roof structures offer the opportunity to provide shelter and shade while creating roof top color through the growth of vines and other plant material.

Skylights and roof top windows are permitted and should be designed as an integral part of the roof. In addition, these elements shall be tinted bronze or gray; white or clear glass is not allowed; and all framing material shall be colored to match the adjoining roof surface.

Several types of fascias are commonly used in Desert Elegance architecture. These include concealed, flush or tight fascias, as well as broad overhanging eaves providing protection from the sun.

Fascias may be either stucco, stone or tile. Corbel elements are non-characteristic of the Desert Elegance style of architecture and are <u>not</u> permitted on lots in hillside conditions.

4.A.2.12 Roof Materials And Colors

4.A.2.12.a Permitted Roof Materials: Roof materials for each building shall consist of one of the following in either flat tiles or concrete shakes:

- Concrete Tile
- Clay Tile
- Slate

Exhibit "at" (Pages 4B.73-76) provides a full listing of all community-approved roof colors.

Standing seam metal roofs may be used, including patina copper, subject to approval by the Design Review Committee. Such roofs, however, shall have a matte finish to minimize glare.

4.A.2.12.b Prohibited Roof Materials:

- Barrel or "S" Tiles
- Plain Red Tiles
- Asphalt Shingles
- Fiberglass Shingles
- Reflective roof surfaces causing excessive glare
- Simulated Tile including Fiberglass or Metal

Roof colors, including flat roofs, should be selected based upon their ability to blend into the natural desert environment.

Gutters and downspouts, when used, must be concealed unless designed as a continuous architectural feature. The use of patina copper gutters and downspouts is encouraged when used as an architectural feature.

4.A.2.12.c Mechanical Equipment Screening: Mechanical equipment such as air conditioners, heaters, evaporative coolers, television and radio antennas, satellite and radar receivers and other such devices shall not be permitted on any roof. Mechanical devices such as exhaust fans, vents and pipes shall be painted to match adjacent roof surfaces.

The use of solar panels, hot water storage systems, or other similar devices shall not be visible from any street or community open space, and are subject to approval by the Design Review Committee.

All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400 amps require a closet, which is to be integrated into the design of the residence. Utility Panel locations must meet or exceed all requirements of the City of Henderson, Nevada Power Company and Southwest Gas Corporation.

4.A.2.13 Architectural Features And Accents

The use of architectural features and accents is encouraged to create interest on building facades. Careful placement and treatment of accent windows, for example, not only reduces the scale of the building, but also adds character to the elevations. Stairways and columns should be carefully integrated into the design of the building. Accent colors and material treatments should complement the primary building color. Extreme contrasts in style, material and/or color should be avoided.

4.A.2.13.a Entries: Front entry doors and entryways should provide a focal point to each residential unit within the building, and shall provide sun protection with overhangs or porches.

4.A.2.13.b Walkways, Balconies, Terraces and Patio Structures: Terraces and patios provide a strong indoor/outdoor relationship to the building's residences, enhancing the integration of the structure with the surrounding natural desert environment.

The generous use of windows and doors onto terrace and patio areas strengthens the visual continuity from interior living spaces to the out of doors.

An extension of the overall roof form to cover portions of the terrace and patio areas provides effective protection from the desert sun.

Broad roof overhangs and trellises also provide shade protection for terraces, patios, and the residential dwelling units.

Walkways, terraces and patios should be constructed of that blend with the natural desert environment to the extent possible. Examples of such materials include stone, brick, and concrete colored to match the surrounding landscape. Ordinary concrete that is not colored or textured is not acceptable.

Tempered glass railings are permitted, however, their glazing must be either clear or tinted; reflective glass is not permitted.

APP00318
JA_1966

4.A.2.13.c Windows: Special consideration should be given to solar orientation when determining window locations and details. Windows with direct sun exposure should be shielded by covered patios, wide overhangs, deep window opening recesses, shade structures, tinted glass or other similar devices, to minimize the effects of the sun.

Large picture windows are effective in capturing the spectacular views offered from the site. The use of corner glass enhances the view opportunity within the building's residences and is characteristic of the Desert Elegance style of architecture.

Metal window frames are permitted, and may be bronze or earth tone colors compatible with the surrounding desert environment. White or bright accent colors and mill finish frames are not permitted.

Window glazing may be either clear or tinted. Reflective glass is not permitted.

The use of glass block is permitted.

4.A.2.13.d Columns and Archways: The use of columns and archways add articulation to the character of the building and are encouraged where appropriate. Columns and archways should be scaled appropriately to provide a sense of strength and support, which is compatible with the architectural style of the building.

4.A.2.13.e Chimneys: Chimneys shall be designed to be in scale and proportion with the architecture of the building, and incorporate materials consistent with the detailing of the building's elevations.

A chimney mass may not exceed an overall horizontal dimension of 12', unless otherwise specifically approved by the Design Review Committee. Unconcealed metal chimney terminations are not allowed.

Use of terra cotta or fabricated sheet metal enclosures is required for metal chimneys. Masonry chimneys must provide a cap detail that is consistent with the architectural character of the residence.

Chimney heights shall conform to City of Henderson standards.

4.A.2.13.f Building Projections: All projections from a building, including but not limited to, chimney caps, vents, gutters, scuppers, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project, or must be a compatible accent color, unless otherwise approved by the Design Review Committee.

4.A.2.13.g Garage Doors: The placement of garages should carefully consider the impact of the garage doors on the streetscene.

The use of auto courts in which the garage doors are oriented completely away from the street is strongly encouraged. The auto court should be screened from view from the street, adjacent properties or public spaces through the arrangement of building elements, courtyard walls, or landscape material.

Detached garages must feature the same architectural style, materials, detailing and other characteristics as the main buildings.

Garage doors shall be inset a minimum of 12" from the adjacent wall surface and should not be excessively ornamental. Roll-up garage doors are required; out-swing doors are not permitted. Wood garage doors, where permitted by the Design Review Committee, must be maintained regularly. If problems occur with wood garage doors, the HOA and/or Design Review Committee reserve the right to require such doors to be replaced.

Garages, particularly when viewed from the street, shall feature offset garage doors to minimize their impact. For example, a 3-car garage shall feature one single garage door offset from the remaining two garage doors by a minimum of 3', or separated by a minimum of 12'.

4.A.2.13.h Accessory Structures: Accessory structures include any building or structure that is totally detached from the main building. Examples of these shall include, but are not limited to the following:

- Recreation / Clubhouse Buildings
- Detached Garages
- ~~Storage Buildings~~
- Equipment Enclosures
- Shade Structures including:
  - Gazebos
  - Cabanas
  - Trellises

Any accessory structure shall be located and designed to respect the views, privacy, and other aspects of the adjacent properties. Such structures must be carefully designed to be compatible with the architecture of the main buildings of the parcel in terms of massing, scale, materials, detailing and color. The use of mature landscaping is encouraged to soften the appearance of these structures.

4.A.2.13.i Screen Walls: Screen walls and fences shall be compatible with the architectural character of the building in terms of design, material and color selections. They shall be used to screen parking and service areas, and may not be used to arbitrarily delineate property lines or the Building Envelope.

In no case shall the height of a screen wall or site wall exceed 6 feet (per City of Henderson requirements) measured vertically from the lowest point at finished grade adjacent to the wall to the highest point of the wall along the exterior side of the enclosure, unless otherwise specifically approved by the Design Review Committee.

4.A.2.13.j Service Areas: All above-ground trash containers, clotheslines, mechanical equipment, fuel tanks, water tanks, and other outdoor maintenance and service facilities must be completely screened from view from adjacent properties, streets, or open space areas by wall and gates at least 12" higher than the equipment. Gates, or a maze entry that provides complete screening, shall be required around all mechanical and pool equipment enclosures.

4.A.2.13.k Utility Equipment: Utility equipment such as electric meters, gas meters, security equipment, HVAC units, water heaters, water softeners, swimming pool equipment, etc. shall be screened from public view in accordance with applicable utility company standards. All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400 amps require a closet, which is to be integrated into the design of the building. Utility Panel locations must meet or exceed all requirements of the City of Henderson, Nevada Power Company and Southwest Gas Corporation.

4.A.2.13.l Unique Exterior Features: Unique exterior features including, but not limited to, entry arches, decorative gates, glass patterns, railings, enclosures, ramadas, gazebos, cabanas, exterior fireplaces, permanent BBQs, wet bars, or other similar features, must be designed as an integral part of the building.

Specific restrictions include:

- Circular stairs: open railings on visible exterior stairs will be reviewed on a case-by-case basis at the sole discretion of the Design Review Committee. Exterior ornamental stairs are not allowed.
- Outdoor fireplaces, fire pits or similar items shall be gas fueled only to minimize the danger of fire. Gas units are permissible; however, it is the Owner's responsibility to ensure that all outside sources of emissions must conform to, and be permitted by, applicable federal, state and municipal environmental regulations in effect at the time of submission.

4.A.2.13.m Materials: Due to climatic extremes, the use of wood as an exterior material should be carefully considered. The use of wood on exterior walls as an accent is a high-maintenance item, and is prohibited as the primary exterior material. All exposed wood beams, fascias, columns, trellises, etc., should be of glulam construction. Expression of wood trim is generally used in lintels, porches, trellises, out lookers, and rafter tails.

- Plaster finishes with a hand-troweled finish or light-sand float finish is encouraged. Spanish Lace and other heavy textures are discouraged.
- Patinaed copper gutters and hidden down spouts are permitted and encouraged.

4.A.2.13.n Antennas/Satellite Dishes: No antenna or other device such as satellite dishes, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used, or maintained outdoors on any Lot or Parcel, whether attached to a building or structure or otherwise, unless approved by the Design Review Committee.

4.A.2.13.o Solar Application: Passive solar application, or the orientation and design of the Residence for maximum winter sun gain will reduce the winter heating needs, and will be encouraged. Solar collectors can result in excessive glare and reflection, and can only be approved by the Design Review Committee if they are integrated into the Structures or Landscaping on a Lot or Parcel and are not Visible from Neighboring Properties.

4.A.2.13.p Foundations: All exterior wall materials must be continued down to finish grade thereby eliminating unfinished foundation walls.

4.A.2.13.q Additional Construction, Revisions, Modifications and/or Exterior Changes: Any changes to the approved plans before, during, or after the construction of an Improvement ***must first be submitted to the Design Review Committee for approval***. All submittals shall be accompanied by a cover letter, letter of transmittal or a copy of the Design Review Committee's "Application for an Alternation and/or Modification to an Existing Structure or Lot" describing the revisions proposed.

NO submittals to the City of Henderson shall be made prior to complete and final approval by the Design Review Committee.

4.B.0 SITE PLANNING CRITERIA—DETACHED PRODUCTION HOMES – Planning Areas 1-Phase2, 4, 11, 17, 17A

4.B.1 INTRODUCTION & GENERAL PRINCIPLES

4.B.1.1 Architectural Theme: Desert Elegance Aesthetic

The architectural character of MacDonald Highlands draws from diverse images to create a unique concept for the community. This character is simply titled "Desert Elegance Architecture." For production home sites this style can draw from such influences as contemporary, Spanish, French chateau, etc. Its main goal is to ensure that the colors and general overall appearance do not clash or conflict with the natural colors and character of the surrounding native desert and mountains.

Desert Elegance indicates homes that complement the natural environment of the desert.

Simple forms and the use of natural materials dominate this form of architecture. These forms provide a tasteful backdrop to the natural desert landscaping surrounding the homes and the community in general. Exterior materials such as stone and slate and earth tone colors respond to the hues and textures of the desert.

Shaded courtyards and patios provide a transition between the landscaping and the interior of the homes. Dramatic views are brought to the interior through large, shaded windows.

These concepts come together to create a community in harmony with its desert environment.

4.B.1.2 Pool & Spa Criteria and Hardscape Setbacks

Pool equipment shall not be mounted to a shared property wall, must not be visible from neighboring properties, streets, or community open space, and must be enclosed by wall with a gate or other suitable screening method.

4.B.1.3 Walls

The design and use criteria for the different types of walls to be constructed in the MacDonald Highlands community has been addressed in Section 2.10 of these Design Guidelines.

The architectural considerations of the design should be such that they comply with the community's Desert Elegance theme as well as the community concepts of openness and view preservation.

The exteriors of masonry wall sections shall be designed and constructed of natural materials that complement the colors, tones, and textures of the native desert environment.

The designs for the metal components of the view walls shall be ornate, shall convey the Desert Elegance theme, and shall remain open to preserve the views.

4.B.1.4 Service Areas & Utility Entrance Locations

Service yards are intended primarily for storage of trash, firewood, maintenance tools, etc. Minimum six-foot (6') high masonry walls are required around service yards. Pool, air-conditioning, irrigation, and other mechanical must be located underground or completely screened from view from adjacent lots, streets, or open space areas by a wall at least 12" higher than the equipment being screened within.

Electric meters and panels, gas meters, sub-panels, telephone and television panels, etc. must be out of sight when viewed from the golf course. All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400 amps require a closet, which is to be integrated into the design of the residence. Utility Panel locations must meet or exceed all requirements of the City of Henderson, Nevada Power Company and Southwest Gas Corporation.

The interior of enclosed service yards must not be visible from the street, golf course, or adjacent properties.

4.B.1.5 Easements

Public utility easements and drainage easements are generally located along front, side, and rear lot lines. Areas reserved for such easements are specified and identified on the recorded map for the parcel or subdivision. This area has been established as an easement area for utilities, but it is the responsibility of the owner to landscape and maintain this easement area.

Each lot is served with underground electricity, gas, TV cable, and telephone. This location of these utilities within the easement should be confirmed in the field when a topographic survey of the lot is done.

Nevada State Law requires that prior to any construction all utilities must be located and marked. It is the responsibility of the property owner and contractor to make sure all utility companies have been notified so they can provide the required utility locations. A free service is provided to accomplish the required notifications to the utility companies. This service can be contacted by calling 1-800-227-2600 "Call Before You Dig."

All utility company pull boxes, transformers, etc. have been set within the easement in a manner that will accommodate future planting and grading to diminish their visual impact. They shall be leveled and graded around to provide positive drainage.

4.B.1.6 Exterior Elevations

The design elements of a house shall be compatible and complimentary to each other, and must be sympathetic to the desert environment.

4.B.2 DESIGN CRITERIA – DETACHED PRODUCTION HOMES [Planning Areas 1-Phase 2, 4, 11, 17, 17A]

Introduction

The goal for developing the architectural theme of MacDonald Highlands is to project a harmonious image and a distinctive identity. This should be achieved not by dictating a particular style but encourage a blending of styles emphasizing simple, strong masses and forms.

The purpose of these Architectural Standards is to provide guidance for the Lot Owner and architect. The maintenance of high architectural standards protects and enhances real estate values at MacDonald Highlands. The restriction of unsightly construction also helps to ensure that the image of a prestigious community is maintained. All proposed construction shall comply with the following general criteria:

- Is the residence compatible with a prestigious, high-quality image?
- Will the proposed residence maintain the character of the community?
- Does the residence seem appropriate to the concept of the community?

MacDonald Highlands is planned as one of the premier luxury communities in the United States. The community's incomparable setting, featuring majestic and rugged topography with expansive golf course amenities, and proximity to one of the country's most unique destination resorts, require an unparalleled unity and excellence in design, architecture, and landscape.

MacDonald Highlands has created a uniquely strong architectural image. The Design Review Committee's purpose is to ensure that the entire project is developed as originally envisioned. The Design Guidelines are intended to supplement existing City and County ordinances. The objectives of the Design Guidelines are to encourage and foster careful design so there is harmony between the homes, their sites, and the golf course, desert environment, and overall image. Emphasis is placed on utilizing the Owner's property to its fullest potential within the Design Guidelines. To accomplish these objectives, the following considerations must be understood and accepted:

- The design, review, and processing of each residence will be subject to direction and approval of the Design Review Committee. The review and approval process and Design Guidelines will ensure continuing high quality and compatibility of design within the custom lots and overall framework.

- The Design Review Committee and Design Guidelines are intended to enforce reasonable controls concerning various aesthetic considerations for MacDonald Highlands. These controls are not meant to duplicate or supersede the functions normally provided by public agencies, but rather to coordinate and direct the design and construction of the custom lots with different architects, landscape architects, engineers, contractors, and their owners, so as to achieve a pattern of quality and outstanding character.

The forms and materials should provide a response to the need to provide shelter from the sun with large overhangs to shade windows, mixed colors for reflection and blending, and covered porches to provide shaded outdoor areas.
It is the intent of these Design Guidelines to establish a consistent architectural theme for MacDonald Highlands, while allowing for flexibility of design expression.

To be part of the planned community of MacDonald Highlands, it is necessary for the residence to conform to certain general planning standards, which are as follows:

- All production homes in MacDonald Highlands must be designed by professionals licensed in the State of Nevada.

- All residences must be well-constructed of quality materials. Additions must be consistent in design and quality with the original structure. Two or more lots can be assembled to provide land necessary for larger residences, tennis courts, guest quarters, or maid's quarters.

4.B.3 SITE PLANNING CRITERIA – DETACHED PRODUCTION HOMES [Planning Areas 1 1-Phase2, 4, 11, 17, 17A]

Introduction

The natural topography, vegetation and setting of MacDonald Highlands create a unique environment, which requires careful attention throughout the site design and development process. The integrated design of site and residence is crucial to ensure that the dwelling blends harmoniously into the surrounding desert landscape. The design must fully analyze the unique physical characteristics of the lot, including topography, slope, view, drainage, vegetation, and access.

The desert landscape is a fragile environment, and may take many years to naturally recover from the impacts of disturbances related to site development. In order to minimize these impacts, MacDonald Highlands along with the City of Henderson, have developed the criteria within this Supplemental Design Guidelines manual to protect the natural desert character of the community.

4.B.3.1 Building Envelope

The Building Envelope shall be defined as the minimum front, rear, side and corner setbacks as set forth in Section 19.3.4.1 of the City of Henderson Development Code.

4.B.3.2 Building Orientation

The production areas within MacDonald Highlands have been designed to provide a sense of exclusivity to each of the neighborhoods. The Design Review Committee will consider each parcel independently, and will give extensive consideration to view corridors, impacts on adjacent homes, drainage patterns, impacts to existing site conditions, and driveway access.

4.B.3.2.a View Orientation: The hillside character of MacDonald Highlands provides spectacular view opportunities for most of the lots throughout the community. The orientation of the residence's major rooms, patios and terraces should be designed to take advantage of these dramatic views. The use of large picture windows and corner glass are especially effective in capturing the views offered by the site, and are characteristic of the Desert Elegance style of architecture.

SITE PLANNING CRITERIA – PRODUCTION HOMES
MINIMUM SETBACKS

Planning Areas:	ZONE	FRONT	SIDE		REAR
			Interior Side	Street Side	
11	RS-6	20' to garage 14' to non-garage	5'	10'	15'
4	RS-4	25'	7.5'	15'	30'
17	RS-6	20' to garage 14' to non-garage	5'	10'	15'
1-Phase2	RS-6	20' to garage 14' to non-garage	5'	10'	15'
17A	RS-6	20'	5'	10'	15'

With the golf course orientation of MacDonald Highlands, there is an inherent risk that golf balls and the play of golf may impact lots or residences with golf course frontage. The Design Review Committee strongly recommends that, during the planning of site improvements on your lot, careful consideration be given to the possibility of errant golf balls, particularly regarding the orientation of windows or other breakable surfaces of the dwelling. Netting, screens, excessive landscaping, fences or large blank walls will not be allowed. Evaluation of the proper siting, orientation, massing and setbacks should provide for maximum golf or view orientation with minimal adverse impact from the play of golf. Design consideration should also be given to the noise generated by golfers, golf carts and maintenance vehicles.

4.B.3.2.b Relationship To Adjacent Lots & The Overall Community: Residential structures should be designed to blend into the overall character of the desert environment as much as possible, minimizing any negative visual impact from surrounding areas. The design of individual homes should carefully consider the scale, proportion, and massing of building elements to ensure the resulting structure is compatible with the overall philosophy of MacDonald Highlands.

It is the intent of these guidelines to ensure that not only are the architectural designs consistent with community standards but that each new home compliments and enhances those homes that already exist.

4.B.3.3 Driveway And Parking Criteria

4.B.3.3.a Driveway Location: Driveways should be located in a manner that minimizes their visual impact on significant natural features of the lot, such as vegetation, washes or drainage ways. Driveways should also be located such that there is no interference with drainage in the street right of way.

4.B.3.3.b Driveway Materials: All driveways are required to be patterned concrete, stone, brick, 'Bomanite', or other similar textured paving materials. The color of driveway materials must be compatible with the guidelines outlined in Section 4.B.4.5. Ordinary concrete without color or textural embellishment will not be allowed.

4.B.3.3.c Parking Spaces Required: Each residence must provide at least four off-street parking spaces. A minimum of two of these spaces must be in an enclosed garage, either attached or detached from the main residence. Carports are not permitted, except where enclosed on three sides and made an integral part of the structure. On-street parking is limited to visitors and guests only. Due to City of Henderson Fire Code,

on-street parking is limited to one side of the street only. The approved street parking for visitors and guests will be limited to the southside and the eastside of the street only *(per MacDonald Highlands Master Association Rules and Regulations adopted July 10, 2002).* Views of guest parking areas from adjacent lots, streets, or public spaces must be minimized by depressing them, using screen walls, or landscaping or a combination of these. *Screen walls* will be a maximum 6'-high (per City of Henderson requirements). No exterior storage of recreational vehicles or boats will be permitted.

4.B.3.3.d Repair of Damages: It shall be the lot owner's responsibility to repair existing streets, curbs, sidewalks, utilities, neighboring lots, or other existing elements, which may be damaged as a result of construction activity on the owner's lot.

4.B.3.4 Site Amenity Standards

4.B.3.4.a Accessory Structures: All accessory structures, such as gazebos or trellis structures, are to be reviewed and approved by the Design Review Committee prior to construction.

4.B.3.4.b Swimming Pools: Swimming pools should be designed to visually connect with the residence through the use of walls or courtyards, and must be screened from direct view of the street, natural areas, or neighboring properties. They must be constructed according to the City of Henderson Regulations and other applicable regulations, including required fence and enclosure heights. Doors and gates leading to swimming pools and spas must meet the City of Henderson safety and closure regulations including doors that open directly from the residence to any pool or spa area.

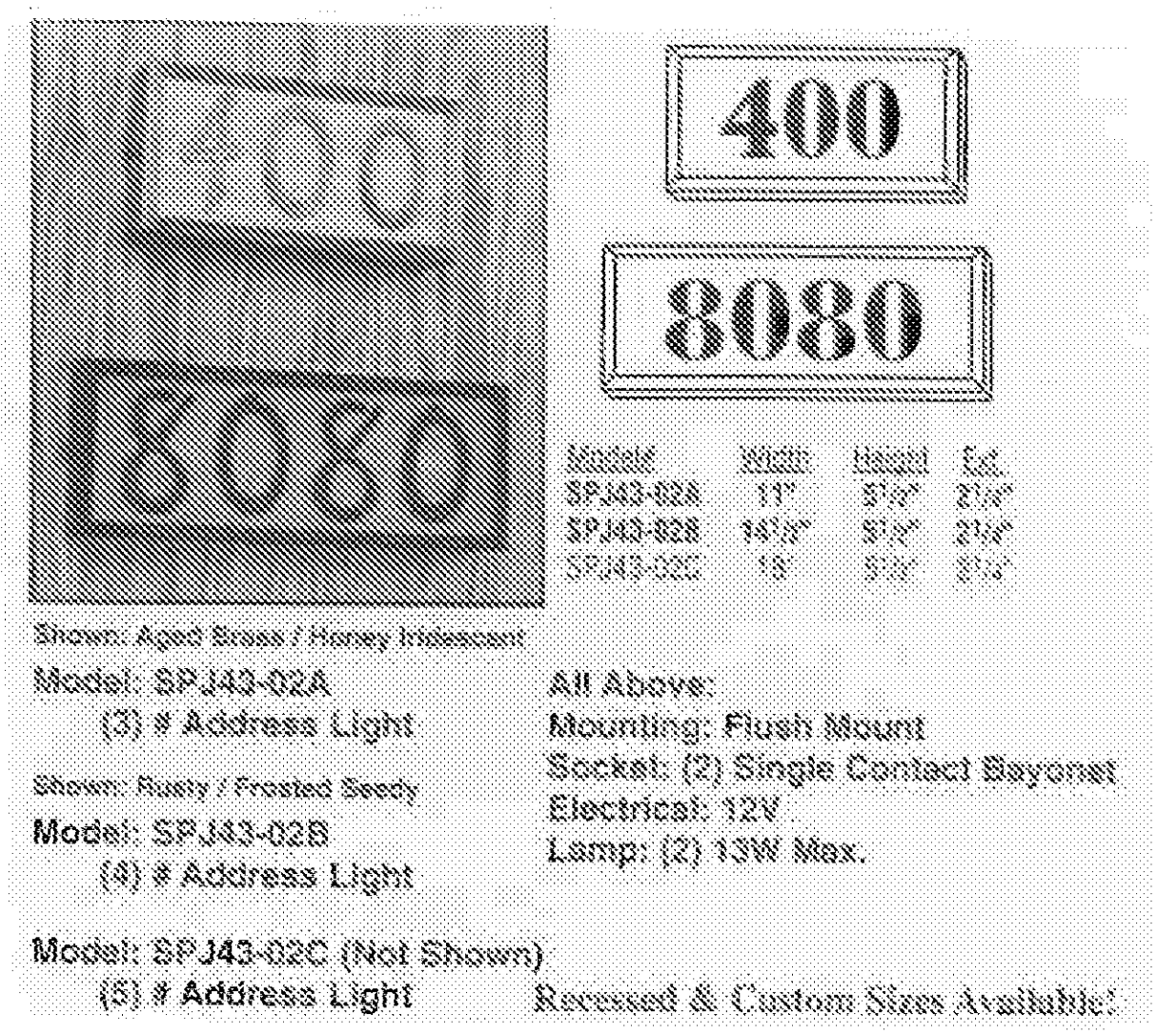
Pool backwash or pool draining is not allowed to be disposed of in the sanitary sewer system, not due to environmental concerns, is it allowed to be disposed of

into a wash or other natural drainage area. It is recommended that a dry well be constructed to allow for disposing of pools backwash and draining. Any applicable City of Henderson regulations governing disposal of pool water must be followed.

4.B.3.4.c Exterior Recreational Or Play Equipment: All exterior recreational or play equipment such as swing sets, slides, play structures, jungle gyms, pool slides and other similar equipment must meet the intent and requirements of all sections of the Design Guidelines, including color. This type of equipment or structures should be located in the least visible portions of the lot. All exterior recreational or play equipment requires specific approval of the Design Review Committee prior to installation.

4.B.3.4.d Basketball Hoops: Basketball hoops and backboards may be installed at any residence subject to prior approval by the Design Review Committee, and may be subject to stipulations imposed by the Design Review Committee based on specific review of the request.

4.B.3.4.e Address Identification: In an effort to provide consistency within MacDonald Highlands while conforming to its design philosophy, two distinct address identification devices have been selected for the community. These devises were chosen because they offer numerous options for glass and designer finishes, allowing flexibility to the Lot Owner to best match the design, materials and colors of his/her residence. The specified address identification devices are as follows:



SPJ Lighting, Inc. /Address Light Model #SPJ43-02
available through Nevada Sales Agency, Las Vegas
(702) 270-4181 Phone (702) 270-4196 FAX

Individual address identification devices for each approved residence shall be installed by the homebuilder and such devices should be compatible in design, materials and colors with the residence.

No additional signage detached from the residence will be permitted.

4.B.3.4.f Exterior Lighting: The goal of MacDonald Highlands, to preserve the visual character of the desert environment, extends to nighttime as well as daytime conditions. In order to preserve the dramatic views of the city lights and the night sky, which tend to be obscured by excessive local lighting, the following guidelines have been established for residential site lighting. Site lighting is defined as lighting mounted to the any exterior surface of the residence, ground, trees, site walls, fences or any other site feature for the purpose of providing security, decorative accent or functional lighting to outdoor spaces.

Site lighting located on the side of the residence facing the golf course is strongly discouraged. "Footlights" that are directed down and other down light fixtures that are mounted close to the ground with minimal light output are best suited for this side of the residence.

- Subtle, low-level lighting of landscape areas is encouraged. Landscape lighting, however, shall not intrude or produce a glare onto adjacent lots, lots across the street, or onto any public space. Landscape lighting must be directed downward onto vegetation or prominent site features, and may not be used to light walls or building elements. All lighting must be directed toward the interior of the lot upon which it is located.

- Building mounted lighting must be directed downward away from adjacent lots, streets, and community open spaces, and may not be used to light walls or building elements for decorative purposes.

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- All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from neighboring property; no bare lamps will be permitted.

- Recessed and soffit lighting in *entries, above garage door bays, and on patios and covered balconies* shall have a maximum wattage of 75 watts and the lamp must be recessed a minimum of 3" into the ceiling. Recessed lamps must also have a minimum 5' separation between fixtures.

- Lights in *exterior soffits and eaves* are not allowed, as they are not appropriate in the development of hillsides.

- Only incandescent lamps with a maximum wattage of 75 watts will be allowed for exterior lighting unless specific approval is received from the Design Review Committee. Low voltage lighting is recommended, since these fixtures are typically small and can be easily concealed within the vegetation. Colored lights will not be allowed for exterior lighting.

- Tree lights are allowed, however, no chasing, twinkling or blinking lights are permitted.

- Lights on motion detectors will only be allowed to operate stay lit for a maximum of 20 continuous minutes. Security lights of any type or locations must still meet the requirement of shielding the light sources, and the light sources may not be visible from neighboring property. Special care must be taken to avoid setting off the detector by the motion of vegetation and the movement of wildlife. These lights will not be allowed to operate for the purpose of general illumination.

- If problems occur with ***any*** exterior lighting, the HOA and/or Design Review Committee reserve the right to require such fixtures be disconnected.

4.B.3.4.g Exterior Holiday Decorations:

The intent of this section is to ensure that exterior holiday decorations are compatible with the overall community image of MacDonald Highlands. They are not meant to discourage decorating during holiday periods. Holiday decorations should be tastefully subtle, and should not have a commercial appearance nor be "over done" in terms of brightness, size, or visibility from public spaces. The Design Review Committee reserves the right to prohibit any holiday decorations it deems inappropriate with the community image of MacDonald Highlands.

Decorations shall not be allowed to be mounted on roofs or located outside of the site walls.

No exposed spotlights will be allowed. Luminaries are allowed along driveways and patios, but not on roofs or parapets. Paper luminaries with candles are not allowed due to the potential danger of fire. Care must be taken that luminaries do not blow away or litter adjacent properties.

Christmas decorations are allowed to be displayed one month prior to and one month after the actual holiday. Decorations for other holidays may be installed no more than two weeks prior to the holiday and must be removed within one week after the holiday.

4.B.3.5 Design Criteria

4.B.3.5.a Water (Public Works): Water System Design: All water systems shall be designed in accordance with the Uniform Design and Construction Standards for Water Distribution Systems, Clark County and the Uniform Standard Specifications for Public Works Construction, Clark County area.

- **Water (Fire Department):** Water System Flow: The water mains and the distribution system shall be designed to meet all applicable City of Henderson Fire department requirements.

- **Building Fire Sprinkler Systems**: Buildings may, or may not, require a fire sprinkler system, at the sole discretion of the City of Henderson Fire Department. Neither The Foothills Partners nor MacDonald Highlands Realty shall be held liable for any revisions to fire protection requirements that the City of Henderson Fire Department may make.

- **Water Main Sizes:** Residential water main sizes shall be designed in accordance with City of Henderson Public Works standards.

- **Fire Hydrant Branch Lines:** Fire hydrant branch lines shall be set at right angles to street mains. The hydrant shall be set at the end of the branch line and shall face the branch. No horizontal or vertical bends or reducers shall be used in installing fire hydrant branch lines unless specifically approved by the City of Henderson. Under no circumstances shall any size or manner of tap be made on a fire hydrant branch line.

- **Fire Hydrant Location and Distribution:** The number and spacing of fire hydrants shall meet the approval of the Fire Prevention Division. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be located along fire apparatus roads as follows:

  - Spacing of fire hydrants shall normally start by placing fire hydrants at all intersections or;

  - In all residential areas, fire hydrants shall not be spaced greater than 750 feet apart, or;

  - The maximum distance from a Group R, Division 3 Occupancy to a fire hydrant shall not exceed 500 feet, as measured from an approved point on a street or road frontage to a fire hydrant.

- **Wastewater Collection and Treatment:** Wastewater collection systems shall be designed in accordance with the Design and Construction Standards for Wastewater Collection Systems, Clark County, 1991 and the Uniform Standard Specifications for Public Works Construction, Clark County area. Septic systems shall not be permitted.

- **Drainage Design:** Drainage facilities shall be designed to maintain the natural run-off characteristics. Drainage facilities shall be designed in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design manual. Private drainage facilities, cross lot drainage easements or rear lot drainage easements shall be privately maintained.

- **Roadways:** Within the hillside neighborhoods, all roadways whether public or private, shall be designed according to the standards described in Table 3.38, as well as AASHTO requirements. The standards are also intended to supplement the Public Works Department Plan Review Guidelines. Roadways should be located such that impacts to the natural environment are avoided.

  Roadways should follow the topography of the area to minimize grading cuts and fills. Curvilinear horizontal alignments and gently rolling profiles consistent with the natural topography will minimize unnecessary site disturbance. Significant features such as rock outcroppings should be avoided.

- **Homeowners Association:** Each hillside development plan that provides for private streets or improvements, common areas or natural areas shall establish and maintain a Homeowners Association. The association shall be responsible for the maintenance and upkeep of all private streets and improvements as well as all common areas.

  Natural areas may be designated as a deed-restricted portion of a privately owned lot, or as a separate parcel. Such parcel may be under the ownership of a homeowner's association or deeded to any organization, which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the City of Henderson. To protect the natural areas, covenants that run with the land shall be recorded in favor of the City of Henderson and of all owners with record interest in the natural area.

4.B.3.5.b Production Lot Criteria

- No change in natural or existing drainage patterns for surface water shall be made on any lot that could adversely affect another lot.
- Retaining walls and other walls not directly supporting a building structure, except screen walls, shall typically not exceed 8 feet in height, measured vertically from the lowest finished grade adjacent to the wall along the exterior side of the enclosure. Where additional height is necessary, and subject to approval by the Design Review Committee, retaining walls must be terraced with a minimum separation of 2 feet between walls and an overall height not to exceed 16 feet. Subject to approval by the Design Review Committee, other acceptable methods for minimizing the impact of retaining walls greater than 8 feet in height include: landscaping with mature indigenous trees or large shrubs; and/or using a different texture and/or material such as stone for a portion of the wall treated to blend with the natural terrain.
- *Screen walls*, walls not supporting a building structure or retaining earth, may not exceed 6-feet in height (per City of Henderson requirements) measured from finish grade along the exterior side of the enclosure in the manner described above for retaining walls.
- Stone used as a landscape material shall be 1" or less in size, and shall match the color of the existing native stone on the homesite. Rounded pea gravel may not be used as a landscape or driveway material.
- Native stone indigenous to the site is allowed for rip rap or other landscape treatments, as well as river rock stained to match the native stone.

SITE PLANNING CRITERIA –PRODUCTION HOMES
ROADWAY STANDARDS

For roadways serving greater than 100 residential units, the design criteria shall be reviewed on a case by case basis with the City of Henderson Public Works Department.

For roadways serving 100 or fewer units, the following standards shall apply:

Right of Way:	42 ft (no parking or parking one side) 45 ft (parking on both sides)
Travel Lanes:	2
Face of Curb Dimension:	24 feet (no on-street parking) 28 feet (parking on one side) 36 feet (parking on both sides)
Curbing	Curbing shall be required. (Curb type shall be as approved by the City Engineer)
Design Speed:	20 miles per hour
Stopping Site Distance:	125 feet
Site Distance (intersections):	200 feet
Minimum Center Line Radius (w/o Superelevation):	180 feet
Minimum Center Line Radius (w/2% Superelevation):	140 feet
Minimum Grade:	0.4%
Maximum Grade:	15%, except that a fire apparatus road within 50 feet of a structure, the grade shall not exceed 8%. In lieu of providing an 8% roadway grade within 50 feet of a structure, the structure shall have a full building fire sprinkler system per City of Henderson Fire Department requirements.
Maximum Grade Length:	7 - 9%: 1400 feet 9 - 12%: 700 feet 12 - 15%: 350 feet
Minimum Curve Length:	100 feet
Vertical Clearance:	13.6 feet
Sidewalks:	Minimum lot sizes less than 20,000 sq. ft.: 4' walk; one-side only Minimum lot sizes greater than 20,000 sq. ft.: No sidewalk required
Cul-de-sacs:	Radius (45 foot measured to the face of curb)
Maximum Units Served:	25.
Vertical Curves	Required if grade difference exceeds 1%.
Roadway Aprons:	2% maximum slope measured 4 feet from the back of curb on both sides of the street.
Right of Way Slope:	3 feet horizontal for 1 foot vertical behind the roadway apron and within the right of way.
Cross Slopes:	4%
Street Lighting:	Intersections and other locations for public safety as required by the City of Henderson Public Works.
Intersection Spacing:	200 feet, measured center line to center line.

4.B.3.5.c Lot Grading and Drainage: Surface drainage shall not flow to adjacent lots or open spaces except as established by existing natural drainage patterns, or cause a condition that could lead to off-site soil erosion onto such areas.

Culverts, when used, should be concrete with exposed surfaces treated with PERMEON to match the adjacent natural landscape of the desert. In addition, end walls or other terminal structures should be similarly treated with PERMEON.

Where grading is unavoidable, careful consideration should be given to the impact to the natural appearance of the surrounding landscape. The following measures should be used to minimize negative visual effects of site grading, including:

- Exposed escarpments shall not exceed 2:1 in slope. In order to provide a natural appearance to such escarpments, the slopes should be varied (2:1, 3:1, 4:1 & 5:1) providing an undulating appearance.

- Cut and Fill conditions in excess of 2:1 slope shall use rip rap or other rock-type erosion control methods. Rip rap or other erosion control features shall be stained to match the surrounding conditions of the natural desert environment.

- Smooth transitions between escarpments and natural topography are required at the top and toe of such slopes by rounding the transition areas.

- Disturbed areas should be reshaped to duplicate the original natural slope to the extent feasible.

- Disturbed areas should incorporate erosion control measures such as landscaping, rip rap, or other similar techniques, as approved by the Design Review Committee.

- The grading of an individual homesite should respect the existing natural drainage conditions of the lot. Where feasible, existing drainage channels should be maintained in their natural condition.

- For Lots where a dedicated drainage easement(s) exists within the property boundaries, no permanent structures or walls are permitted within the drainage easement and landscape material is restricted to grass and groundcover plants (i.e., trees are not permitted). In addition, openings such as decorative block or iron will be required to ensure proper drainage flows.

4.B.4 ARCHITECTURAL DESIGN CRITERIA – DETACHED PRODUCTION HOMES [Planning Areas 1, 4, 11, 17 and 17A]

4.B.4.1 ARCHITECTURAL CHARACTER

The primary goal for the design of residences within MacDonald Highlands is to create a homesite that integrates the architecture of the dwelling with the natural character of the surrounding desert landscape. The resulting architectural style is best described as "Desert Elegance". For production home sites this style can draw from such influences as Contemporary, Spanish, French Chateau, etc. Its main goal is to ensure that the colors and general overall appearance do not clash or conflict with the natural colors and character of the surrounding native desert and mountains.

This integration of architecture to the site is further enhanced through the extensive use of terraces and courtyards providing a strong indoor/outdoor relationship to the residence. Finally, the proper use of color is crucial for the successful design of the house. Building colors have been selected for their ability to blend naturally into the desert environment, such as "earthy" tones of buff, sand, beige, gray and other hues of the areas natural landscape. Bold color schemes featuring crisp whites, pastels, or bright colors are not permitted.

The purpose of the Architectural Design Criteria is to ensure that the architectural character of the Production Homes is compatible with that of the overall character envisioned for MacDonald Highlands, while encouraging unique, innovative and creative design solutions to individual residences. Individual consideration will be given to the aesthetic and physical relationships of the residence to the site and adjacent dwellings.

4.B.4.2 Floor Areas

Architectural Character – Production Lot Criteria
Floor Areas

	PLANNING AREA	MINIMUM LOT SIZE	RESIDENCE SQ. FT. RANGE	MAX. F.A.R.*
Executive Estates	4, 17	10,000	N/A	N/A
Standard Estates	1-Phase2, 11, 17A	6,000	N/A	N/A

4.B.4.3 Architectural Components

BUILDING FACADES	ROOFS	ARCHITECTURAL FEATURES / ACCENTS
FORM / MASS COURTS / PORCHES SHADOW OPENINGS MATERIALS / TEXTURE	ROOF PITCH OVERHANGS MATERIALS	ACCENT WINDOWS / DOORS DECKS / PATIOS FENCES / WALLS ACCENT COLOR / TREATMENTS

The architecture of a detached production home can be broken down into three major components, including 1) Building Facades, 2) Roofs, and 3) Architectural Features & Accents. The proper design treatment of these three components will result in a visually pleasing residence and neighborhood environment throughout MacDonald Highlands. The following is a general description of how each of these components should be addressed relating to the Desert Elegance architectural style.

4.B.4.4 Building Facades

The three dimensional success of a building and its site elements is a result of the careful treatment of building mass, proportion and scale, articulated by a variation in texture, materials, and color treatment. In general, large building masses should be avoided because of the resulting scale that would be out of balance in achieving a desirable relationship to the desert environment. Structures that require greater amounts of space, should have vertical and horizontal offsets to break up the building mass and create a more desirable scale and visual interest to the dwelling. The interplay of shade and shadow, along with texture and openings in large building surfaces provides interest, balance, and human scale to the residence. In addition, the use of terraces, porches and balconies, window and entry treatments further emphasize building articulation. Together, each of these elements enable the creation of a residence, which will blend harmoniously into the natural desert environment.

4.B.4.4.a Building Massing and Scale:

MacDonald Highlands encourages single-story production structures to maintain lower roof lines, *generally* a 20 foot height measured as the vertical distance in feet between finish floor elevation and the highest roof peak, although certain production single-story home models may exceed 20 feet in height, dependent upon architectural style and design.

Those Residences that obtain an approved 2-story element may not exceed a height of 35 feet measured as the vertical distance in feet between finish floor elevation to the highest roof peak.

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4.B.4.4.b Massing: The proper massing of Desert Elegance architecture will reduce the visual scale of a large structure, and create building texture, which helps blend the residence with the surrounding natural environment.

Unless otherwise specifically approved by the Design Review Committee, homes less than 5,000 square feet shall be composed of at least three visual building masses as viewed from the front and rear, while homes larger than 5,000 square feet, excluding garages, shall feature at least four visual masses as viewed from any elevation.

4.B.4.4.c Articulation: The horizontal character of Desert Elegance architecture is enhanced by the integral design of outdoor living spaces such as terraces and patios as a transition between the residence and the natural landscape environment. Extended roof forms and broad overhangs are often used to provide cover for these spaces, protecting them from the harsh climatic conditions of the desert.

The use of front entry courtyards is encouraged as a transition from the public space of the street to the private dwelling. Building wings as well as landscape walls (or a combination of these) are effective in creating this entry courtyard space.

4.B.4.5 Exterior Materials

Exterior surfaces shall generally be of natural material that blend with and are compatible with the natural landscape. Materials should be selected based on their ability to withstand the extreme climatic conditions of the desert. Exterior building walls shall consist of at least one, but not more than three of the following:

- Stone such as the following:
  - Granite (Thermal or Honed Finish)
  - Arizona Sandstone (Thermal or Honed Finish)
  - Slate (Cleft Finish)
- Split-face CMU block of earth tone colors compatible with the surrounding desert environment
- Brick (clay)
- Stucco or plaster with a light to medium texture, such as dash, smooth, sand or lace. (Heavy textures such as swirl or heavy trowel are prohibited.)
- Glass / Glass Block

Large expanses of painted surfaces, particularly wood, will not weather well in desert conditions and will not be approved.

All surface treatments or materials shall be designed to appear as an integral part of the design, and not merely applied. All materials shall wrap columns, porches, or balconies in their entirety.

Material changes (where proposed) should occur at inside corners. Siding materials shall be continuous to within 6" of finished grade. Exposed footings are not permitted.

Highly reflective finishes shall not be used on any exterior surfaces.

4.B.4.6 Color Overview

Nestled in the McCullough Mountain range, the community of MacDonald Highlands has a unique natural setting. Building colors and materials must be in muted desert shades in order to blend the residences harmoniously into the surrounding desert landscape. To help builders and architects achieve this goal, MacDonald Highlands has developed a color program that:

- Identifies appropriate colors.
- Outlines criteria for color selection.
- Gives guidelines for color implementation.

All builders and architects shall utilize this color program in the planning and execution of exterior finishes.

4.B.4.7 Color Program

Roof, field and masonry color palettes have been identified for use at MacDonald Highlands. Builders are required to make their selections from these palettes, however, additional colors and color combinations may be considered by the Design Review Committee provided the alternate color(s) complies with community-specified light reflectance value ranges, and is consistent with and compliments the natural surroundings. Final approval or disapproval of an alternate paint color(s) and/or color combination(s) will be judged at the sole discretion of the Design Review Committee.

The community-approved palettes are defined by the following criteria:

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- Roof colors that are flashed or modeled and have a medium light reflectance value (LRV).
- Field colors that are muted shades with a light reflectance value (LRV) between 75% and 15%.
- Masonry materials that are natural in form and compatible in color with the desert environment.

The topography of the development suggests the need for two levels of field color usage. The Lower Hillside areas in which all detached production homes shall be constructed (PA1-Ph2, PA4, PA11, PA17, PA17A) have full use of all colors in the defined Field Color Palette.

The Lower Hillside areas have a field color palette that is defined by colors with a LRV between 75% and 15%. This is available for secondary as well as primary field colors. Exhibit "at" provides a full listing of all approved roof, field and masonry (faux) materials.

Remaining colors to be identified for a residential color scheme, fascia, trim, garage door & accent must also be in muted shades that blend appropriately with the desert environment. The builder or architect, from their own source, may select these colors as long as they maintain a LRV of 70% or less and will be reviewed by the Design Review Committee.

4.B.4.8 Color Palette Design Kit

A "Color Palette Design Kit" (Design Kit) has been created for use by the builders and architects in MacDonald Highlands to assist them with their selections from the defined roof, field and masonry palettes. Each Kit contains a color fan deck of the Field Color Palette as well as a listing of the approved roof and masonry colors. Within the Field Color Palette, the Upper Hillside primary field color options will be identified by shortened paint chips.

Listed on the front of each chip in the fan deck is the manufacturer's reference number, name and light reflectance value (LRV).

FRAZEE PAINT was selected for use in the Design Kit, ***however, manufacturer crossovers are acceptable so long as the corresponding Frazee number, name and LRV are noted when submitting a color package or scheme to the Design Review Committee for review.***

4.B.4.9 Production Color Requirements

Production home color palettes shall utilize the following guidelines:

4.B.4.9.a Roof Colors: Roof colors shall be selected from the approved palette. ***Manufacturer crossovers are acceptable only if they maintain the roof color criteria.***

4.B.4.9.b Building Colors: A color palette shall have a minimum of three different colors not counting the roof. One of those colors may be a masonry material. Hardscape colors and/or materials do not classify as one of the four required colors, as these accents are not applied to the actual residence.

4.B.4.9.c Color Plotting: In an effort to offer the most balanced blend of materials and colors as possible, adjacent and facing residences shall not have the same front or rear elevation and shall not have the same color scheme. However, opposite hand footprints with variations in elevation design elements and a different color scheme will be permitted.

4.B.4.10 Color Submittals

Submittals for Builder color packages and Production Home color palettes to the Design Review Committee must contain the following information:
A color and material sample board showing the selected building colors, roof and masonry material. *The Frazee paint reference number, name and LRV must be identified on the board.* ***Paint crossovers must list the Frazee color as well.***

When multiple field colors are used, exterior elevations showing the color application strategy shall be submitted (i.e., Color Blocking Exhibits). See Exhibit "au" for submittal example.

Manufacturer cut sheets, photographs or samples of any materials, which require further or more detailed explanation such as: lighting, special ornamentation elements, custom gates, etc.

ARCHITECTURAL COLOR PALETTE

FIELD COLORS

Lower Hillside – Field Color Palette

8253M	8254M	8255D	
8283W	8284D	8285A	
8303W	8304M	8305D	
8664M	8665D		
8683W	8684M	8685D	
8693M	8694M	8695D	
8703M	8704D	8705D	
8713W	8714M	8715D	
8723M	8724M	8725A	
8732W	8733M	8734M	8735D
8742W	8743M	8744D	8745A
8753M	8754D	8755A	
8773M	8774M		
8812W	8813W	8814M	
8822W	8823W	8824M	

Upper Hillside – Primary Field Color Palette

8253M	8254M	
8283W	8284D	
8303W	8304M	
8683W	8684M	
8693M	8694M	
8713W	8714M	
8723M	8724M	
8732W	8733M	8734M
8742W	8743M	8744D
8752W	8753M	8754D
8762W	8763M	
8773M		
8812W	8813W	
8822W	8823W	

Exhibit "at"

APP00356
JA_2004

ROOF COLORS

MONIERLIFETILE:

Standard Shake:	1SRCB3233R	Brown Blend Brushed (formerly #501)
	1SRCB1430R	Charcoal Blend Brushed (formerly #503)
	1SRCB1132R	Charcoal Brown Blend Brushed (formerly #505)
Standard Slate:	1LSCS3233R	Brown Blend (formerly #1271)
	1LSCS1430R	Charcoal Blend Brushed (formerly #1273)
	1LSCS1132R	Charcoal Brown Blend Brushed (formerly #1275)
	1LSCS4598R	Forest Green (formerly #1248)
	1LSCS0026R	Sandstorm (formerly #1280)

M2000Shake / Vignette:	1SKCB3960	Cattails
	1SKCB3940	Cliffside
	1SKCB3934	Saddle
	1SKCB5937	Silver Rock
	1SKCB5932	Silver Smoke
	1SKCB3958	Smokey
/ Collage:	1SKCB3949	Mahogany
	1SKCB7951	Mulberry
	1SKCB3942	Raffia
M2000Slate/ Vignette:	1STCS3960	Cattails
	1STCS3940	Cliffside
	1STCS7933	Flashburn
	1STCS6938	New Bronze
	1STCS3934	Saddle
	1STCS4930	Silhouette
	1STCS5937	Silver Rock
	1STCS7980	Slate Plum
	1STCS3958	Smokey
	1STCS0959	Turtle Dove
/ Collage:	1STCS7954	Camelot
	1STCS3957	Cobblestone
	1STCS3947	Heather
	1STCS3949	Mahogany
	1STCS7951	Mulberry
	1STCS3942	Raffia
	1STCS5969	Wolf Grey
/ Tapestry:	1STCS3963	Camouflage
	1STCS4976	Impressionist
	1STCS3962	Tiger Eye

Exhibit "at"
(continued)

APP00357
JA_2005

MONIERLIFETILE *(continued)*

M2000Split Shake		
/ Vignette:	1SECB3934	Saddle
/ Collage:	1SECB3949	Mahogany
	1SECB3946	New Bark
/ Tapestry:	1SEBC3963	Camouflage
T2000 – Traditions:	1TRCD3083	Hearthside
	1TRCD3079	Manorhouse
	1TRCD3085	Plantation
	1TRCD3080	Riverpebble

PIONEER:

Standard Slate:	SL 550	Ironwood Blend
	SL 547	Sandalwood Blend
	SL 544	Cocoamo Grey
	SL 543	Camino Blend
	SL 541	Santa Clara Blend
	SL 540	Solano Blend
	SL 513	La Jolla Blend
	SL 433	Kona Blend
	SL 503	Cobblestone Green
	SL 471	Birchwood Blend
	SL 504	Boroughwood
Weathered Shake:	WS 550	Weathered Ironwood Blend
	WS 544	Weathered Cocoamo Grey
	WS 543	Weathered Camino Blend
	WS 541	Weathered Santa Clara Blend
	WS 540	Weathered Solano Blend
	WS 513	Weathered La Jolla Blend
	WS 411	Chestnut Brown
	WS 471	Birchwood Blend
	WS 546	Oakwood Blend
	WS 504	Boroughwood

DISCONTINUED MONIERLIFETILE (Discontinued by MonierLifetile January 2000)

General Line:	1276	3188	3206		
Vignette:	7973				
Collage:	3935	3961	7943	7952	7977
Tapestry:	7971				

Exhibit "at"
(continued)

APP00358
JA_2006

MASONRY COLORS

Eldorado Stone:

Hillstone: Molano, Lucero

Fieldledge: Meseta, Veneto

Shadow Rock: Teton, Bronze, Mountain Blend

Rustic Ledge: Sequoia, Prairie, Sawtooth, Cascade (w/wo rubble)

Mountain Ledge: Smokey, China, Buckskin, Warm Springs, Copper

Stacked Stone: Mountain Blend, Desert Shadows, Slate Gray, Castaway

Weather Edge: Wisconsin, Calistoga

Cultured Stone:

Country Ledgestone: Honey, Chardonnay, Caramel, Aspen

Southern Ledgestone: Chardonnay, Rustic, Fog, Bucks County

Weather Edge Ledge: Fox Valley, Wisconsin, Silverado

Pro-Fit Ledgestone: Mojave, Autumn, Shale

Caroline Ledge: Vintage Sand, Pewter Gray, Onyx Brown, Silver Sand

Drystack Ledgestone: Caramel, Chardonnay, Mist, Cedar, Suede

Southern Ledgestone & Dressed Fieldstone: Fog & Aspen, Bucks County, Rustic & Brandywine, Chardonnay

Country Ledgestone & Dressed Fieldstone: Caramel & Brandywine, Chardonnay & Chardonnay, Honey & Brandywine, Aspen & Aspen

DISCONTINUED MASONRY COLORS:

Eldorado Stone: "La Jolla" Coastal Ledge, "Santa Cruz" Coastal Ledge

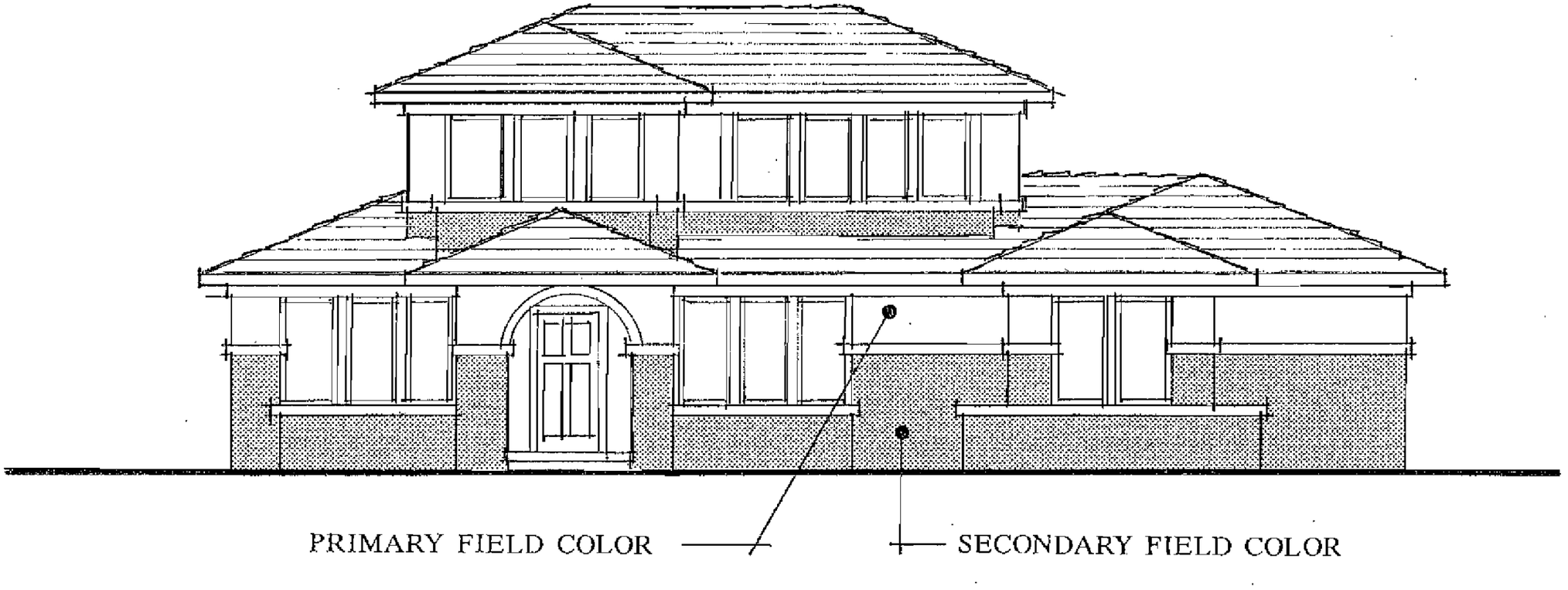
Eldorado Stone: "Oakwood" Stacked Stone

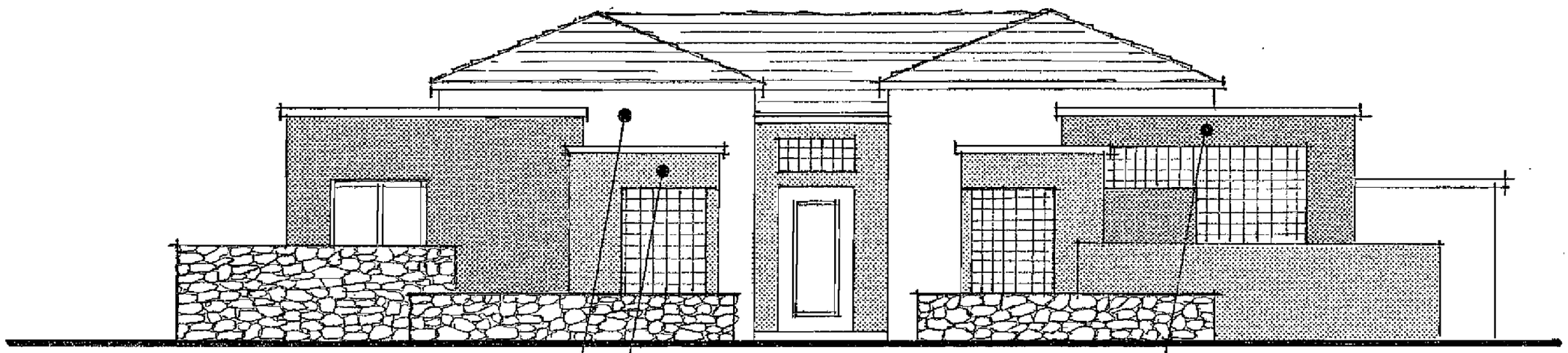
Eldorado Stone: "Napa Valley" Weather Edge

Cultured Stone: "Fawn" Southern Ledgestone

Exhibit "at"
(continued)

APP00359
JA_2007


PRIMARY FIELD COLOR
SECONDARY FIELD COLOR


PRIMARY FIELD COLOR
SECONDARY FIELD COLOR
TERTIARY FIELD COLOR

4.B.4.11 Roof Design

Roofs are a significant component in the overall appearance of a building, and careful consideration must be undertaken to ensure that the design and scale of the roof is compatible with the architectural style of the dwelling and surrounding neighborhood. Roofs should be simple shapes without overly complex joining. Predominantly low to moderately pitched hip roofs are encouraged, with small portions of flat roofs permitted to enhance the desert character of the architecture. Roof articulation should strive to establish a relationship not only to the human scale, but should also enable the roof forms to blend into the natural desert environment.

4.B.4.11.a Roof Form and Slope: Low-pitched hip roofs are the predominant type of roof in Desert Elegance architecture. Roof pitches on detached production homes are not permitted to exceed a maximum slope of 6:12. Roofs with gable ends, used on a limited basis, are subject to review and approval by the Design Review Committee.

Pyramidal roof forms are often used to highlight architectural forms and floor plan elements of the residence.

Flat roofs, if utilized, should be surrounded by parapets a minimum of 10" up to a maximum of 36" above the adjacent roof surface. Parapets must return and end in an intersection with a building mass.

Flat roofs that do not have parapets may be approved by the Design Review Committee if such roofs are free of any skylights, roof penetrations, roof vents, plumbing vents, or other similar elements, and if in the

opinion of the Design Review Committee, any drainage crickets are not distracting to the overall design character of the residence. On flat roofs, the flashing detail between the roof and the parapet wall must be kept horizontal, not sloped to follow the roof or cricket slope, and all flashings must be painted to match the walls.

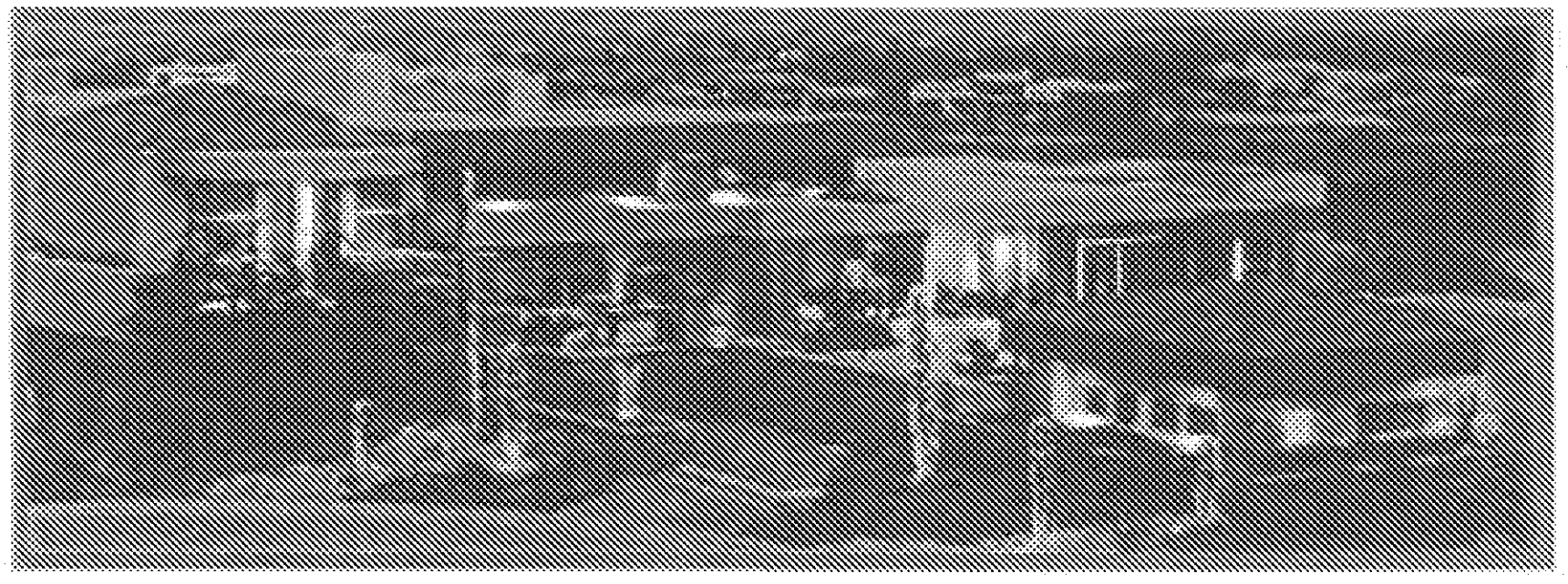
Roofs featuring broad overhangs are encouraged to provide shade protection from harsh desert climatic conditions. However, roof overhangs and/or cantilevered elements may not exceed more than 5'-0" into the side yard setback.

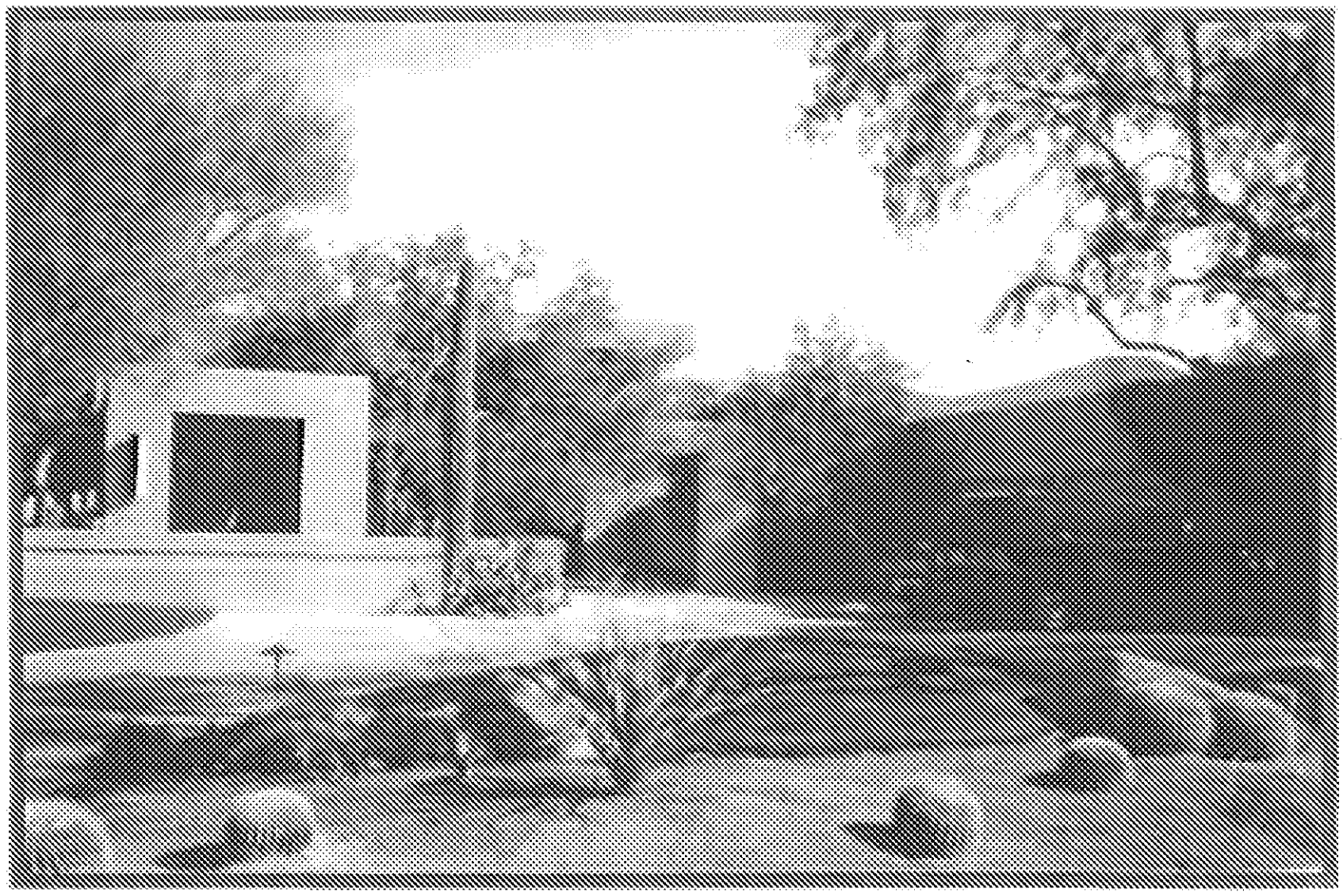
A variety in rooflines is encouraged to avoid a common roofline along the street scene. Rooflines of adjoining residences should vary ridge heights and the direction of main ridgelines to enhance the roofscape of the overall neighborhood.

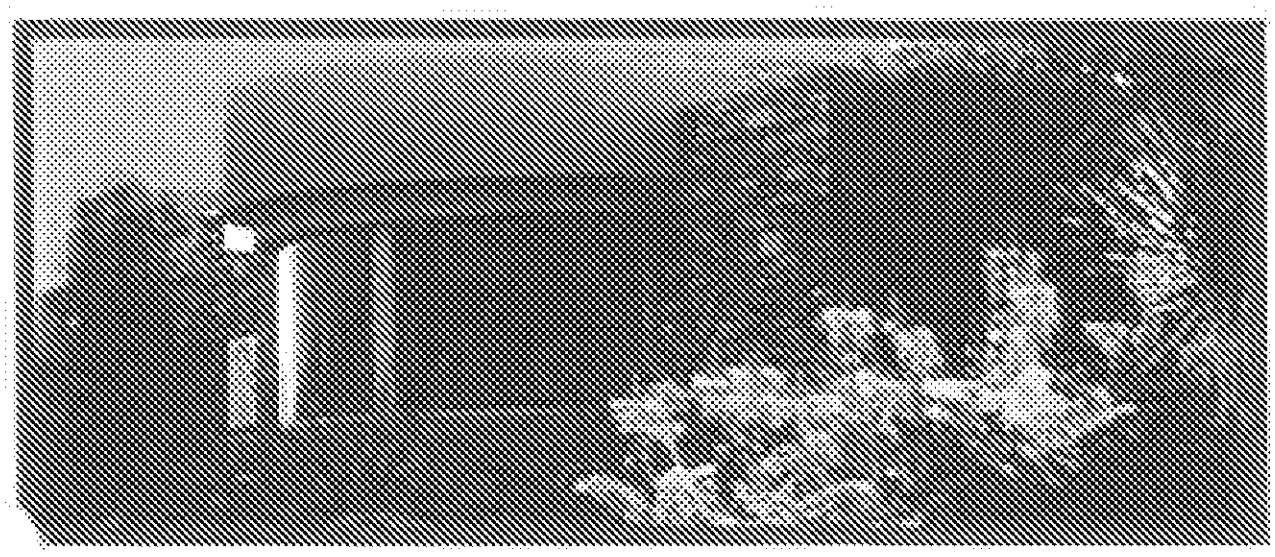
Predominant roof ridgelines should be designed parallel to the natural contours of the site to minimize the visual impact of roofs and any gable ends.

Creatively designed skeletal roof structures offer the opportunity to provide shelter and shade while creating roof top color through the growth of vines and other plant material.

Skylights and roof top windows are permitted and should be designed as an integral part of the roof. In addition, these elements shall be tinted bronze or gray; white or clear glass is not allowed; and all framing material shall be colored to match the adjoining roof surface.







MACDONALD
HIGHLANDS

Several types of fascias are commonly used in Desert Elegance architecture. These include concealed, flush or tight fascias, as well as broad overhanging eaves providing protection from the sun.

Fascias may be either stucco, stone or tile.

4.B.4.11.b Roof Materials and Colors

Permitted Roof Materials:

Roof materials for each residence shall consist of one of the following in either flat tiles or concrete shakes:

- Concrete Tile
- Clay Tile
- Slate
- ***Low Profile*** Barrel or "S" Tiles

Refer to Exterior Color Section for permitted roof colors.

Standing seam metal roofs, including patinaed copper, may be used, subject to approval by the Design Review Committee. Such roofs, however, shall have a matte finish to minimize glare.

Prohibited Roof Materials:

- Non-Low Profile Barrel or "S" Tiles
- Plain Red Tiles
- Asphalt Shingles
- Fiberglass Shingles
- Reflective roof surfaces causing excessive glare
- Simulated Tile including Fiberglass or Metal

APP00364
JA_2012

Gutters and downspouts, when used, must be concealed unless designed as a continuous architectural feature. The use of patinaed copper gutters and downspouts is encouraged when used as an architectural feature.

4.B.4.11.c Mechanical Equipment Screening: Mechanical equipment such as air conditioners, heaters, evaporative coolers, television and radio antennas, satellite and radar receivers and other such devices shall not be permitted on any roof. Mechanical devices such as exhaust fans, vents and pipes shall be painted to match adjacent roof surfaces.

The use of solar panels, hot water storage systems, or other similar devices shall not be visible from any street or community open space, and are subject to approval by the Design Review Committee.

All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400 amps require a closet, which is to be integrated into the design of the residence. All utility panel and meter must conform to the pertinent regulations of the City of Henderson, Nevada Power Company and Southwest Gas Corporation.

APP00365
JA_2013

4.B.4.12 Architectural Features and Accents:

The use of architectural features and accents is encouraged to create interest on building facades. Careful placement and treatment of accent windows, for example, not only reduces the scale of the building, but also adds character to the elevations. Stairways and columns should be carefully integrated into the design of the building. Accent colors and material treatments should complement the primary building color. Extreme contrasts in style, material and/or color should be avoided.

4.B.4.12.a Entry Courtyards: The use of front entry courtyards is encouraged as a transition from the public space of the street to the private dwelling.

The arrangement of interior living spaces can be used to enclose an entry courtyard, creating a focal point for surrounding rooms, as well as providing a charming entry to the residence.

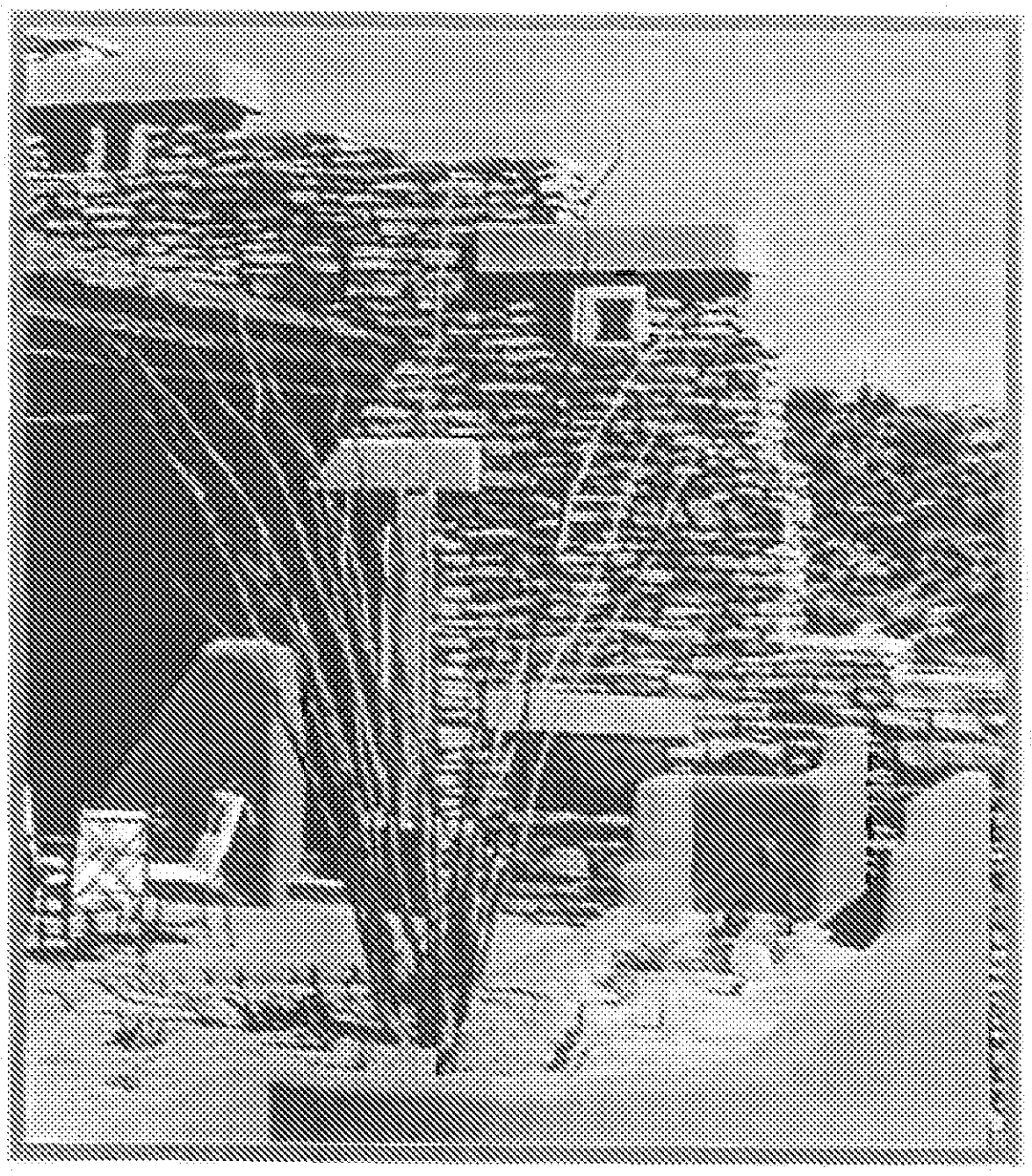
In addition, garden walls and fences can be used in conjunction with the building architecture to create the entry courtyard.

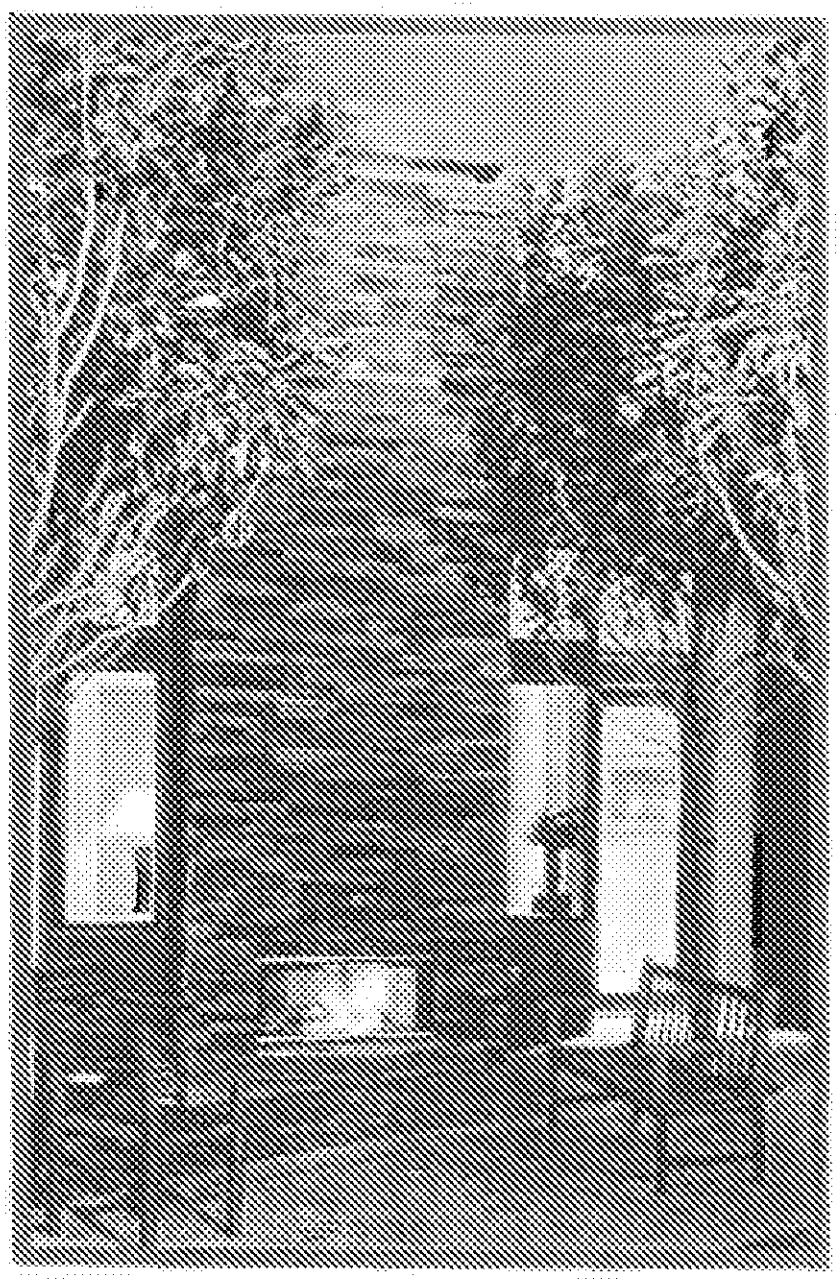
Garden walls and fences, when used, should complement the adjacent finish and architectural character of the adjoining residence.

Garden walls should be embellished through the use of wall caps, ceramic tiles, steps, recesses, cutouts, and/or wrought iron details.

The use of gates or doors at the entrance to the courtyard is encouraged.

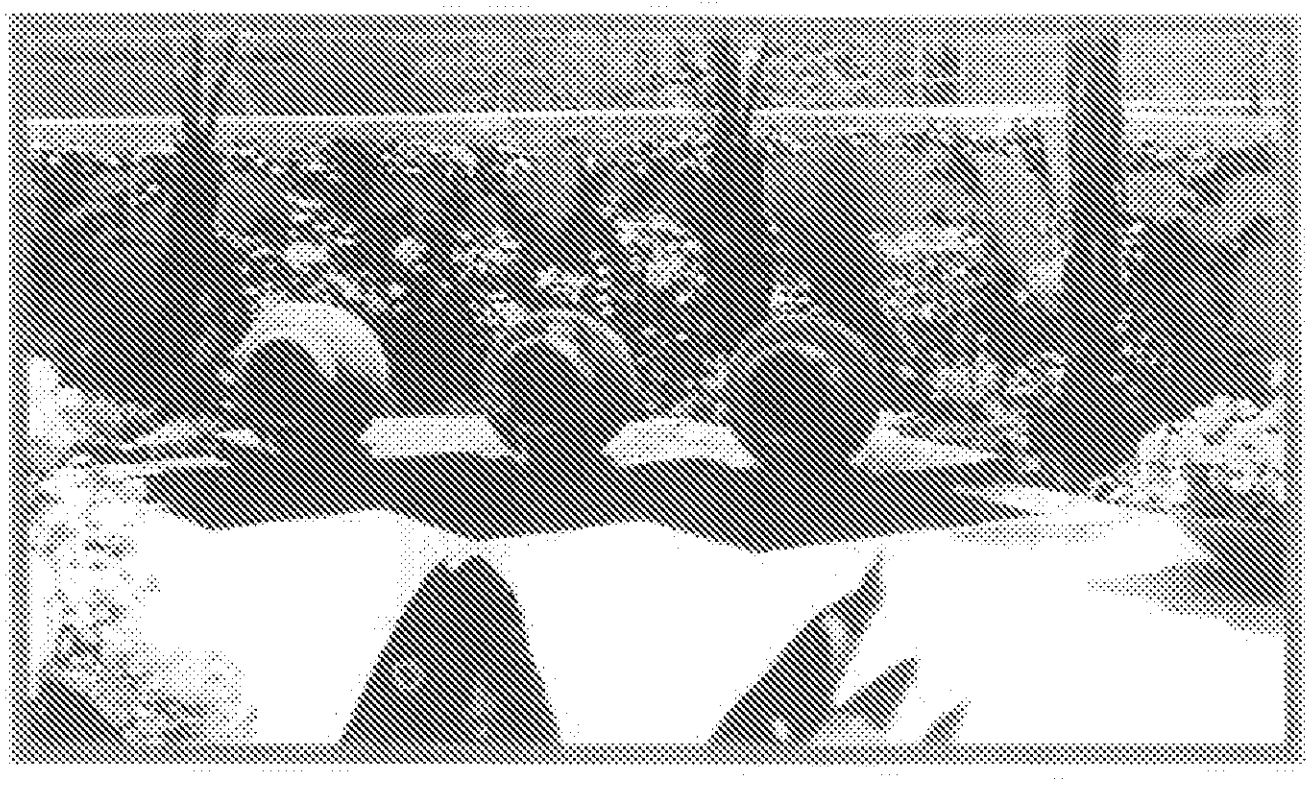
Plant material should be used to visually soften courtyard walls and fences.

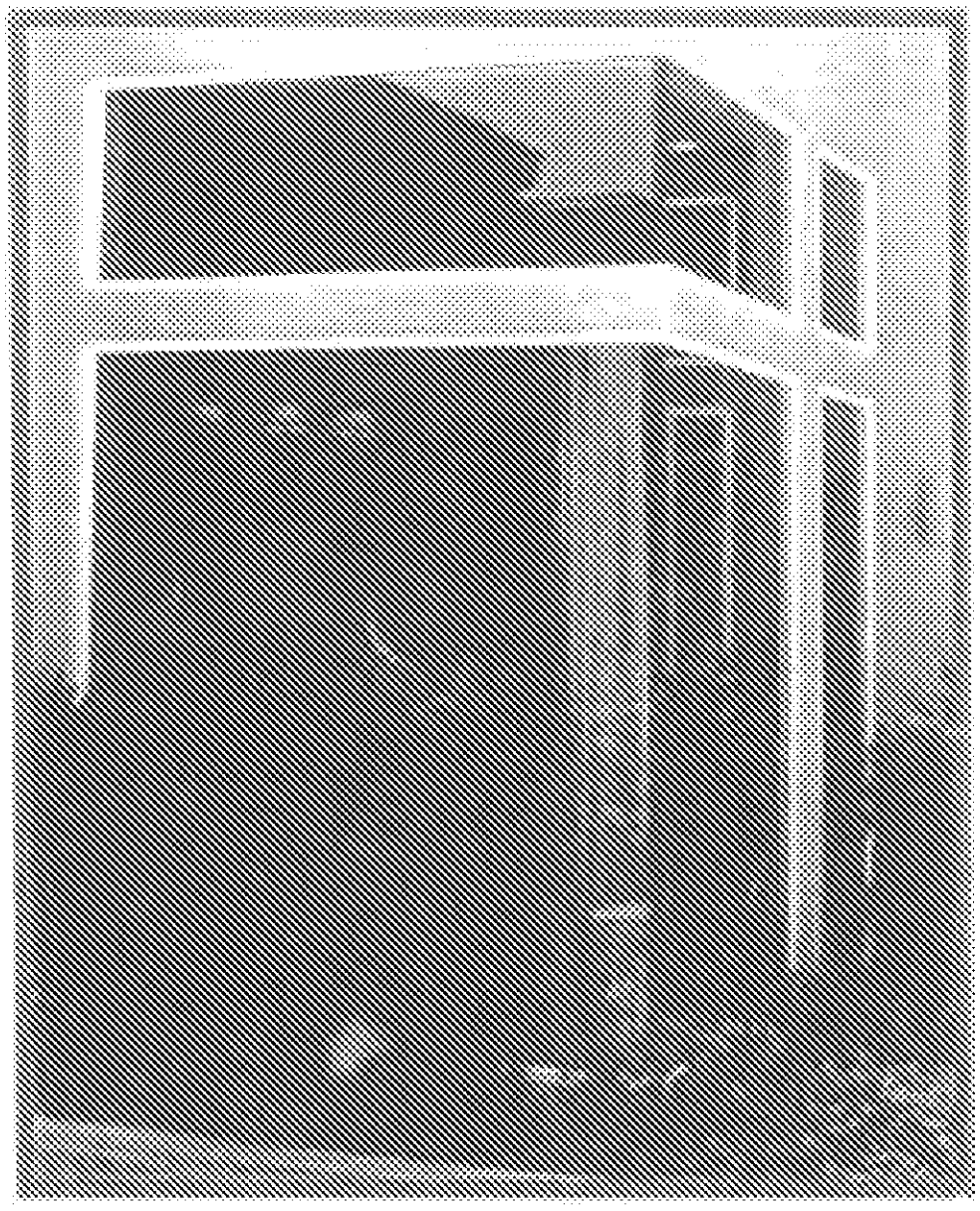


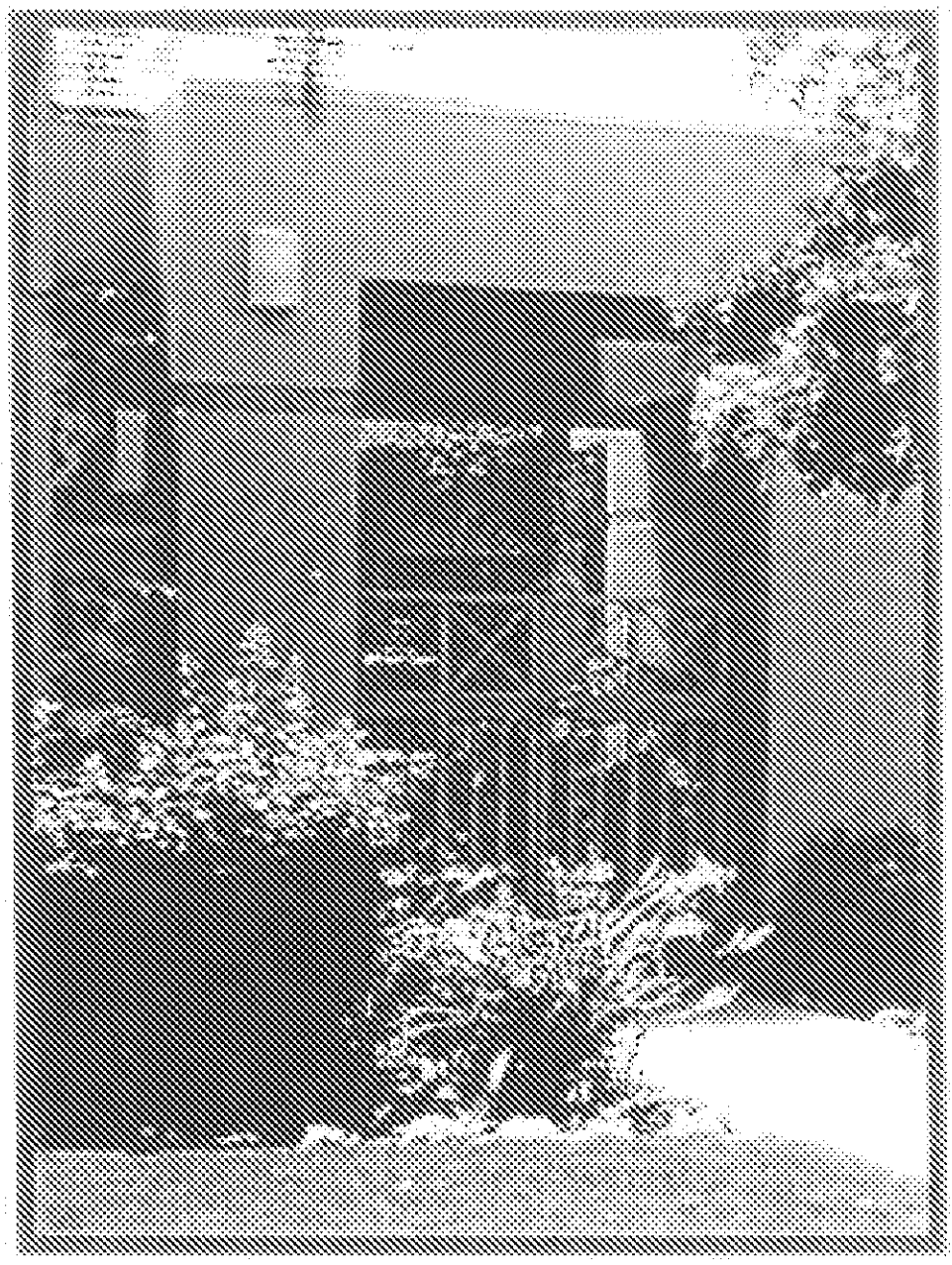


MACDONALD
HIGHLANDS

APP00367
IA 2015







MACDONALD
HIGHLANDS

4.B.4.12.b Walkways, Balconies, Terraces and Patios: Terraces and patios provide a strong indoor/outdoor relationship to the residence, enhancing the integration of the structure with the surrounding natural desert environment.

Broader verandas on both the front and rear elevations are important and shall be used to create appropriate design features.

Cantilevered balconies and shall be wood, metal, or ornamental wrought iron and must be consistent in character and detail with the project and particular residence.

The generous use of windows and doors onto terrace and patio areas strengthens the visual continuity from interior living spaces to the out of doors.

An extension of the overall roof form to cover portions of the terrace and patio areas provides effective protection from the desert sun.

Broad roof overhangs and trellises also provide shade protection for terraces, patios, and the residential dwelling.

Walkways, terraces and patios should be constructed of materials that blend with the natural desert environment to the extent possible. Examples of such materials include stone, brick, and concrete colored to match the surrounding landscape. Ordinary concrete that is not colored or textured is not acceptable.

Tempered glass railings are permitted, however, their glazing must be either clear or tinted; reflective glass is not permitted.

4.B.4.12.c Windows:

Metal window frames are permitted, and may be bronze or earth tone colors compatible with the surrounding desert environment. Bright accent colors and mill finish frames are not permitted.

Window glazing may be either clear or tinted; reflective glass is not permitted.

The use of glass block is permitted.

4.B.4.12.d Screen Walls: Screen walls and fences shall be compatible with the architectural character of the residence in terms of design, material and color selections. They may be used to separate the Private Area from the rest of the Building Envelope and as screening for parking and service areas. They may not be used to arbitrarily delineate property lines or the Building Envelope.

In no case shall the height of a screen wall or site wall exceed 6-feet (per City of Henderson requirements), measured vertically from the lowest point at finished grade adjacent to the wall to the highest point of the wall along the exterior side of the enclosure, unless otherwise specifically approved by the Design Review Committee.

4.B.4.12.e Garage / Auto Courts: The placement of garages should carefully consider the impact of the garage doors on the streetscene.

The use of auto courts in which the garage doors are oriented completely away from the street is strongly encouraged. The auto court should be screened from view from the street, adjacent residences or public spaces through the arrangement of building elements, courtyard walls, gates or landscape material.

Detached garages must feature the same architectural style, materials, detailing and other characteristics as the main residence.

Garage doors shall be inset a minimum of 12" from the adjacent wall surface and should not be excessively ornamental. Roll-up garage doors are required; out-swing doors are not permitted. Wood garage doors, where permitted by the Design Review Committee, must be maintained regularly. If problems occur with wood garage doors, the HOA and/or Design Review Committee reserve the right to require such doors to be replaced.

Garages, particularly when viewed from the street, shall feature offset garage doors to minimize their impact. For example, a 3-car garage shall feature one single garage door offset from the remaining two garage doors by a minimum of 3', or separated by a minimum of 12'.

APP00371
JA_2019

4.B.4.12.f Parking: Each residence must have at least four parking spaces. Two of these spaces must be in a two-car garage that must be both enclosed and attached to the residence, or in a separate, totally enclosed structure. Carports are not permitted, except where enclosed on three sides and made an integral part of the structure. On-street parking is limited to visitors and guests only. Due to City of Henderson Fire Code, on-street parking is limited to one side of the street only. The approved street parking for visitors and guests will be limited to the southside and the eastside of the street only *(per MacDonald Highlands Master Association Rules and Regulations adopted July 10, 2002).*

4.B.4.12.g Chimneys: Chimneys shall be designed to be in scale and proportion with the architecture of the building, and incorporate materials consistent with the detailing of the building's elevations.

A chimney mass may not exceed an overall horizontal dimension of 12', unless otherwise specifically approved by the Design Review Committee. Unconcealed metal chimney terminations are not allowed.

Use of terra cotta or fabricated sheet metal enclosures is required for metal chimneys. Masonry chimneys must provide a cap detail that is consistent with the architectural character of the residence.

Chimney heights shall conform to City of Henderson standards.

APP00372
JA_2020

4.B.4.12.h Building Projections: All projections from a building, but not limited to, chimney caps, vents, gutters, scuppers, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project, or must be a compatible accent color, unless otherwise approved by the Design Review Committee.

4.B.4.12.i Accessory Structures: Accessory structures shall include any building or structure that is totally detached from the main building. Examples of these shall include, but are not limited to the following:

- Detached Garages
- Detached Cabanas
- Detached Guesthouses
- ~~Storage Buildings~~
- Equipment Enclosures
- Shade Structures including:
  - Gazebos
  - Cabanas
  - Trellises

Any accessory structure should be located and designed to respect the views, privacy, and other aspects of the adjacent properties. Such structures should be located and designed to be compatible with and compliment the design and form of the main residence. The use of mature landscaping is encouraged to soften the appearance of these structures.

4.B.4.12.j Flagpoles: Freestanding flagpoles are not allowed on any lot in MacDonald Highlands. Displaying the American flag, State of Nevada flag or other appropriate flag may be displayed on special occasions if it is hung from a pole bracket mounted to the residence or if it is suspended from a roof overhang.

4.B.4.12.k Service Areas: All above-ground trash containers, clotheslines, mechanical equipment, fuel tanks, water tanks, and other outdoor maintenance and service facilities must be completely screened from view from adjacent lots, streets, or open space areas by wall and gates at least 12" higher than the equipment. Gates, or a maze entry that provides complete screening, shall be required around all mechanical and pool equipment enclosures.

4.B.4.12.l Utility Equipment: All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400 amps require a closet, which is to be integrated into the design of the residence. All utility panel and meter must conform to the pertinent regulations of the City of Henderson, Nevada Power Company and Southwest Gas Corporation.

4.B.4.12.m Materials: Due to climatic extremes, the use of wood as an exterior material should be carefully considered. The use of wood on exterior walls as an accent is a high-maintenance item, and is prohibited as the primary exterior material. All exposed wood beams, fascias, columns, trellises, etc., should be of glulam construction. Expression of wood trim is generally used in lintels, porches, trellises, out-lookers, and rafter tails.

- Plaster finishes with a hand-troweled finish or light-sand float finish is encouraged. Spanish Lace and other heavy textures are discouraged.

- Patinaed copper gutters and hidden down spouts are permitted and encouraged.

4.B.4.12.n Exterior Storage: Exterior storage shall only be permitted in the Side Yard if attached to primary structure or in the Rear Yard of any Lot or Parcel if in a totally enclosed Building or opaque screened area. Storage structures are not allowed along the golf course, common open space and hillside areas.

The height of the screened area shall be a minimum of six (6) feet (per City of Henderson requirements).

4.B.4.12.o Antennas/Satellite Dishes: No antenna or other device such as satellite dishes, for the transmission or reception of television or radio signals or any other form of electromagnetic radiation shall be erected, used, or maintained outdoors on any Lot or Parcel, whether attached to a building or structure or otherwise, unless approved by the Design Review Committee.

4.B.4.12.p Solar Application: Passive solar application, or the orientation and design of the Residence for maximum winter sun gain will reduce the winter heating needs, and will be encouraged. Solar collectors can result in excessive glare and reflection, and can only be approved by the Design Review Committee if they are integrated into the Structures or Landscaping on a Lot or Parcel and are not Visible from Neighboring Properties.

4.B.4.12.q Foundations: All exterior wall materials must be continued down to finish grade thereby eliminating unfinished foundation walls.

4.B.4.12.r Additional Construction, Revisions, Modifications and/or Exterior Changes: Any changes to the approved plans before, during, or after the construction of an Improvement ***must first be submitted to the Design Review Committee for approval***.

All submittals shall be accompanied by a cover letter, letter of transmittal or a copy of the Design Review Committee's "Application for an Alternation and/or Modification to an Existing Structure or Lot" describing the revisions proposed.

4.B.4.12.s **Mailboxes:** Production home parcels within MacDonald Highlands will utilize "gang boxes" in a style and manner approved by the United States Postal Service.

4.B.4.12.t **Security:** MacDonald Highlands is designed to allow the Association to provide an exclusive and private environment. The 24-hour, manned guardhouse and gates are constructed at the entrance to MacDonald Highlands.

A six-foot high wall will surround the north and west.

APP00376
JA_2024

4.C.0 LANDSCAPE CRITERIA—ATTACHED AND DETACHED HOUSING

All Developments within MacDonald Highlands shall maintain the landscape standards outlined in Section 5.0 of these Design Guidelines. However, additional criteria are required within attached and detached housing developments.

4.C.1 LANDSCAPE DESIGN CONCEPT

The Desert Oasis landscaping theme of MacDonald Highlands will enhance and complement the natural scenic setting, which is a result of the natural topography of the community. Plant materials shall be used to embellish and soften the exterior hardscape spaces. Every effort should be made to preserve as much of the native plant community as possible throughout the hillside areas, open spaces, and on individual lots. The entire project shall utilize a mixture of native and introduced plant material with emphasis on zeriscape design philosophy.

4.C.2 LANDSCAPE ZONES

The character, intensity, and type of plant materials for MacDonald Highlands are divided into three distinct landscape zones; the Desert Oasis zone, the Enhanced Desert zone, and the Native Desert zone. Each zone represents a density, intensity, and type of landscaping that will be used within that zone. Each zone will have a specific pallet of plant materials that is appropriate for that zone and the adjacent associated landforms.

No Desert Landscape Package shall be offer to Home Buyers that has more than 20% of the yard area in volcanic cinders. There should be an average of one drought tolerant plant per 20 square feet.

4.C.3 LANDSCAPE INSTALLATION & MAINTENANCE

Within four (4) months of the issuance of a Certificate of Occupancy for a Structure on a Lot or Parcel, the Developer shall install landscaping on all areas of the Lot or Parcel, ***including any Golf Course frontage lot***, visible from adjoining Streets, Lots, or Parcels, and said installation shall be in accordance with the plans and specifications first approved by the Design Review Committee.

After installation, the Owner of the Lot or Parcel shall, at its expense, maintain said landscaping in accordance with standards and procedures established and approved by the Committee. If any Owner fails to landscape or maintain landscaping in accordance with the foregoing, the Declarant or Association may landscape said area and/or maintain landscaping in said area, and the cost thereof shall be addressed to the Owner as an Assessment in accordance with the Declaration of Covenants, Conditions, and Restrictions.

5.0 LANDSCAPE DESIGN GUIDELINES

5.1 LANDSCAPE DESIGN CONCEPT

The Desert Oasis landscaping theme of MacDonald Highlands will enhance and complement the natural scenic setting, which is a result of the natural topography of the community. The incorporation of this lush desert landscaping theme into the exceptional elevation and natural geological formations of the community will make MacDonald Highlands unlike any other in the Las Vegas valley. Plant materials will be used to embellish and soften the exterior hardscape spaces. Soft canopy trees with an underscore of flowering shrubs, ground covers, and annual color will provide a gracious welcome at the community's entryway. While the entries and select areas of streetscape will reflect the lush "desert oasis" plant palette, creating an enhanced canopy of trees to provide a welcome protection from the sun yet utilizing a mixture of drought-tolerant foliage and watering technology which reflects the sense of environmental responsibility which should set the tone for development in this decade. The thoughtful blending of lush-looking, drought-tolerant foliage, native desert plants, and flowering shrubs will provide a rich texture of plant materials and create a delightful living environment. While every effort will be made to preserve as much of the native plant community as possible throughout the hillside areas, open spaces, and on individual lots, the entire project will utilize a mixture of native and introduced plant material with emphasis on zeriscape design philosophy.

APP00379
JA_2027

5.2 LANDSCAPE ZONES

The character, intensity, and type of plant materials for MacDonald Highlands are divided into three distinct landscape zones; the Desert Oasis zone, the Enhanced Desert zone, and the Native Desert zone. Each zone represents a density, intensity, and type of landscaping that will be used within that zone. Each zone will have a specific pallet of plant materials that is appropriate for that zone and the adjacent associated landforms.

5.2.1 Desert Oasis Zone: The Desert Oasis zone landscaping, associated with areas of high pedestrian use and community focal points, is made up of lush green drought-tolerant plant materials combined with some turf. Found at community entries, along 64-foot right-of-ways, and at major community focal points, the colors used in the Desert Oasis zone will provide contrast to the native desert environment. Using 24-inch, 36-inch, and 48-inch specimen trees, 5-gallon shrubs, and ground covers, a pleasing visual image of a desert parkway will be created. Tree massings will be lush and informal, accented with colorful specimen shrubs and ground covers. The landscaping design and plant specimens will be incorporated with fitness paths, walkways, and trails to create the oasis ambiance.

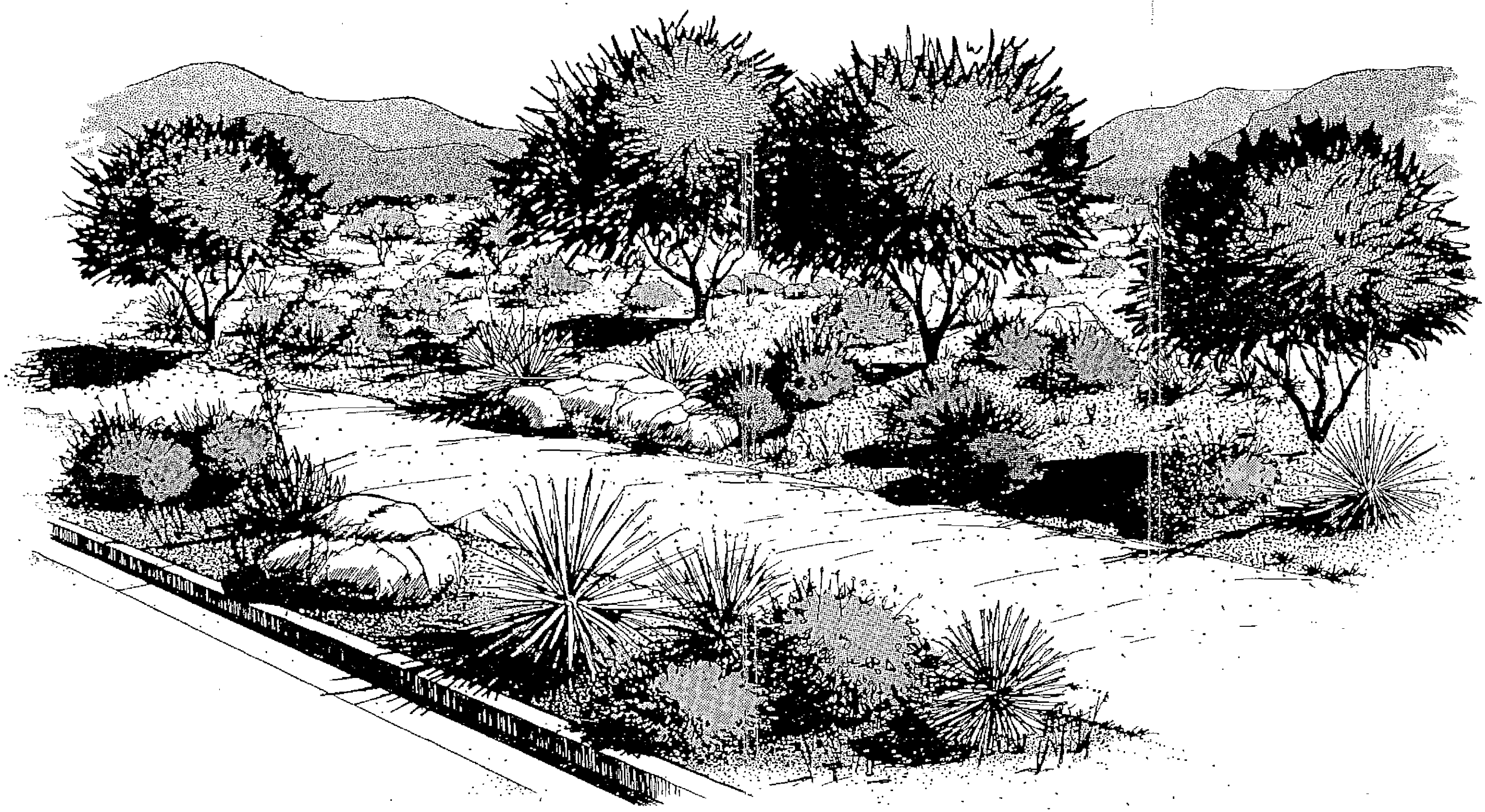
5.2.2 Enhanced Desert Zone: The Enhanced Desert zone landscaping is comprised of plant materials commonly found in the desert environment rich with color and texture, which will be introduced to the native plant materials to create aesthetically pleasing streetscapes throughout the community. A concentration of plant materials in colorful high density and high intensity landscape pockets will enhance the native desert environment in this landscape zone.

5.2.3 **Natural Desert Zone:** The Natural Desert zone consists mostly of undisturbed open areas and areas that require the re-establishment of the natural desert finish where landscaping is not appropriate. The materials for this area will be mostly existing rock and upper Mojave Desert shrub and grass plant materials.

5.3 STREETSCAPE

The streetscapes within MacDonald Highlands will communicate the landscaping themes throughout the community. The quantity, size, and placement of trees and shrubs will be important to achieving the theme and character of MacDonald Highlands. The location of trees, ground cover, and shrubs will complement the individual home design and driveway location. The area and degree of intensity of landscaping will be a function of the steepness of the slopes adjacent to the landscaped area. Where the terrain is flatter, the Desert Oasis landscaping zone will be used along the road right-of-ways and at the community entry features. As the natural slopes increase in steepness, the landscape zones will change to Enhanced Desert and Natural Desert in order to minimize the impact of grading on the native hillside. Along the steeper collector roads, the Enhanced Desert theme will be accomplished by creating pockets of intensified landscaping and by introducing selected flowering wildflowers to the slope areas which will add bright splashes of color at various times throughout the seasons. Combining the techniques of reestablishing slopes that have been disturbed by grading, concentrating select specimen plant materials in pockets along the length of the roadway, and introducing color through the use of various wildflowers and ground covers, the Enhanced Desert streetscape will transition from the Desert Oasis zone to those areas where the Natural Desert zone is most appropriate.

APP00381
JA_2029

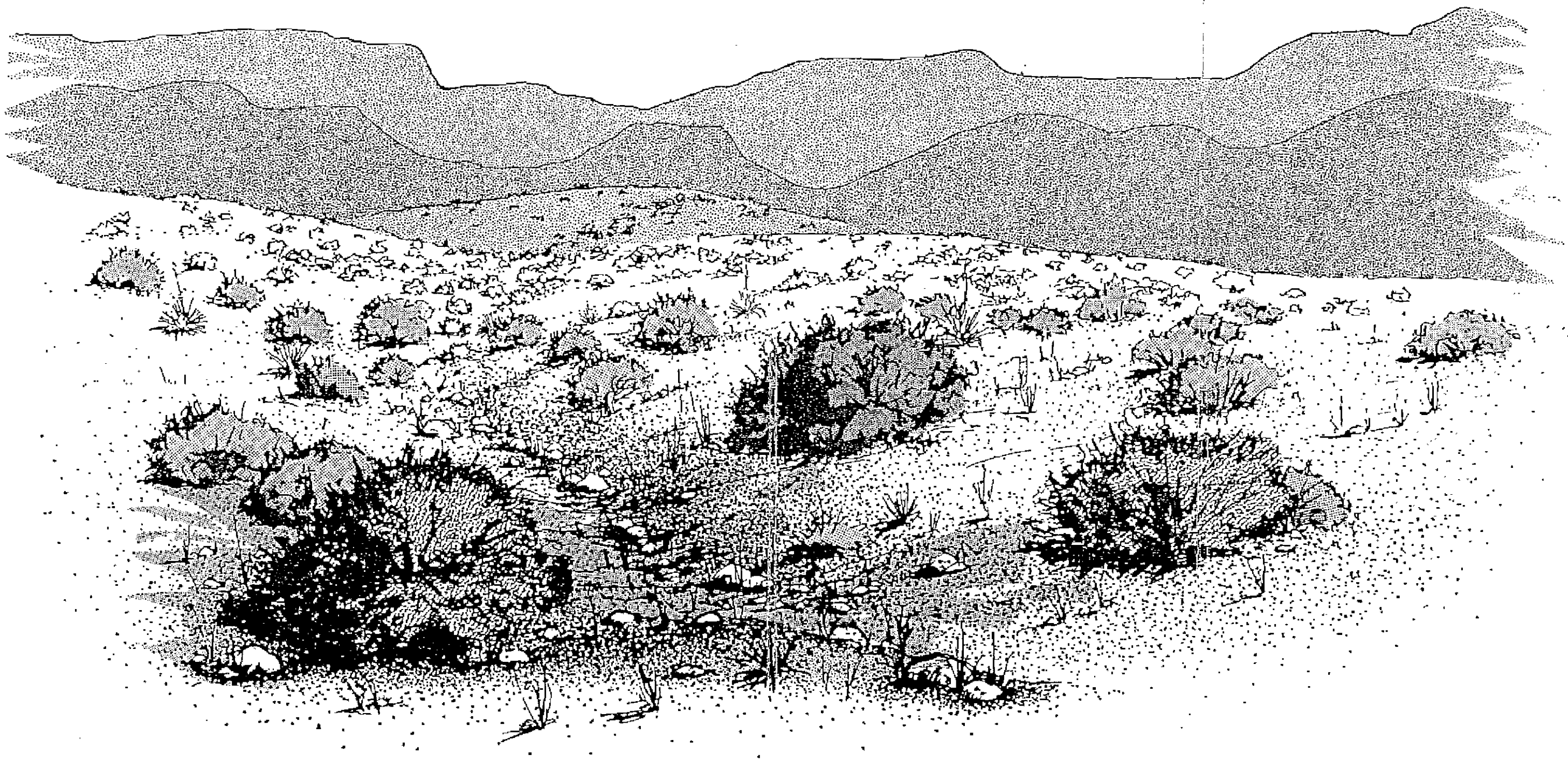


Enhanced Desert Along Roadway and Fitness Path

APP00382
JA_2030

"Desert Oasis" Along Roadway and Fitness Path

APP00383 JA_2031



Natural Desert Zone (Revegetated)

The following statements are general guidelines for the use, placement, and design of landscape materials in various public or common and private areas within the community. These are organized by area to include:

- Minimum of one 24-inch box tree to be planted every 20 feet of linear street frontage. The required trees must be "mature." (Mature: generally referred to as "24-inch box" minimum.) A minimum of two varieties will be required along all frontages.
- A minimum of three 5-gallon shrubs is required per 20 feet of linear street frontage. It is encouraged to plant an appropriate number of shrubs to complement the placement of trees.
- The clustering of shrubs and trees is encouraged to accent focal points and provide variety to the streetscape.
- Contouring and berming along street frontage is recommended and should not exceed the following standards:

  Berm heights/slope:

  - 2 feet 6 inches to allow views
  - 6 feet for screening
  - 4:1 maximum desired slope

- A minimum 6-foot and maximum 8-foot wall shall be required along the rear of reverse frontage single family Lots or Parcels along all streets. Raised planters are encouraged to break up the monotony of the planter wall. It is encouraged to use shrubs as accents or espaliers on the walls to create interest.

- Landscaping for key intersections shall be designed to add accent to the community and provide direction toward major community elements.

APP00385
JA_2033

- Streetscapes shall be of variable widths, expanding at entries, transition areas and view corridors. Planting shall go beyond road rights-of-way, with plant and hardscape materials penetrating into adjacent neighborhoods.

- The horizontal form of continuous walls shall be softened by landscape planting.

- Monumentation, textured paving, flowering accents, shrubs, and specimen trees shall be used for general interest at entry points.

- Service areas and utility fixtures shall be located and screened with landscaping in order to reduce their visual impact in the community.

- The planting along the major streets will appear consistent from start to finish. General roadway planting is to be highlighted with annual flower plantings at gateway monuments.

- All landscaping shall be planted in informal groupings with an emphasis upon reflecting the natural character of the site.

- Vegetation of varying heights and textures shall be placed along perimeter walls and fences to soften hard planes by creating interest and variety.

- Special paving materials, landscaping, signage, and street furniture should be utilized to create a sense of importance and arrival at key intersections.

- Develop an overall design concept to establish a strong landscape theme.

- Select plant materials within the applicable landscape zones to achieve a cohesive development.

- The landscape transition between various land uses should be graceful and not abrupt.

- Landscape should promote and encourage outdoor pedestrian activities.

5.4 LANDSCAPE COVERAGE

Within residential developments, a minimum of at least 20% of the area within the property lines shall be devoted to landscape materials. (Net land area.) Other requirements include:

- An automatic irrigation system is required in all landscaped areas. Drip irrigation should be utilized where possible.

- Minimum tree trunk height is 6 feet. Minimum 1-1/2-inch caliper measured 4 feet above the grade. Palms: minimum trunk height of 5 feet (all above generally referred to as "15 gallon").

- A minimum of 20% of all frontage landscape areas require a ground cover consistent of grass or other living plant material which does not exceed 18 inches in height.

- Plastic edging is unfitting on a custom lot. Mow curbs are encouraged to be concrete or an equivalent material.

- Where multi-family uses are located adjacent to or separated by an alley from any residential use, a 10-foot wide landscaping strip planted with one 24-inch box tree every 20 feet is required along the common property line.

- In any multi-family development, a minimum of two 24-inch box trees per dwelling unit is required, exclusive of street trees and perimeter landscaping. A minimum of 35% of required trees shall be mature (24-inch box).

5.5 PARKING LOT OR PARCEL LANDSCAPING

- A minimum of 15% of all parking lots shall be landscaped, exclusive of front yards or perimeter landscaping and street trees.

- One tree for every 8 parking stalls. All of the required trees must be mature (i.e., 24-inch box minimum).

- Landscape islands of no less than 5 feet wide and containing a minimum of 50 square feet is required at least every 12 parking spaces.

- Separation of parking lots from adjacent residential uses requires a minimum 10-foot landscape strip with a minimum of one 24-inch box tree every 20 linear feet.

- All parking lots are required to be screened from street views by the use of walls or earth berms or combination thereof. Height of screen must be at least 3 feet above grade of the parking lot or adjacent street, whichever is higher in elevation.

- Intermittent landscaping is permitted to substitute for the walls and berms for a maximum of 25% of the parking lot frontage.

APP00388
JA_2036

5.6 ENTRIES

- Community entries: Desert Oasis landscape zone.
- Project Entries: Desert Oasis/Enhanced Desert landscape zones.

Entries are the first opportunity a developer has to introduce and identify his project, but they are also physically part of the overall streetscape. While it is important to give some separation and individual identification, it is equally important to carry out the landscape theme.

Monument signs identifying the entrance should be located on one corner of the community level intersections. In general, monument signs should be located on the right hand side of the community interfacing with the in-bound travel lane.

5.7 RESIDENTIAL LANDSCAPING

Developers/Owners are responsible for planting and maintaining all required landscaping within their property until such time that the common landscaped areas are released to the Association and/or individual Lots or Parcels are released to the homeowner. At this time, the Association will be responsible for all maintenance of landscaped areas along the arterial roads. The homeowners will be responsible for all maintenance of landscape within the Lot or Parcel frontage.

~~Plant material must be selected from the designated plant palettes for the specified landscaping zone, however, if a developer/owner chooses to use a different plant material, detailed plans can be submitted to the Design Review Committee for consideration and approval.~~

APP00389
JA_2037

5.7.1 Custom Residential Lots

- All development styles should foster a custom impression and individual expression.

- Garages set in front of main buildings should be one story.

- Second stories should be set back from internal streets to help create a human scale.

- Varying the lot widths and configuration at cul-de-sacs and corners is encouraged to promote a custom housing feel for single family residential areas.

- Whenever possible, homes should be arranged in a staggered and variable setback fashion to provide visual interest and avoid the repetitive appearance of arcades and yards for single family residential areas.

- Site design and building location criteria must include an awareness of the adjacent properties' development potential. The effect on views, privacy, access, etc. are important rights to be protected and a value to lot owners which cannot be reduced by unreasonable siting which takes undue shares of amenities.

- Structures on a sloping site shall be situated so as not to impact the natural silhouette of ridge lines, natural landscape, and open space.

- The siting of all structures shall relate to the natural terrain in order to minimize grading operations.

- Varied driveway locations are encouraged to break up repetitive curb cuts and yard patterns.

- Use of staggered garage setbacks to enhance the street scene appearance is encouraged.

- Separation of pedestrian/vehicular traffic shall be maintained.

- Open parking and carports shall be clustered into parking courts.

- Guest parking, where possible, should be located along through-circulation drives and near unit entrances for multi-family homes.

- It is important to select plant materials within the various planting zones to achieve a cohesive development.

- Transition between various land uses should be graceful and not abrupt.

- Landscaping should promote and encourage outdoor pedestrian activities.

- Landscape design should best depict the exclusively elegant and gracious desert living within the community.

- Entries are the first opportunity a developer has to introduce and identify his project, but they are also physically part of the overall streetscape. While it is important to give some separation and individual identification, it is equally important to carry out the landscape theme.

- Monument signs identifying the entrance should be located on one corner of the community level intersections. In general, monument signs should be located on the right hand side of the community, interfacing with the in-bound travel lane.
- Streetscapes shall feature the low-density residential character. Views shall be framed with landscaping to allow visual penetration.
- The design of fencing, exterior lighting and street furniture is an integral part of the landscape design process. Fencing shall be transparent and sensitive to views.
- Trash receptacles and/or service yards shall be screened from roadways with plant material and enclosures compatible with adjacent structures and landscaping.
- All landscape areas shall be fully irrigated with an automatically controlled underground irrigation system.
- Areas of separate maintenance responsibility shall be controlled by separate controllers and/or separate control valves.
- All lawn and shrub irrigation systems should be separate.
- The use of water conserving systems, such as drip irrigation for shrubs and tree planting, is encouraged.
- To minimize negative visual intrusion, all automatic valves shall be installed in valve boxes and the pop-up variety of head used whenever application allows. All back flow control devices and controllers placed in shrub areas shall be screened so that they are not visible.

APP00392
JA_2040

- Screening materials shall be compatible with surrounding architecture and landscaping.

- Any slope area adjacent to the golf course and not a part of the area of home development or construction shall be landscaped as a "Natural Desert Zone" or "Natural Area".

5.8 COMMERCIAL AREA

- Develop an overall design concept to establish a strong landscape theme.

- Select plant materials within the applicable landscape zones to achieve a cohesive development.

- An orderly relationship between street and on-site landscaping should be designed with specifically designated perimeter setbacks.

- Transition between adjacent land uses should be graceful and not abrupt.

- Landscaping should promote and encourage outdoor pedestrian activities.

- Landscaping should be installed to mitigate heat impact from paved surfaces.

- Landscaping and/or berming should be incorporated to screen views of surface parking lots from adjacent roadways.

- The horizontal form of continuous walls shall be softened by landscape planting.

- The use of flowering plant materials to create accents for general interest to the outdoor spaces is encouraged.
- The use of plant materials to provide outdoor space definition and enclosure is encouraged.
- Service areas and utility fixtures shall be located and screened with landscaping in order to reduce their visual impact.
- Special paving materials, landscaping, signage, and street furniture should be utilized to create a sense of arrival and importance at key intersections.
- Clear identification and separation of vehicular and pedestrian traffic should be maintained.
- The circulation system should be reinforced with plantings.
- Parking location and layouts should be simple and safe for pedestrian circulation.
- Customer access and circulation should be separated from service/truck areas.
- Buildings in most cases should be landscaped with low-level plantings and shade trees to soften the impact of the architecture and provide a more human scale.

- The objectives of the landscape design shall be to:
  - Clarify the visitor path to the front door.
  - Establish a unique image for the development.
  - Establish a sense of entry from the public street to the more private realm.

- Project signage should comply with all applicable signage guidelines and be integrated with the landscaping.

- Walls should be designed as an integral part of the overall site design. They shall be constructed with materials that are complementary to the style of adjacent buildings and incorporate the same finishes and colors.

- Sign materials and colors should complement the buildings.

5.9 GOLF COURSE/CLUBHOUSE

- Develop an overall design concept to establish a strong landscape theme.

- Select plant materials within the applicable landscape zones to achieve a cohesive development.

- The landscape transition between various land uses should be graceful and not abrupt.

- Landscaping should promote and encourage outdoor pedestrian activities.

- The circulation system should be reinforced with plantings.

- Project signage should comply with all applicable signage guidelines and be integrated with the landscaping.

- Walls should be designed as an integral part of the overall site design. They shall be constructed with materials that are complementary to the style of adjacent buildings and incorporate the same finishes and colors.

- Parking location and layouts should be simple and safe for pedestrian circulation.

APP00395
JA_2043

- Customer access and circulation should be separated from service/truck areas.

- Service areas and utility fixtures shall be located and screened with landscaping in order to reduce their visual impact.

- To the extent possible, views of the golf course from adjacent development and parkways should be preserved and enhanced.

5.10 LANDSCAPE INSTALLATION & MAINTENANCE

Developers/Owners should make themselves aware of any potential problems such as penetrating caliche soil or rock when preparing a site. It should be noted that all contractors should include an allowance in their bids for penetrating through caliche soil when it is encountered under tree planting pits or any other landscape easement.

All demolition, clearing, grubbing, stripping of soil, excavation, compacting, and grading must be performed within the confines of the Owner/Developer's Lot or Parcel within the Building Envelope.

Adequate provision must be made to prevent surface waters from damaging excavations, public or private property, and cut and fill slopes both during and after construction.

The use of chemical treatment on existing vegetation, if necessary, must be accomplished through a State Licensed Pest Control Applicator.

In order to maintain the aesthetic integrity of the community, all Lots and Parcels must be timely landscaped in accordance with an approved landscaping design plan. Within four (4) months of the issuance of a Certificate of Occupancy for a Structure on a Lot or Parcel and, in any event, no later than ~~within~~ thirty-six (36) months ~~of~~ after the date on which Declarant transfers title to the Lot or Parcel to a party other than the Declarant, the then Owner of the Lot or Parcel shall ~~install~~ complete installation of landscaping on all areas of the Lot or Parcel, said installation to be in accordance with plans and specifications first approved by the Design Review Committee. After installation, the Owner of the Lot or Parcel shall, at its expense, maintain said landscaping in accordance with standards and procedures established and approved by the Committee. If any Owner fails to landscape or maintain landscaping in accordance with the ~~foregoing~~ timeframes contained in this paragraph, the Declarant or Association may landscape said area and/or maintain landscaping in said area and collect the cost thereof ~~shall be addressed to~~ from the Owner as an Assessment in accordance with the Declaration of Covenants, Conditions, and Restrictions. *(Updated January 30, 2006)*

It is encouraged that the following landscape maintenance items be done as a minimum requirement:

- Weekly lawn mowing and edging during the growing season. Owner shall cut weeds monthly and remove any debris that may accumulate on the property.
- Fertilization every 60 to 90 days.
- Watering to maintain healthy, viable trees, shrubs, ground cover, and lawns.
- Winter overseeding of Bermuda lawns with rye grasses.

5.10.a Rear Yard Cone of Vision / Dedicated View Corridors

Those lots that require preservation of view corridors will not be permitted to install improvements, plant trees or install other plant material that are taller than 4 feet (i.e., at *maturity*, not with maintenance) within a distance of 15 feet from the rear yard property corner (Exhibit "O", Page 2.38).

APP00398
JA_2046

6.0 DESIGN REVIEW PROCEDURES

6.1 CUSTOM LOT PROCEDURES

6.1.1 Submission of Plans

Plans and specifications shall be submitted to the Design Review Committee in accordance with the following submittal and review procedures.

6.1.2 Review of Plans

The Design Review Committee shall conduct reviews of plans during PreDesign Conferences only. Owners and/or their representatives shall have the right to attend any PreDesign Conferences of the Committee. To assure a thorough and complete review, Schematic and Final plan submittals will be reviewed by the Committee and/or their representatives outside of any Committee meetings. The Committee will respond in writing to a submittal no later than fifteen (15) working days after the review, but no later than thirty (30) working days after a submittal is complete, provided the plans meet the requirements of the Guidelines. Any responses an Owner may wish to make in reference to issues contained in the Committee's written response must be addressed to the Committee in writing. In addition, all approvals as required by the City of Henderson must be obtained after the Design Review Committee-approval and prior to the commencement of construction.

APP00399
JA_2047

6.1.3 PreDesign Conference

After the close of a lot or parcel, and prior to completing a Building design, it is ***mandatory*** that the Owner and/or his professional consultants meet with the Design Review Committee to review the Design Guidelines and Standards and the Owner's proposed design.

At this meeting, the Owner will be expected to outline the project to the Design Review Committee in terms of its land use, Building size (i.e., site plan), Building mass arrangements (i.e., exterior elevations), type of project, materials, and proposed construction schedule. Should the Design Review Committee deem it necessary, subsequent PreDesign Conferences may be required.

Effective April 2004 a non-refundable fee of $1,500.00 for graded lots and $2,500.00 for natural lots, made payable to the *Foothills Partners*, is required ***in advance*** of a Lot Owner's PreDesign Conference.

If a Lot Owner and/or his/her designated representative is unable to attend their PreDesign Conference, they must notify the DRC seventy-two (72) *business* hours in advance of the PreDesign Conference, otherwise a $250.00 Cancellation Fee will be assessed and said fee must be paid **in advance** of rescheduling their PreDesign Conference for another date [effective April 2004].

6.1.4 Forms

The Design Review Committee shall adopt forms upon which all requests for actions or approvals from the Design Review Committee must be submitted. Such forms shall indicate the number of copies in each set of plans, specifications, site plans or other documents, which must accompany the application, and set forth instructions to be followed in submitting applications.

6.1.5 Schematic Plan Review

The Schematic Plan submittal is required to give an indication of the design, character, and extent of the proposed immediate development. The Schematic Plan is to be submitted and approved prior to the Final Plan submittal.

The Schematic Plan must be drawn **to scale** and fully dimensioned. The Owner will be responsible for submitting one (1) set of prints and one (1) set of all drawings reduced to 8½" x 11" format to the Design Review Committee.

The following Site, Improvement, and Building information shall be shown:

Location Map: 8-1/2" x 11" (drawn to scale) showing location of the Lot or Parcel in the Village.

General: Owner's name, address, and telephone number; the name, address, and telephone number of the firm(s) preparing the Plans, the Lot or Parcel designation, the scale and north arrow, the date, the plans were prepared, legal description of gross Lot or Parcel area, and the date, of submission.

The Site or Subdivision Plan:

Scale: Site Plan at not less than 1" = 20'.
Subdivision Plat, when applicable, not less than 1" = 100'.

Survey prepared by a licensed surveyor or civil engineer showing Lot or Parcel boundaries and dimensions, topography on a scale standard in the industry for similar projects and major terrain features. The plan should include 1-foot contours covering the entire lot between the property lines and should include an area 25 feet beyond the rear property line and 15 feet beyond the side property line. If adjacent lots are developed, locations of structures or walls must be shown as well as by using elevations. Any Owner submitting plans for approval to the Design Review Committee shall be responsible for the verification and accuracy of all Lot or parcel dimensions, grade, elevations, and the location of the key features of the natural terrain. Each Owner shall certify to the accuracy thereof before the Design Review Committee will undertake its review.

Existing and proposed grades

Square footage (gross/net) of:
Lot(s)/Parcel(s)
Building(s)
Parking Lot/Drives
Landscape/Open Space Areas

Site coverage ratio (defined as the Building ground contact area divided by the total gross Lot or Parcel area).

Front, Side, and Rear Yard Setback Lines.

Location of all other Improvements, walls, outside storage areas.

Alleys, adjacent Streets with all existing/future Rights-Of-Ways, curb, Property Line.

Driveways.

Total parking provided.

Conceptual grading, drainage, lighting, and utilities plan.

Lot Cross-Sections (reference Exhibit "V" [Page 3.20]—applicable to Hillside Areas Only)

Buildings: Elevations of Buildings from all sides at an appropriate scale sufficient to clearly indicate the design concepts, placement, and massing of buildings. The following Improvement details shall also be provided:

- Gross and net Building square footage.
- Heights of all Improvements.
- Number of levels or floors.
- Windows, doors, balconies, and other structural openings.

APP00403
JA_2051

Case No. 69399 c/w 70478

IN THE SUPREME COURT OF NEVADA

FREDERIC AND BARBARA ROSENBERG LIVING TRUST,
Appellant/Cross-Respondent,

vs.

MACDONALD HIGHLANDS REALTY, LLC, a Nevada Limited Liability Company; MICHAEL DOIRON, an Individual; and FHP VENTURES, a Nevada Limited Partnership,
Respondent/Cross-Appellants.

FREDERIC AND BARBARA ROSENBERG LIVING TRUST,
Appellant,

vs.

SHAHIN SHANE MALEK,
Respondent.

Electronically Filed
Oct 12 2016 01:01 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

from the Eighth Judicial District Court, Clark County
The Honorable KENNETH CORY, District Judge
District Court Case No. District Court Case No. A-13-689113-C

JOINT APPENDIX VOLUME 9

Respectfully submitted by:

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Docket 69399 Document 2016-31818

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1	3	10/24/13	Affidavit of Service - Shahin Shane Malek	JA_0025
1	2	10/24/13	Affidavit of Service - BAC Home Loans Servicing, LP	JA_0022
1	16	1/16/15	Affidavit of Service – Foothill Partners	JA_0114
1	15	1/16/15	Affidavit of Service – Foothills at MacDonald Ranch Master Association	JA_0112
1	14	1/16/15	Affidavit of Service – Paul Bykowski	JA_0110
1	4	10/24/13	Affidavit of Service - Real Properties Management Group, Inc.	JA_0028
1	13	1/12/15	Amended Complaint	JA_0089
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1	6	12/30/13	Bank of America N. A.'s Answer to Plaintiff's Complaint	JA_0034
12	42	7/28/15	Bank of America N.A.'s Answer to First Amended Complaint	JA_2439
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6/7	26	5/4/15	Frederic and Barbara Rosenberg Living Trust's Opposition to Shahin Shane Malek's Motion for Summary Judgment	JA_1215
7	29	5/11/15	Frederic and Barbara Rosenberg Living Trust's Reply to Malek's Opposition to Motion for Summary Judgment	JA_1486
7	27	5/4/15	Frederic and Barbara Rosenberg Living Trust's Response to Malek's Statement of Undisputed Facts	JA_1369
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2.13 SERVICE AREAS

All above-ground garbage and trash containers, clotheslines, mechanical equipment, and other outdoor maintenance and service facilities must be screened by walls, berms, or landscape from other Lots or Parcels, streets, or public spaces.

2.14 GOLF COURSE LOTS OR PARCELS

Golf Course Lots or Parcels may be required to have fences or walls along the Golf Course boundaries if required by the Design Review Committee. All fencing on Golf Course Lots or Parcels along the boundaries adjacent to the Golf Course shall be located, constructed, and maintained in accordance with specifications established by the Design Review Committee for the purpose of preserving and protecting the views of adjoining land from the Golf Course.

These fences shall be low masonry walls with wrought iron fencing, in a combination approved by the Design Review Committee. Owners of Golf Course Lots or Parcels, prior to installing fences or walls, or prior to modifying fences or walls existing on a Golf Course Lot or Parcel, shall obtain written approval regarding the location thereof and any such construction of modification from the Design Review Committee.

Any portion of a Golf Course Lot or Parcel, which is visible from Neighboring Property, shall be kept neat, clean, and free of weed and residue. All Golf Course Lots or Parcels shall be landscaped and maintained in accordance with the rules and regulations established by the Declarant or the Design Review Committee. Such landscaping shall not be modified without prior approval of

the Design Review Committee, which Committee shall determine that such modification will not interfere with the view from Neighboring Property of that Lot or Parcel thus landscaped or of other Golf Course Lots or Parcels.

No temporary storage facilities, storage sheds, or any other temporary or permanent structures may be placed on any Golf course Lots or Parcels so as to be Visible from Neighboring Property or the Golf Course without the prior consent of the Design Review Committee.

2.15 SWIMMING POOLS

Swimming pools should be designed as being visually connected to the residence through walls or courtyards, and screened or separated from the Natural Areas or direct view of the Street or of neighboring properties. They must be constructed according to the City of Henderson Regulations.

2.16 TENNIS COURTS

Tennis courts are not allowed except in certain situations on large Lots or Parcels as approved by the Design Review Committee. Tennis courts should be fenced and sited for minimal visual impact from the street or from neighboring properties. The construction of tennis courts below grade helps to reduce the need for fencing. Lighting from tennis courts will not be permitted to spill onto adjacent property, and no tennis court lighting shall be installed without the approval of the Design Review Committee.

2.17 LOT OR PARCEL RESTRICTIONS

No more than one Residence may be constructed on any Lot or Parcel.

The MacDonald Highlands design guidelines permit one accessory structure per design-accepting lot (i.e., larger lots) provided it complies with design requirements and restrictions per City of Henderson building code. Please be advised that a detached guesthouses, guest suites and/or cabana that includes a kitchen is not permitted in the City of Henderson (City of Henderson Ordinance No. 1295, Section 1.BN.2, adopted March 17, 1992). Any approved accessory structures should be designed as a single visual element, compatible with and complimentary to the design and form of the main residence, and should be visually connected by walls, courtyards, or other major landscape elements. The accessory structure must be contained within the building setbacks, shall be located to respect the views, privacy, and other aspects of adjacent properties, and the use of mature landscaping is encouraged to soften the appearance of these structures. No accessory structure may be leased or rented separately from the main residence. Requests for accessory structures must first be submitted to the Design Review Committee for review and approval, prior to submission to the City of Henderson for plans check and permit issue.

APP00169
JA_1817

2.18 SIGNAGE STANDARDS

2.18.1 Introduction: It is the design intent of the signage for MacDonald Highlands to act as a unifier between the desert, the landscape, and the project's architecture. Signage will be subtle and blend into the site and its natural forms. Overall Site Signage has been designed to accomplish this goal. The Design Review Committee shall review and approve or reject all signage for conformance and appropriateness prior to any fabrication/installation taking place. In addition, all signage shall comply with the minimum standards as established by the City of Henderson sign ordinance and MUTCD and COH standards.

2.18.2 Theme/Materials: The signage concept is an understated, natural look to reflect the quality of the MacDonald Highlands project. The design theme for signage is based on the established architectural character along with the indigenous land forms that make up its natural beauty. Signage will have a horizontal character, blending elements found in the hills, stone, and native desert landscape.

Graphics on the signage will be etched into large stone slabs, which will identify individual streets, provide direction, and locate community amenities. The base of these stone slab signs will be enhanced with boulders, stones, and plantings in a variety of sizes and types to conform to the natural setting. The boulders at the base of the signage will also be useful in screening light fixtures from view. Colors on the signage surfaces will

incorporate the range of sands, tans, ochres, and terra cottas found in the surrounding desert hills.

Graphics will be etched in the stone slabs and colored for visual impact. Coloring of such signage is to be consistent throughout the development.

2.18.3 **Letter Style:** Letter style for all common Overall Site Signage will be established by the Developer and the style, family, and weight shall be consistent throughout the development. Letter spacing is to be adjusted for the various uses to insure proper readability.

Developers will be able to use their own established letter style with the approval of the Design Review Committee. Letter style for Traffic Control Signs will conform to MUTCD standards as directed by the City Traffic Engineer.

2.18.4 **Primary Entry Monumentation:** Integrated into the oasis entrance features, the Primary Entry Monumentation will act as an invitation to the MacDonald Highlands community and set the tone for secondary entry monumentation and subsequent site signage. The entry signage will be a wall capped with a pre-cast "Spanish" cap and constructed of flagstone or a similar material turned on end with the thin edge facing out. Metal letters depicting the MacDonald Highlands logo will be fastened so as to stand out from the stone entry wall.

2.18.5 **Directional Signage:** Signs needed to direct traffic will be single-sided and located in the right-of-way at various intersections.

2.18.6 **Secondary Directional:** Single- or double-sided signs will be used to direct traffic at major intersections and decision points. They may contain resort, residential, and amenity names, and will be located in the right-of-way around the site.

2.18.7 **Street Signs:** In custom residential areas and along Stephanie and MacDonald Ranch Drive, the boulder signage theme, as described in Section 2.18.2 Theme/Materials, shall be placed at each intersection to identify street names.

2.18.8 **Traffic/Regulatory Signs:** Traffic signs maintain and control proper traffic flow throughout the site. Locations, mounting heights, and size specifications will comply with MUTCD standards and are subject to approval of the City Traffic Engineer.

The sign panel will be manufactured of dimensional fabricated metal with front painted per DOT standards and edges stained or painted. The signpost will be fabricated metal that has been stained or painted. Lettering will be retro reflective die-cut vinyl per and meet high intensity type III or better standards per MUTCD.

2.18.9 Temporary Project Development Signs: Single- or double-sided signs identifying MacDonald Highlands, the Developer, Architect, Contractor, and any other pertinent information while the project is under construction will be located at the entrance to MacDonald Highlands at the intersection of MacDonald Ranch Drive and Stephanie Street.

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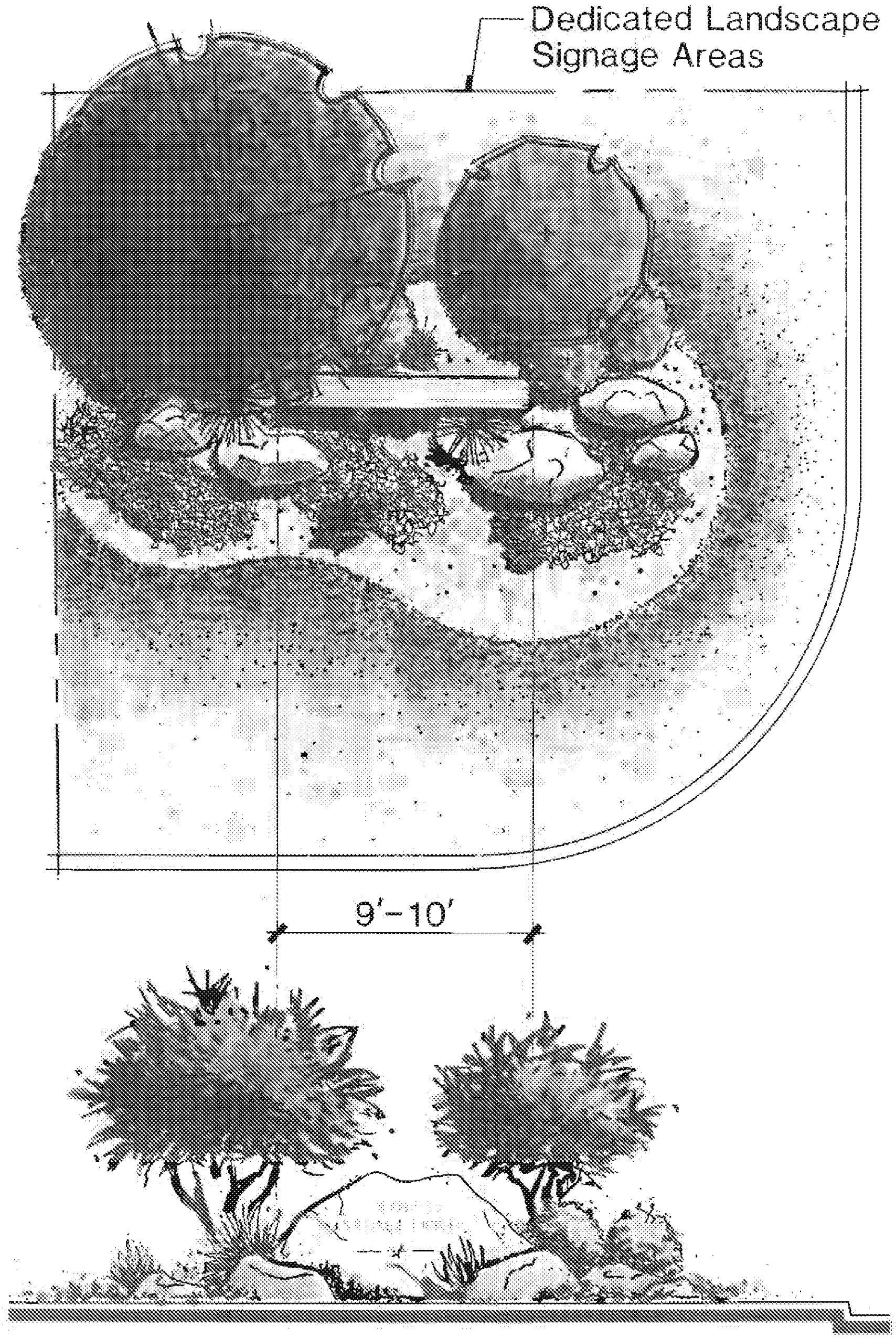
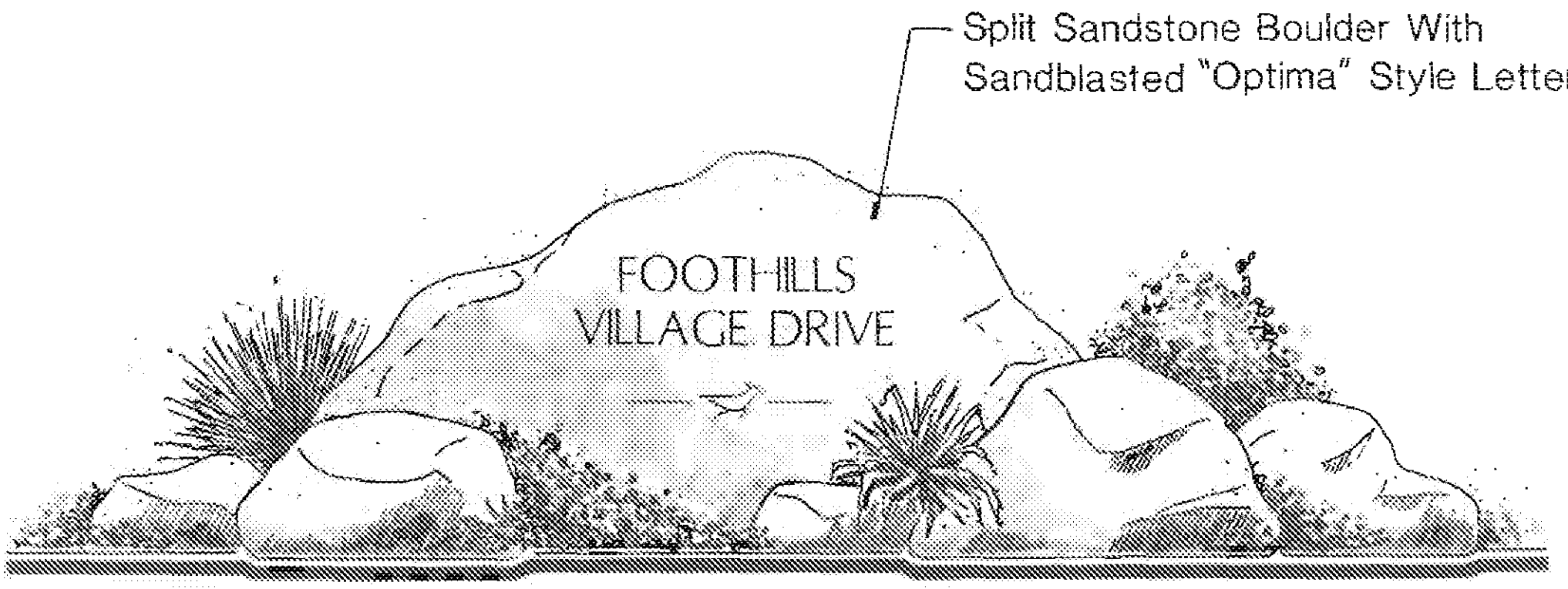
JA_1821



Street Signage at Intersection



Street Signage Detail

3.0 ARCHITECTURE GUIDELINES

3.1 INTRODUCTION & GENERAL PRINCIPLES

3.1.1 Architectural Theme: Desert Elegance Aesthetic

The architectural character of MacDonald Highlands draws from diverse images to create a unique concept for the community. This character is simply titled "Desert Elegance Architecture."

Desert Elegance indicates homes that complement the natural environment of the desert. MacDonald Highlands adds breathtaking city views and challenging sloped home sites to this ideal.

Simple forms and the use of natural materials dominate this form of architecture. These forms provide a tasteful backdrop to the natural desert landscaping surrounding the homes and the community in general. Low hip and flat roofs top the varied massing elements in each residence. Exterior materials such as stone and slate and earth tone colors respond to the hues and textures of the desert.

Shaded courtyards and patios provide a transition between the landscaping and the interior of the homes. Dramatic views are brought to the interior through large, shaded windows.

These concepts come together to create a community in harmony with its desert environment.

3.1.2 Pool & Spa Criteria and Hardscape Setbacks

All recreational pool and spa waterlines must be setback a minimum of five feet (5') from all property lines when visible from common open space and the golf course. If not visible, City of Henderson minimum setbacks shall apply.

Hardscape elements must be setback a minimum of three feet (3') from all property lines when visible from common open space and the golf course. Hardscape elements within side and rear yards on interior/non-visible lots shall conform to City of Henderson setback requirements.

Pool equipment shall be setback a minimum of five feet (5') from all property lines and shall not be mounted to a shared property wall, must not be visible from neighboring properties, streets, or community open space, and must be enclosed by wall with a gate or other suitable screening method.

3.1.3 Walls

The design and use criteria for the different types of walls to be constructed in the MacDonald Highlands community has been addressed in Section 2.10 of these Design Guidelines.

The architectural considerations of the design should be such that they comply with the community's Desert Elegance theme as well as the community concepts of openness and view preservation.

The exteriors of masonry wall sections shall be designed and constructed of natural materials that complement the colors, tones, and textures of the native desert environment.

The designs for the metal components of the view walls shall be ornate, shall convey the Desert Elegance theme, and shall remain open to preserve the views.

3.1.4 Service Areas & Utility Entrance Locations

Service yards are intended primarily for storage of trash, firewood, maintenance tools, etc. Minimum six-foot (6') high masonry walls are required around service yards. Pool, air-conditioning, irrigation, and other mechanical must be located underground or completely screened from view from adjacent lots, streets, or open space areas by a wall at least 12" higher than the equipment being screened within and must be setback a minimum of five feet (5') from all property lines.

Electric meters and panels, gas meters, sub-panels, telephone and television panels, etc. must be as much as possible out of sight when viewed from the golf course, street, or adjacent lots. All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400-amps require a closet, which is to be integrated into the design of the residence. Executive Estate Lots requiring electrical panels in excess of 400-amps require prior Nevada Power Company written approval to ensure electrical needs for the residence are attainable. Said approval shall be included as part of the schematic plan submittal package.

The interior of enclosed service yards must not be visible from the street, golf course, or adjacent properties.

3.1.5 Easements

Public utility easements and drainage easements are generally located along front, side, and rear lot lines. Areas reserved for such easements are specified and identified on the recorded map for the parcel or subdivision. This area has been established as an easement area for utilities, but it is the responsibility of the owner to landscape and maintain this easement area.

Each lot is served with underground electricity, gas, TV cable, and telephone. This location of these utilities within the easement should be confirmed in the field when a topographic survey of the lot is done.

Nevada State Law requires that prior to any construction all utilities must be located and marked. It is the responsibility of the property owner and contractor to make sure all utility companies have been notified so they can provide the required utility locations. A free service is provided to accomplish the required notifications to the utility companies. This service can be contacted by calling 1-800-227-2600 "Call Before You Dig."

All utility company pull boxes, transformers, etc. have been set within the easement in a manner that will accommodate future planting and grading to diminish their visual impact. They shall be leveled and graded around to provide positive drainage.

3.1.6 Exterior Elevations

The design elements of a customhouse shall be compatible and complimentary to each other, and must be sympathetic to the desert environment. Exterior treatments shall be consistently detailed around the entire house.

3.2 DESIGN CRITERIA - CUSTOM HOMES

[Planning Areas 1-Phase I, 3, 4, 5A (Highlands I), 5B, 5C (Highlands II), 6, 7, 8A, 10, 12, 15, 16, 18, 26, Palisades Unit I & Palisades Unit II]

Introduction

The goal for developing the architectural theme of MacDonald Highlands is to project a harmonious image and a distinctive identity. This should be achieved not by dictating a particular style but encourage a blending of styles emphasizing simple, strong masses and forms.

The purpose of these Architectural Standards is to provide guidance for the Lot Owner and architect. The maintenance of high architectural standards protects and enhances real estate values at MacDonald Highlands. The restriction of unsightly construction also helps to ensure that the image of a prestigious community is maintained. All proposed construction shall comply with the following general criteria:

- Is the residence compatible with a prestigious, high-quality image?
- Will the proposed residence maintain the character of the community?
- Does the residence seem appropriate to the concept of the community?

MacDonald Highlands is planned as one of the premier luxury communities in the United States. The community's incomparable setting, featuring majestic and rugged topography with expansive golf course amenities, and proximity to one of the country's most unique destination resorts, require an unparalleled unity and excellence in design, architecture, and landscape.

MacDonald Highlands has created a uniquely strong architectural image. The Design Review Committee's purpose is to ensure that the entire project is developed as originally envisioned. The Design Guidelines are intended to supplement existing City and County ordinances. The objectives of the Design Guidelines are to encourage and foster careful design so there is harmony between the homes, their sites, and the golf course, desert environment, and overall image. Emphasis is placed on utilizing the Owner's property to its fullest potential within the Design Guidelines. To accomplish these objectives, the following considerations must be understood and accepted:

- The design, review, and processing of each residence will be subject to direction and approval of the Design Review Committee. The review and approval process and Design Guidelines will ensure continuing high quality and compatibility of design within the custom lots and overall framework.

- The Design Review Committee and Design Guidelines are intended to enforce reasonable controls concerning various aesthetic considerations for MacDonald Highlands. These controls are not meant to duplicate or supersede the functions normally provided by public agencies, but rather to coordinate and direct the design and construction of the custom lots with different architects, landscape architects, engineers, contractors, and their owners, so as to achieve a pattern of quality and outstanding character.

The forms and materials should provide a response to the need to provide shelter from the sun with large overhangs to shade windows, mixed colors for reflection and blending, and covered porches to provide shaded outdoor areas.

It is the intent of these Design Guidelines to establish a consistent architectural theme for MacDonald Highlands, while allowing for flexibility of design expression.

To be part of the planned community of MacDonald Highlands, it is necessary for the residence to conform to certain general planning standards, which are as follows:

- All custom homes in MacDonald Highlands must be designed by professionals licensed in the State of Nevada (i.e., a licensed architect, licensed residential designer or licensed contractor with draftsman employees); Owner/Builders are no longer allowed.

- All residences must be well-constructed of quality materials. Additions must be consistent in design and quality with the original structure.

3.3 SITE PLANNING CRITERIA – CUSTOM HOMES [Planning Areas 1-Phase I, 3, 4, 5A (Highlands I), 5B, 5C (Highlands II), 6, 7, 8A, 10, 12, 15, 16, 18, 26, Palisades Unit I & Palisades Unit II]

Introduction

The natural topography, vegetation and setting of MacDonald Highlands create a unique environment, which requires careful attention throughout the site design and development process. The integrated design of site and residence is crucial to ensure that the dwelling blends harmoniously into the surrounding desert landscape. The design must fully analyze the unique physical characteristics of the lot, including topography, slope, view, drainage, vegetation, and access.

The desert landscape is a fragile environment, and may take many years to naturally recover from the impacts of disturbances related to site development. In order to minimize these impacts, MacDonald Highlands along with the City of Henderson, have developed the criteria within this Supplemental Design Guidelines manual to protect the natural desert character of the community.

3.3.1 Building Envelope

The Building Envelope is the portion of the lot, exclusive of any setbacks, easements or other encumbrances, upon which lot improvements may be located. All lot improvements, including residential structures, accessory buildings, outside patios and terraces, tennis courts, swimming pools, and other site elements, must be designed within the Building Envelope.

A maximum Building Envelope has been established for each custom lot to foster creative solutions to the massing of building components and to ensure the preservation of views from each residence in MacDonald Highlands. The Building Envelope is based upon the minimum setbacks as outlined in Table 3.9, and the building height limit as described in Section 3.4.

It is not intended that the design of the residence completely fill the Building Envelope. Although the shape and location of the Building Envelope are intended to be somewhat flexible, only the Design Review Committee can make modifications to the Building Envelope only if the modifications do not result in a significant adverse impact upon the natural features of the lot, adjacent lots or the MacDonald Highlands community as a whole. Designs, which in the opinion of the Design Review Committee overwhelm the Building Envelope, will be considered inconsistent with the philosophy of MacDonald Highlands and will not be approved.

3.3.1.a Combined Lots

If an Owner owns two contiguous Lots and wants to combine the two Lots into a single homesite, the Owner may do so only with the prior consent of the DRC and only if the change, in the DRC's opinion, does not materially impair views and/or privacy from neighboring Lots or Common Areas. When considering combining Lots, the Owner must recognize that combining two Lots or Building Envelopes may be beneficial, as it could provide more Open Space between adjacent Lots and improve view corridors; it may also have an adverse impact on the views and privacy of other nearby Lots or Common Areas, and should be reviewed carefully by the DRC. An Owner may apply for a variance on a front yard setback based on specific Lot configurations subject to DRC approval. The Owner or his representative is urged to submit a proposed revised Building Envelope for Combined Lots as early in the design process as is reasonable prior to preliminary submittal. Specific focus will be placed on, but not limited to the following:

SITE PLANNING CRITERIA – CUSTOM HOMES

MINIMUM SETBACKS*

	LOT SIZE	FRONT	SIDE	REAR
Compound Estate: Planning Area 13	1-3 Acres	25'	15'	35'
Manor Estate: Planning Areas: 5B and 12	1 Ac.	25'	15'	35'
Manor Estate: Lot 3-PA5B	1 Ac.	50'	15'	35'
Manor Estate: Planning Area 10	1/2 to 1 Ac.	25'	15'	35'
Hillside Estate: Planning Areas: 6, 7, 18, 26, Palisades Units I and II	1/2 Ac.	25'	15'	30'
Golf Estate: Planning Areas: 1-Phase 1, 8A, 15/16	1/2 Ac.	25'	15'	30' **
Executive Estate: Planning Areas: 3, 5A and 5C (Highlands Units I and II)	1/3 Ac.	25'	10' Corner Side One-Story: 15' Corner Side Two-Story: 20'	30' **

* Accessory structures provided on interior lots must be setback a minimum of five feet (5') from all property lines. While accessory structures provided on lots along the golf course and/or common open space must be setback a minimum of ten feet (10') from all property lines, except for storage structures, which shall not be allowed along the golf course, common open space and hillside areas.

** Single-story elements, including but not limited to patios, sundecks and "open" balconies may encroach 10'-0" maximum into the rear setback on Executive and Golf Estates, however, must comply with minimum side setbacks.

- Adjustments in Building Envelope
- Preservation of view corridors
- Building height restrictions
- Architectural massing

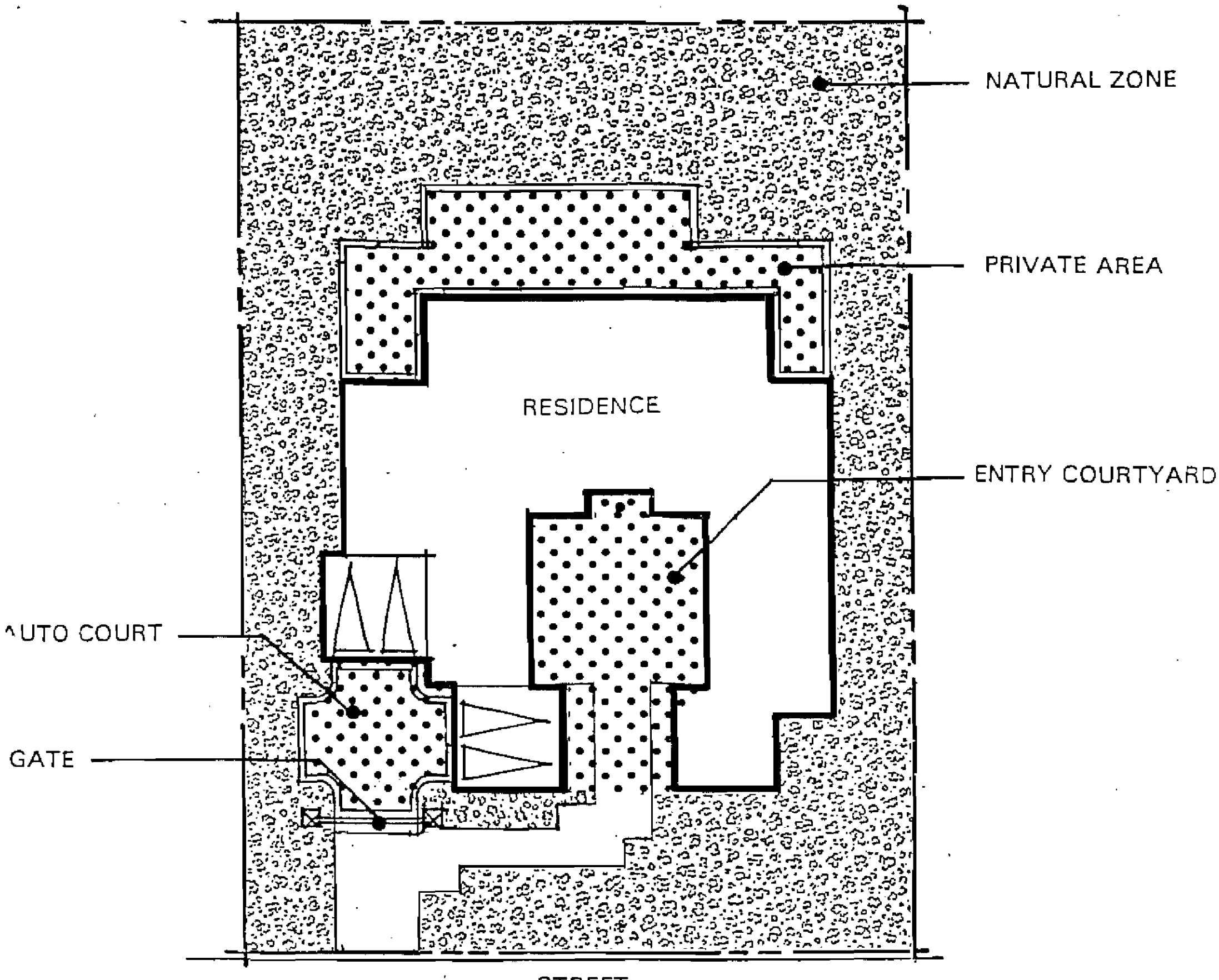
The plat for a newly configured single Lot must be approved by the City of Henderson, Nevada and must be recorded. All expenses associated with recording the new Lot and pursuing any required governmental approvals are the responsibility of the Owner.

3.3.2 Natural Area

The natural area is the portion of the lot that lies outside of the Building Envelope, and must remain in its natural desert condition. Additional plant material may be added in the Natural Area subject to approval by the Design Review Committee. If approved, only plants indigenous to the general area of development may be used, and the density and mix should approximate that of the surrounding desert landscape. Irrigation of the Natural Area is not permitted since the indigenous vegetation does not require additional water. Irrigation of the Natural Area can lead to disease and demise of the native plants, and contribute to the spread of undesirable plant species or weeds.

Lot Owners in Planning Area 7 and Planning Area 5B shall be required to prepare a legal description of Natural Area that cannot be amended without Design Review Committee approval.

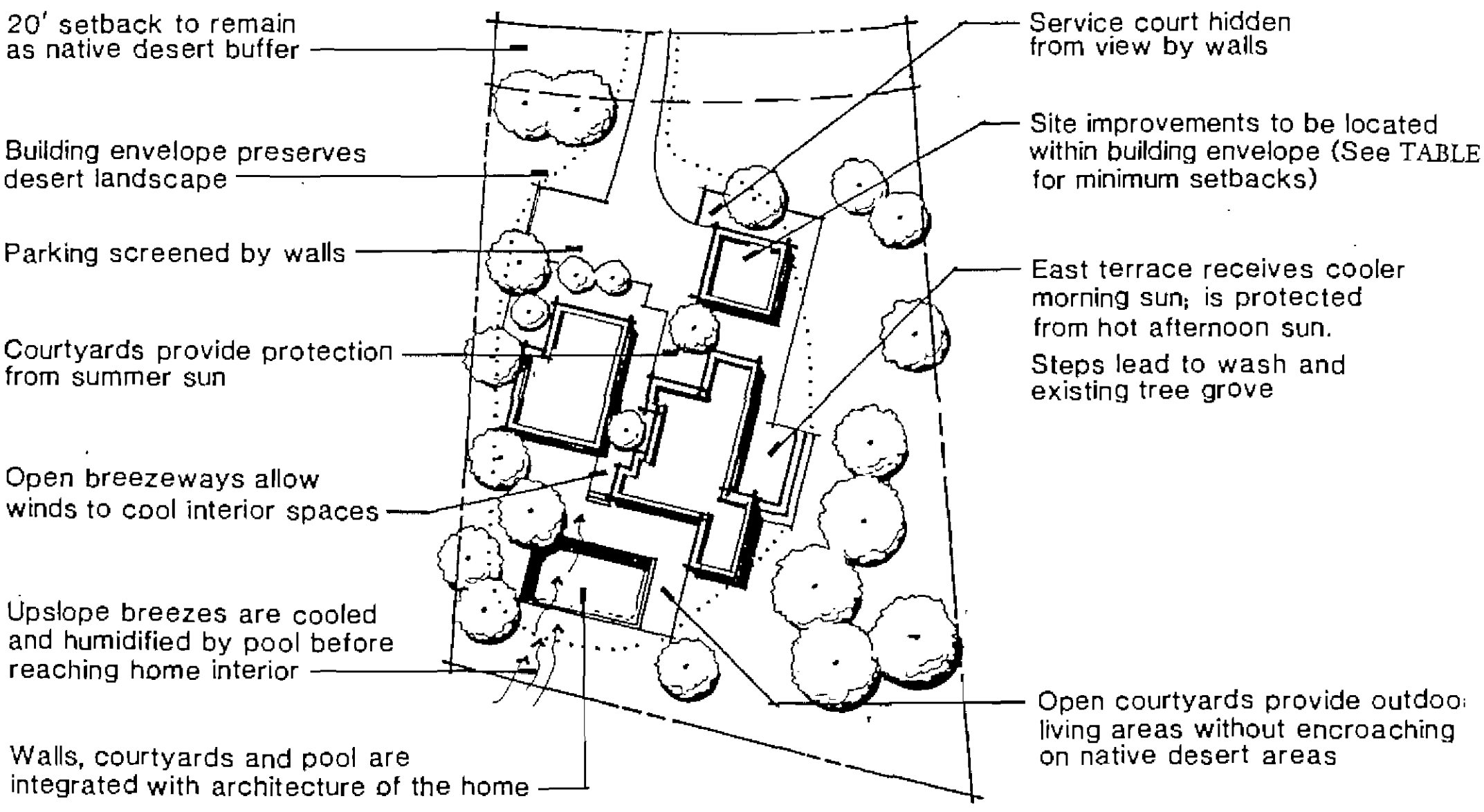
Any slope area adjacent to the golf course and not a part of the area of home development or construction shall be landscaped as a "Natural Desert Zone" or "Natural Area".



Note: The exact location of the Natural Area may vary from lot to lot, based in part upon topography and specific site conditions.

CUSTOM HOMES – NATURAL AREA

Exhibit "R"



RESIDENTIAL ILLUSTRATIVE SITE PLAN

Exhibit "S"

3.3.3 Private Area

The Private Area is the portion of the Building Envelope that has limited visibility from neighboring properties because it is screened from view by plant materials, walls or other structures. The Private Area is the least restrictive in terms of plant selection, and may include any plant material listed on the Approved Plant List, or subject to Design Review Committee approval, any other plant material not included on the Prohibited Plant List.

3.3.4 Building Orientation

The custom lot areas within MacDonald Highlands have been designed to provide a sense of exclusivity to each of the neighborhoods. This exclusivity is further achieved through the ample sizing of individual lots to enable the creation of a pleasant neighborhood character with an emphasis on one-story homes and significant space between residences. The siting of individual structures on the lot should consider the following three primary factors: 1) Solar Orientation; 2) View Orientation; and 3) Relationship to adjacent lots and the overall community. The Design Review Committee will consider each lot independently, and will give extensive consideration to view corridors, impacts on adjacent homes, solar orientation, drainage patterns, impacts to existing site conditions, and driveway access.

3.3.4.a Solar Orientation: The desert climate is characterized by extreme conditions ranging from intense heat in the summer to very cold temperatures in winter. Passive solar design techniques are encouraged in order to minimize summer heat gain while maximizing heat gain during winter months. The placement of windows is of particular importance in relationship to solar orientation. Windows with direct sun exposure should

be shielded by covered patios, wide overhangs, shade structures, tinted glass or other similar devices, to minimize the effects of the sun.

The use of solar panels, hot water storage systems, or other similar devices shall not be visible from any street or community open space, and are subject to approval by the Design Review Committee.

3.3.4.b **View Orientation:** The hillside character of MacDonald Highlands provides spectacular view opportunities for most of the lots throughout the community. The orientation of the residence's major rooms, patios and terraces should be designed to take advantage of these dramatic views. The use of large picture windows and corner glass are especially effective in capturing the views offered by the site, and are characteristic of the Desert Elegance style of architecture.

With the golf course orientation of MacDonald Highlands, there is an inherent risk that golf balls and the play of golf may impact lots or residences with golf course frontage. The Design Review Committee strongly recommends that, during the planning of site improvements on your lot, careful consideration be given to the possibility of errant golf balls, particularly regarding the orientation of windows or other breakable surfaces of the dwelling. Netting, screens, excessive landscaping, fences or large blank walls will not be allowed. Evaluation of the proper siting, orientation, massing and setbacks should provide for maximum golf or view orientation with minimal adverse impact from the play of golf. Design consideration should also be given to the noise generated by golfers, golf carts and maintenance vehicles.

3.3.4.c Relationship To Adjacent Lots & The Overall Community: Residential structures should be designed to blend into the overall character of the desert environment as much as possible, minimizing any negative visual impact from surrounding areas. The design of individual homes should carefully consider the scale, proportion, and massing of building elements to ensure the resulting structure is compatible with the overall philosophy of MacDonald Highlands.

It is the intent of these guidelines to ensure that not only are the architectural designs consistent with community standards but that each new home compliments and enhances those homes that already exist. An important aspect of the MacDonald Highlands philosophy is the goal of having the home fit within the existing terrain and not reconfigured the terrain to fit within the home. Careful consideration of the surrounding site conditions should be designed as an integral element of the lot's development. Therefore, the Design Review Committee will require all Lot Owners to provide the Design Review Committee with lot cross-sections as shown in Exhibit "V". In addition to presenting the proposed elevations of the home, the cross-section must depict the proposed contours carried out to the lot lines.

Furthermore, if adjacent lots have existing homes, the Lot Owner is to show the existing homes and its elevation in relation to his/her proposed design. Elevation data from adjacent lots will be made available to the Lot Owner by the Design Review Committee upon request. Cross-sections are to be included in the Schematic Plan Review Submittal.

The building setbacks specified in Table 3.9 are minimum requirements. It is strongly encouraged for the design of individual homes to incorporate additional setbacks, where appropriate, to further enhance the character of the neighborhood and to increase the distance between residences on adjacent lots. The use of additional setbacks may be applied to certain lots to ensure specific siting issues are appropriately considered.

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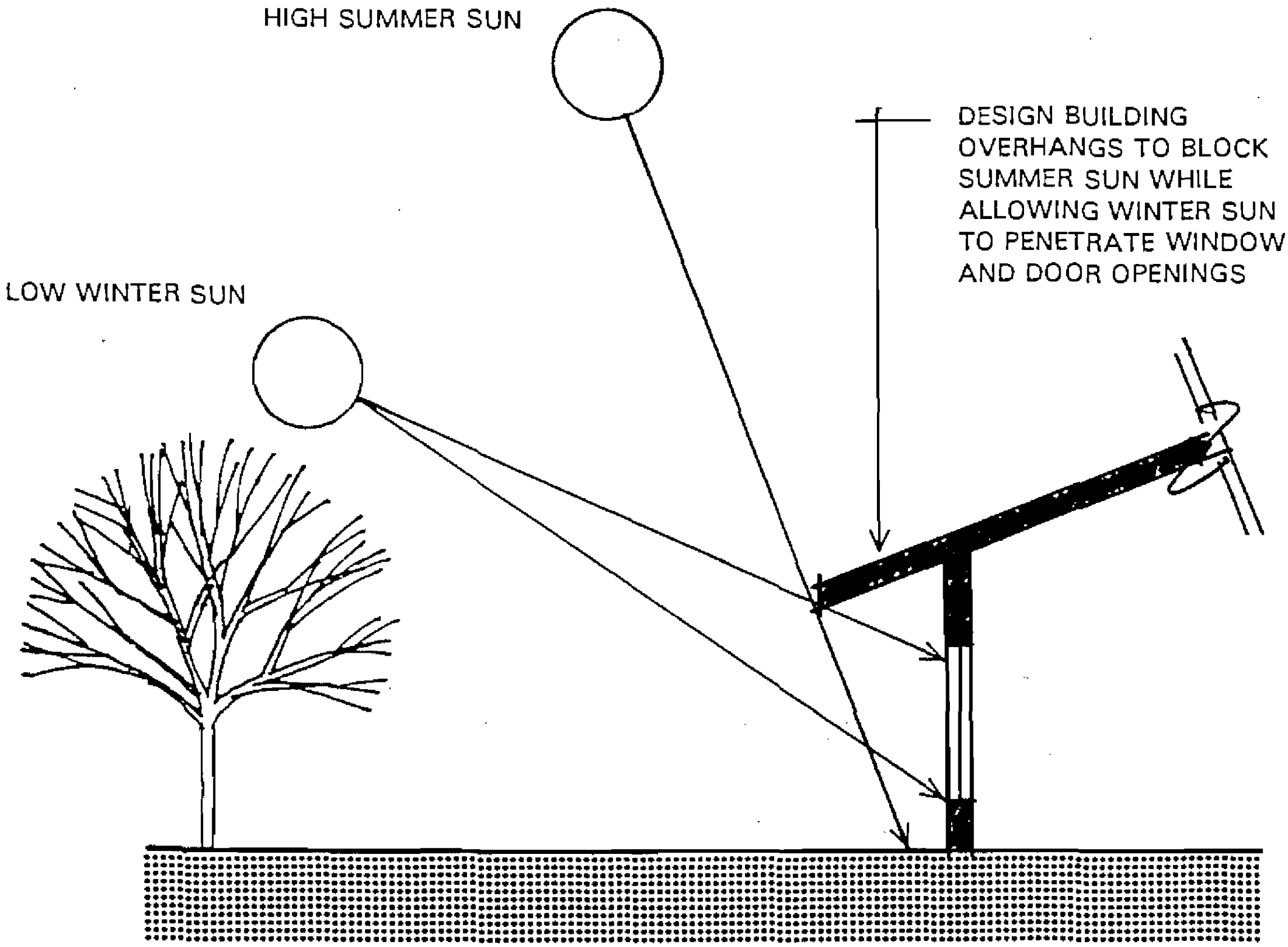
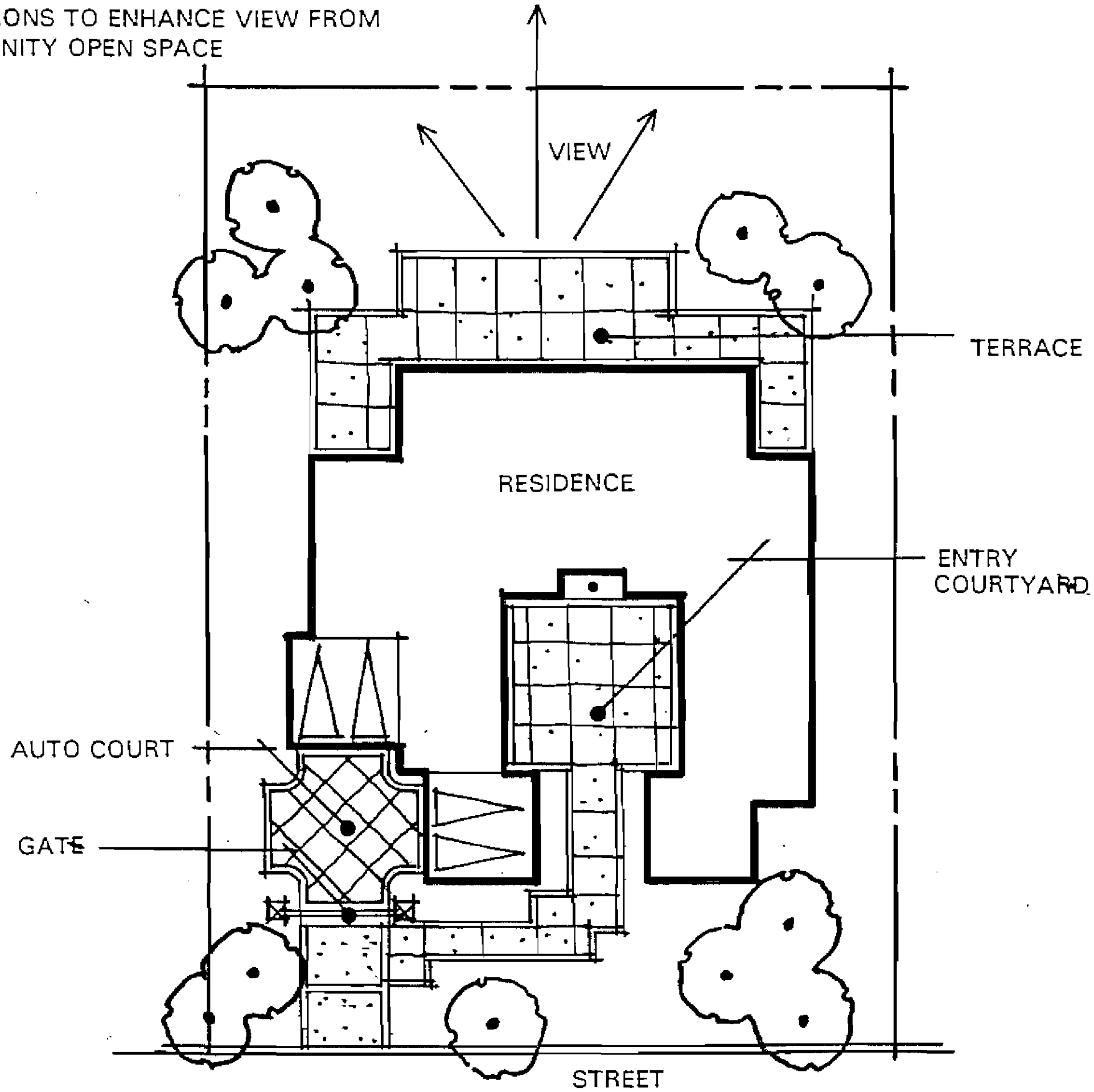


CUSTOM HOMES – SOLAR ORIENTATION Exhibit "T"

ORIENT LIVING SPACES TO DOMINANT VIEW

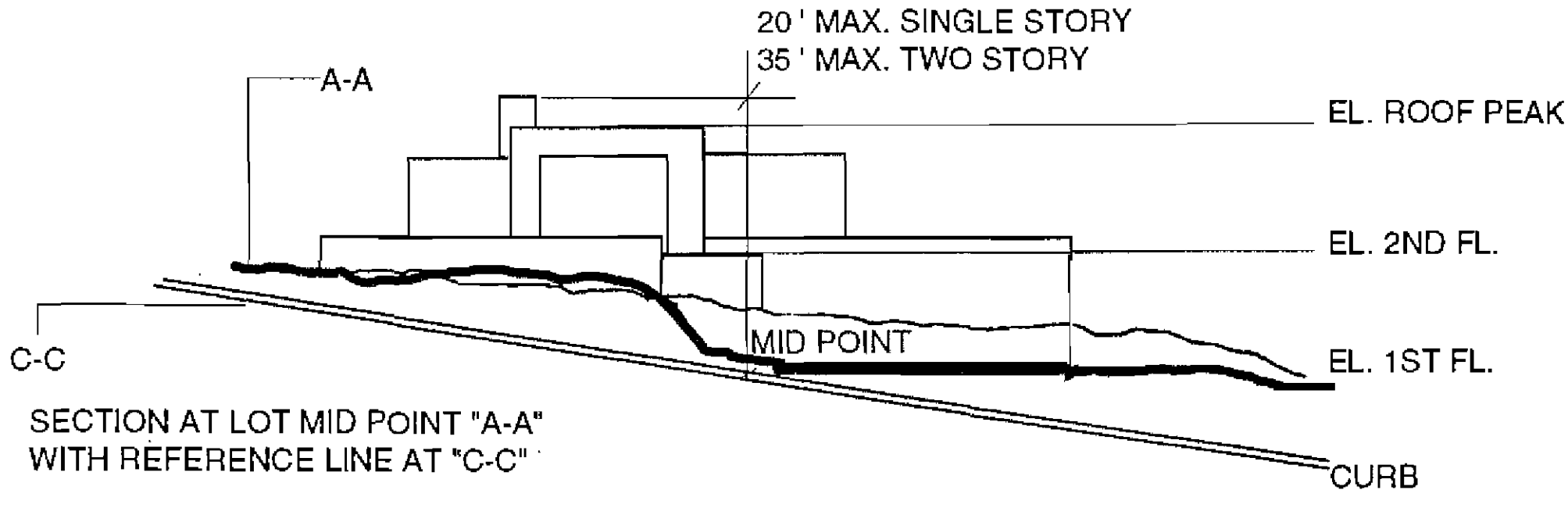
ARTICULATE REAR BUILDING FACADES AND ELEVATIONS TO ENHANCE VIEW FROM COMMUNITY OPEN SPACE



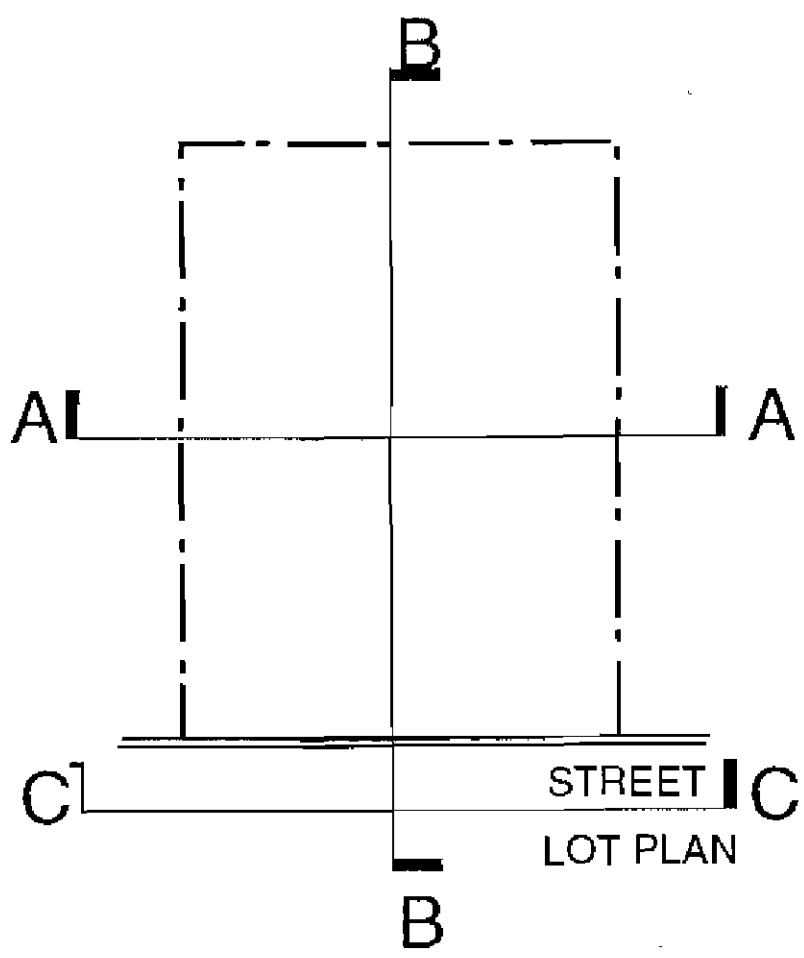
CUSTOM HOME – VIEW ORIENTATION Exhibit "U"

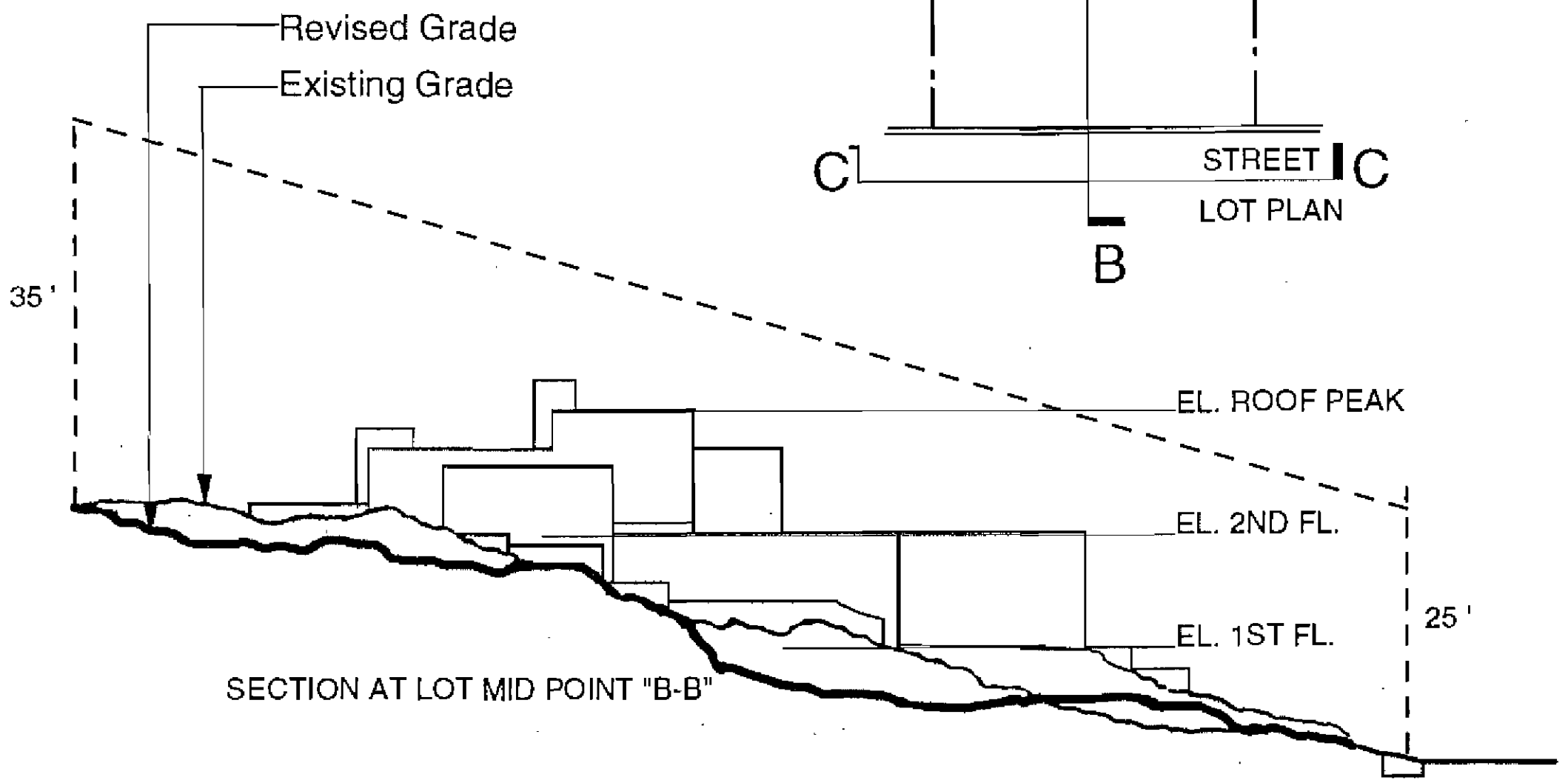
MacDonald Highlands
Required Lot Cross Sections

Hillside Planning Areas Only



SECTION AT LOT MID POINT "A-A"
WITH REFERENCE LINE AT "C-C"





SECTION AT LOT MID POINT "B-B"

CUSTOM HOME - LOT CROSS-SECTIONS

3.3.5 Driveway And Parking Criteria

3.3.5.a Driveway Location: Driveways should be located in a manner that minimizes their visual impact on significant natural features of the lot, such as vegetation, washes or drainage ways. Driveways should also be located such that there is no interference with drainage in the street right of way. Each custom lot may have up to two driveway entrances as further described below.

3.3.5.b Maximum Width Of Driveways:

- Single-car garage driveways must not exceed 15' in width at the curb.
- Two-car garage driveways may not exceed 20' in width at the curb.
- Three-car garage driveways (i.e., 2-car + 1-car) may not exceed 30' in width at the curb.
- Three-car garage driveways (i.e., 3-individual garage doors) may not exceed 35' in width at the curb, provided landscape pockets along each of the garage bay offsets are offered.
- Dual-entry driveways (a.k.a. circular or carriage driveways) may not exceed 20' in width at the curb *per entrance*. Also a 36' minimum separation, as measured from centerline to centerline, is required on all dual entry driveways.

Adjustments to any and all driveway conditions may be considered on a case-by-case basis at the sole discretion of the Design Review Committee.

3.3.5.c Minimum Length of Driveways: The minimum length of a driveway as measured from the property line to the face of the garage is 25'.

3.3.5.d Driveway Setbacks from Side Property Lines: Driveways and parking areas within the front yard setback must be a minimum of 2' from the side property line.

3.3.5.e Driveway Materials: All driveways are required to be patterned concrete, stone, brick, Bomanite, or other similar textured paving materials. The color of driveway materials must be compatible with the guidelines outlined in Section 3.4.5. Ordinary concrete without color or textural embellishment will not be allowed.

3.3.5.f Garage Placement: It is encouraged for garage doors to be out of view from streets or other public spaces. This can be accomplished by the creation of auto courts and side entry garages, or the screening of garage doors through the use of screen walls and other landscape material.

3.3.5.g Parking Spaces Required: Each custom residence must provide at least five off-street parking spaces. A minimum of two of these spaces must be in an enclosed garage, either attached or detached from the main residence. Carports are not permitted, except where enclosed on three sides and made an integral part of the structure. On-street parking is limited to visitors and guests only. Due to City of Henderson Fire Code, on-street parking is limited to one side of the street only. The approved street parking for visitors and guests will be limited to the southside and the eastside of the street

only *(per MacDonald Highlands Master Association Rules and Regulations adopted July 10, 2002).* Views of guest parking areas from adjacent lots, streets, or public spaces must be minimized by depressing them, using screen walls, or landscaping or a combination of these. *Screen walls* should be a maximum 6'-high (per City of Henderson requirements). Landscape berms may also be used, however, their slope and contour must blend naturally into the surrounding landscape. No exterior storage of recreational vehicles or boats will be permitted.

3.3.5.h Repair of Damages: It shall be the lot owner's responsibility to repair existing streets, curbs, sidewalks, utilities, neighboring lots, or other existing elements, which may be damaged as a result of construction activity on the owner's lot.

3.3.6 Site Amenity Standards

3.3.6.a Accessory Structures: All accessory structures, such as gazebos or trellis structures, are to be reviewed and approved by the Design Review Committee prior to construction.

Accessory structures provided on interior lots (i.e., fully-enclosed/non-visible lots) must be setback a minimum of five feet (5') from all property lines. While accessory structures provided on lots along the golf course and/or common open space must be setback a minimum of ten feet (10') from all property lines, except for storage structures, which shall not be allowed along the golf course, common open space and hillside areas.

The height of an accessory structure will be reviewed by the DRC on a case-by-case basis as it impacts neighboring properties, the golf course and common open space.

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3.3.6.b Swimming Pools: Swimming pools should be designed to visually connect with the residence through the use of walls or courtyards, and must be screened from direct view of the street, natural areas, or neighboring properties. They must be constructed according to the City of Henderson Regulations and other applicable regulations, including required fence and enclosure heights. Doors and gates leading to swimming pools and spas must meet the City of Henderson safety and closure regulations including doors that open directly from the residence to any pool or spa area.

Pool backwash or pool draining is not allowed to be disposed of in the sanitary sewer system, nor due to environmental concerns, is it allowed to be disposed of into a wash or other natural drainage area. It is recommended that a dry well be constructed to allow for disposing of pools backwash and draining. Any applicable City of Henderson regulations governing disposal of pool water must be followed.

All recreational pool and spa waterlines must be setback a minimum of five feet (5') from all property lines when visible from common open space and the golf course. If not visible, City of Henderson minimum setbacks shall apply.

Hardscape elements must be setback a minimum of three feet (3') from all property lines when visible from common open space and the golf course. Hardscape elements within side and rear yards on interior/non-visible lots shall conform to City of Henderson setback requirements.

Pool equipment shall be setback a minimum of five feet (5') from all property lines and shall not be mounted to a shared property wall, must not be visible from neighboring properties, streets, or community open space, and must be enclosed by wall with a gate or other suitable screening method.

The color of exposed tile on a negative edge pool must blend with the surrounding landscaping and/or site features. No light or bright tile colors will be permitted.

Diving boards and slides may be permitted only by Design Review Committee review and approval. Swimming pools and spas added to a residence after plan approval must be submitted to the Design Review Committee or MacDonald Highlands Master Association, as applicable, for review and approval, prior to installation.

3.3.6.c **Tennis Courts:** when approved by the Design Review Committee, must have a minimum 10' setback from all property lines to allow adequate landscape screening. Tennis courts desired on a golf course Lot must be constructed a minimum of 6' below grade (i.e., sunken) and the community-designed view fence or view wall must be constructed along the rear property line. When depressed, a lesser setback may be considered by the Design Review Committee depending upon the placement of the tennis court on the Lot and its impact on neighboring properties and common open space.

Mesh-coated chain link fencing may be considered by the Design Review Committee on a case-by-case basis, however, where approved, must be compatible with the

community iron color, "Foothills Mahogany" [Exhibit "L"].

Tennis court lighting may also be considered by the Design Review Committee on a case-by-case basis, provided a detailed lighting plan and manufacturer information for the proposed light fixtures are provided to the Design Review Committee for proper consideration. Lighting, where approved by the Design Review Committee, shall be located, directed and shielded so that light rays and glare do not extend beyond the lot boundaries.

3.3.6.d **Sports Courts:** The location of all hard and soft surfaced dimensioned sport courts, such as basketball, racquetball, volleyball, etc. are subject to review and approval by the Design Review Committee. All such courts must have a minimum of a 10' setback from property walls to allow for light fixture placement and landscape screening. Lighting, if installed, shall be located, directed and shielded so that light rays and glare do not extend beyond the lot boundaries.

3.3.6.e **Exterior Recreational, Play Equipment and Pool Slides:** All exterior recreational or play equipment such as swing sets, slides, play structures, jungle gyms, pool slides and other similar equipment must meet the intent and requirements of all sections of the Design Guidelines, including color. This type of equipment or structures should be located in the least visible portions of the lot and must not be visible from the golf course. In addition, such equipment or structures should be screened from view from adjacent lots through the use of mature landscaping or other screening devices. The

height of this type of equipment is limited to maximum of 8'-0" above finished grade. Due to the fragile nature of the desert environment, tree houses or other play structures attached to plant materials will not be allowed. All exterior recreational or play equipment requires specific approval of the Design Review Committee prior to installation.

3.3.6.f **Basketball Hoops:** Basketball hoops and backboards may be installed at any residence subject to prior approval by the Design Review Committee, and may be subject to stipulations imposed by the Design Review Committee based on specific review of the request. The basketball hoop and backboard must be removed when no longer utilized. The intent is to locate a basketball hoop and backboard in the least visible area and away from view from the street, golf course, or other public areas. Basketball hoops and backboards are not allowed in yards facing the street, nor on the face of a building that faces the street.

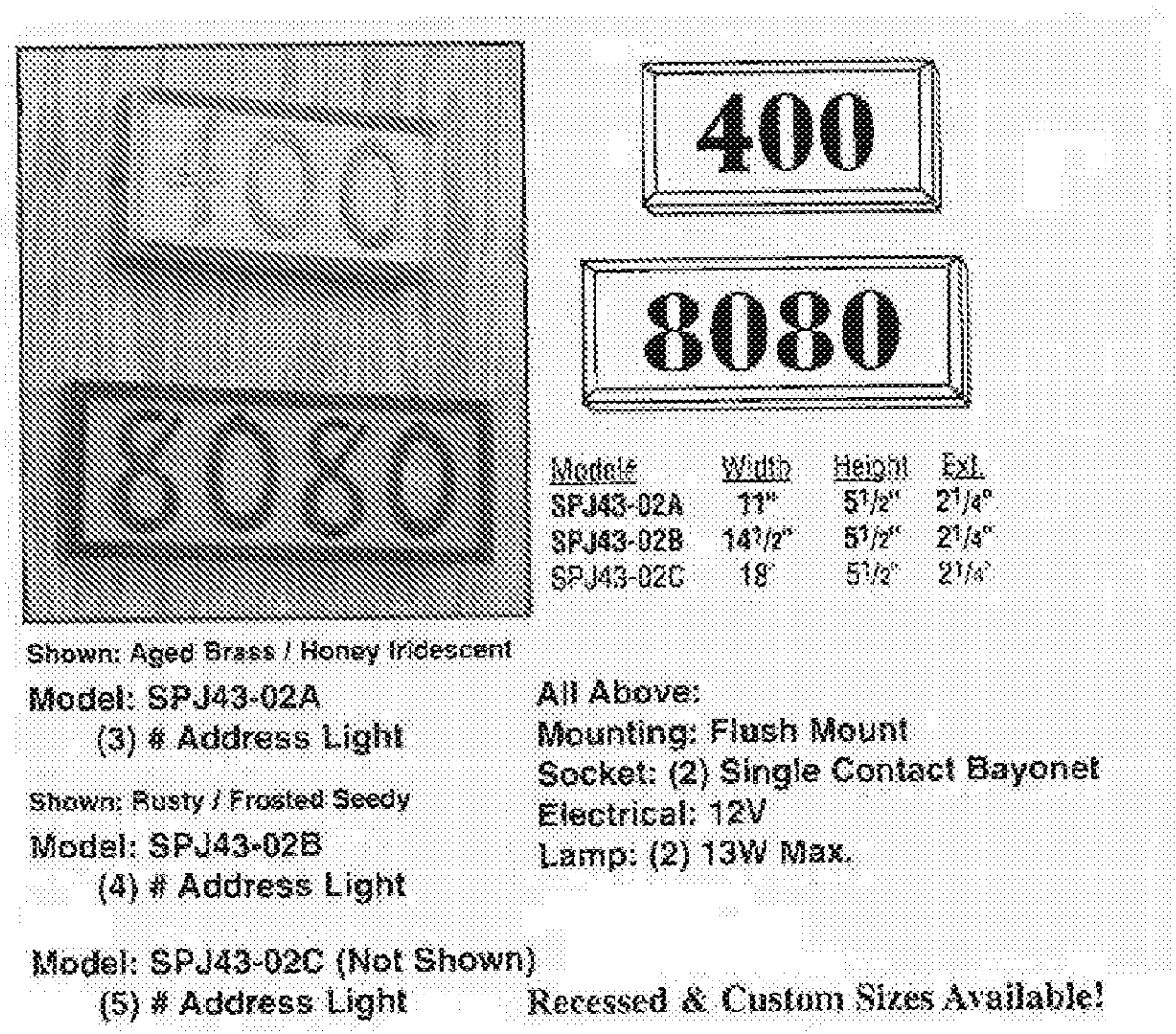
Backboards mounted on a building must be clear or painted to match the adjoining residence, and the top of the backboard must be below the top of the parapet of the wall on which it is mounted. No backboards are allowed on a pitched roof. Backboards mounted on a pole must be either clear, painted to match the house, or painted a flat verde green, or whatever color "blends in" in the opinion of the DRC. The pole or support shall be removable and must be painted the community paint color, "Foothills Mahogany" [Exhibit "L"].

The Design Review Committee may require additional mature landscaping to screen any basketball hoops and backboards from adjacent lots, streets and public areas. Although the general guidelines of this section may be

met by a proposed application, the Design Review Committee reserves the right to deny the request for a basketball hoop and backboard if, in its sole discretion, it determines that a negative impact would result.

3.3.6.g **Address Identification:** In an effort to provide consistency within MacDonald Highlands while conforming to its design philosophy, a distinct address identification device has been selected for the community. This devise was chosen because it offers numerous options for glass and designer finishes, allowing flexibility to the Lot Owner to best match the design, materials and colors of his/her residence.

The specified address identification device is as follows:



SPJ Lighting, Inc.
Address Light Model #SPJ43-02
available through Nevada Sales Agency, Las Vegas
(702) 270-4181 Phone (702) 270-4196 FAX

Individual address identification devices for each approved residence shall be installed by the homeowner and such devices should be compatible in design, materials and colors with the residence.

No additional signage detached from the residence will be permitted. The Design Review Committee may require installation of uniform address identification devices for all lots, including lots with previously constructed identification devices.

3.3.6.h Exterior Lighting: The goal of MacDonald Highlands, to preserve the visual character of the desert environment, extends to nighttime as well as daytime conditions. In order to preserve the dramatic views of the city lights and the night sky, which tend to be obscured by excessive local lighting, the following guidelines have been established for residential site lighting. Site lighting is defined as lighting mounted to the any exterior surface of the residence, ground, trees, site walls, fences or any other site feature for the purpose of providing security, decorative accent or functional lighting to outdoor spaces.

All requests for exterior lighting, including landscape lighting, ***MUST*** be submitted to and approved by the Design Review Committee *prior to installation*. Below please find particular design requirements pertaining to site lighting:

- Site lighting located on the side of the residence facing the golf course is strongly discouraged. "Footlights" that are directed down and other down light fixtures that are mounted close to the ground

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with minimal light output are best suited for this side of the residence.

- Subtle, low-level lighting of landscape areas is encouraged. Landscape lighting, however, shall not intrude or produce a glare onto adjacent lots, lots across the street, or onto any public space. Landscape lighting must be directed downward onto vegetation or prominent site features, and may not be used to light walls or building elements. All lighting must be directed toward the interior of the lot upon which it is located.

- Building mounted lighting must be directed downward away from adjacent lots, streets, and community open spaces, and may not be used to light walls or building elements for decorative purposes.

- All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from neighboring property; no bare lamps will be permitted.

- Recessed and soffit lighting in *entries, above garage door bays, and on patios and covered balconies* shall have a maximum wattage of 75 watts and the lamp must be recessed a minimum of 3" into the ceiling. Recessed lamps must also have a minimum 5' separation between fixtures.

- Lights in *exterior soffits and eaves* are not allowed, as they are not appropriate in the development of hillsides.

- Only incandescent lamps with a maximum wattage of 75 watts will be allowed for exterior lighting unless specific approval is received from the Design Review Committee. Low voltage lighting is recommended, since these fixtures are typically small and can be easily concealed within the vegetation. Colored lights will not be allowed for exterior lighting.

- No lighting will be permitted in the Natural Areas or outside areas not enclosed by patio or building walls. Site lighting must be confined to areas enclosed by walls or be in the immediate vicinity of the main entrance or outdoor living spaces of the residence.

- Tree lights are allowed, however, no chasing, twinkling or blinking lights are permitted.

- Lights on motion detectors ***MUST*** be submitted to and approved by the Design Review Committee *prior to purchase and installation*. When permitted these lights will only be allowed to operate on a motion detector and stay lit for a maximum of 20 continuous minutes. Security lights of any type or locations must still meet the requirement of shielding the light sources, and the light sources may not be visible from neighboring property. Special care must be taken to avoid setting off the detector by the motion of vegetation and the movement of wildlife. These lights will not be allowed to operate for the purpose of general illumination.

- If problems occur with ***any*** exterior lighting, the HOA and/or Design Review Committee reserve the right to require such fixtures be disconnected.

3.3.6.i Exterior Holiday Decorations:

The intent of this section is to ensure that exterior holiday decorations are compatible with the overall community image of MacDonald Highlands. They are not meant to discourage decorating during holiday periods. Holiday decorations should be tastefully subtle, and should not have a commercial appearance nor be "over done" in terms of brightness, size, or visibility from public spaces. The Design Review Committee reserves the right to prohibit any holiday decorations it deems inappropriate with the community image of MacDonald Highlands.

Decorations shall not be allowed to be mounted on roofs or located outside of the site walls.

No exposed spotlights will be allowed. Luminaries are allowed along driveways and patios, but not on roofs or parapets. Paper luminaries with candles are not allowed due to the potential danger of fire. Care must be taken that luminaries do not blow away or litter adjacent properties.

Christmas decorations are allowed to be displayed one month prior to and one month after the actual holiday. Decorations for other holidays may be installed no more than two weeks prior to the holiday and must be removed within one week after the holiday.

3.3.7 Hillside Design Criteria

3.3.7.a Neighborhood-Level Criteria: In comparison to relatively flat parcels, the design of a hillside neighborhood requires a different approach in order to ensure that development blends naturally into the hillside character of the site. Therefore, in the design of such hillside neighborhoods, the following criteria shall apply:

- **Water (Public Works):** Water System Design: All water systems shall be designed in accordance with the Uniform Design and Construction Standards for Water Distribution Systems, Clark County and the Uniform Standard Specifications for Public Works Construction, Clark County area.

- **Water (Fire Department):** Water System Flow: The water mains and the distribution system shall be designed to deliver a minimum residual pressure of 20 pounds per square inch (psi) at the fire hydrants in service during maximum day demand plus the required fire flow demand. Minimum fire flow shall be equal to 750 gallons per minute (gpm) for residential property classified as a Group R, Division 3 occupancy. All other occupancies shall be as prescribed by the Fire Code. The system shall be designed to provide a minimum of 40 psi during peak hour conditions without fire flow. A maximum pressure delivery at the point of service shall not exceed 120 psi.

- **Building Fire Sprinkler Systems:** All buildings shall be provided with an approved automatic fire sprinkler system in accordance with the Fire Code. The water

system design shall accommodate the requirements for building fire sprinkler systems. The building fire sprinkler system shall meet City of Henderson requirements, in addition to the Fire Code requirements.

(Based upon steeper road grades, reduced roadway design speeds, reduced roadway width, longer dead ends and cul-de-sacs, reduced water system design requirements and relaxed secondary access requirements, the response time for emergency vehicles is increased above that of conventional development patterns within the City of Henderson. Given the increased response time, a waiver of the requirement for building sprinkler systems is subject to review and approval by the Fire Marshal.)

- **Water Main Sizes:** Residential water main sizes shall be a minimum of 6 inches in diameter or as required by the City of Henderson Public Works Department. If minimum fire flow requirements are met, fire hydrant branch lines shall not be required to be looped.

- **Fire Hydrant Branch Lines:** Fire hydrant branch lines shall be set at right angles to street mains. The hydrant shall be set at the end of the branch line and shall face the branch. No horizontal or vertical bends or reducers shall be used in installing fire hydrant branch lines unless specifically approved by the City of Henderson. Under no circumstances shall any size or manner of tap be made on a fire hydrant branch line.

- **Fire Hydrant Location and Distribution:** The number and spacing of fire hydrants shall meet the approval of the Fire Prevention Division. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be located along fire apparatus roads as follows:

  - Spacing of fire hydrants shall normally start by placing fire hydrants at all intersections or;

  - In all residential areas, fire hydrants shall not be spaced greater than 750 feet apart, or;

  - The maximum distance from a Group R, Division 3 Occupancy to a fire hydrant shall not exceed 500 feet, as measured from an approved point on a street or road frontage to a fire hydrant.

- **Wastewater Collection and Treatment:** Wastewater collection systems shall be designed in accordance with the Design and Construction Standards for Wastewater Collection Systems, Clark County, 1991 and the Uniform Standard Specifications for Public Works Construction, Clark County area. Septic systems shall not be permitted.

- **Drainage Design:** Drainage facilities shall be designed to maintain the natural run-off characteristics. Drainage facilities shall be designed in accordance with the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design manual. Private drainage facilities, cross lot drainage easements or rear lot drainage easements shall be privately maintained.

- **Roadways:** Within the hillside neighborhoods, all roadways whether public or private, shall be designed according to the standards described in Page 3.38, as well as AASHTO requirements. The standards are also intended to supplement the Public Works Department Plan Review Guidelines. Roadways should be located such that impacts to the natural environment are avoided.

  Roadways should follow the topography of the area to minimize grading cuts and fills. Curvilinear horizontal alignments and gently rolling profiles consistent with the natural topography will minimize unnecessary site disturbance. Significant features such as rock outcroppings should be avoided.

- **Homeowners Association:** Each hillside development plan that provides for private streets or improvements, common areas or natural areas shall establish and maintain a Homeowners Association. The association shall be responsible for the maintenance and upkeep of all private streets and improvements as well as all common areas.

  Natural areas may be designated as a deed-restricted portion of a privately owned lot, or as a separate parcel. Such parcel may be under the ownership of a homeowner's association or deeded to any organization, which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the City of Henderson. To protect the natural areas, covenants that run with the land shall be recorded in

favor of the City of Henderson and of all owners with record interest in the natural area.

3.3.7.b Custom Lot Criteria

- **Site Design:** The sloping topography of a hillside lot, unlike a flat homesite, provides many challenges as well as opportunities. While hillside lots offer dramatic view opportunities, they are also highly visible elements on the landscape themselves. Therefore, careful consideration must be undertaken to ensure that hillside homes blend naturally into the surrounding desert environment. Upon completion of construction, the finished grade around the residence and site walls should lie against the walls as near as possible to the original angle of slope.

During the preparation of a preliminary site plan for the homesite, consideration should be given to the impact of the proposed residence and site improvements on neighboring properties regarding privacy, view preservation, natural drainage, and ease of access.

At such time as the preliminary site plan is well enough defined, it is recommended that the corners of the structure(s) be staked on the un-graded site and elevations taken at each corner with a transit. Based upon the findings of this staking, the design should then be adjusted, where necessary, to minimize the buildings height by making it conform more closely to the existing contours.

SITE PLANNING CRITERIA – CUSTOM HOMES
ROADWAY STANDARDS

For roadways serving greater than 100 residential units, the design criteria shall be reviewed on a case by case basis with the City of Henderson Public Works Department.

For roadways serving 100 or fewer units, the following standards shall apply:

Right of Way:	42 ft (no parking or parking one side) 45 ft (parking on both sides)
Travel Lanes:	2
Face of Curb Dimension:	24 feet (no on-street parking) 28 feet (parking on one side) 36 feet (parking on both sides)
Curbing	Curbing shall be required. (Curb type shall be as approved by the City Engineer)
Design Speed:	20 miles per hour
Stopping Site Distance:	125 feet
Site Distance (intersections):	200 feet
Minimum Center Line Radius (w/o Superelevation):	180 feet
Minimum Center Line Radius (w/2% Superelevation):	140 feet
Minimum Grade:	0.4%
Maximum Grade:	15%, except that a fire apparatus road within 50 feet of a structure, the grade shall not exceed 8%. In lieu of providing an 8% roadway grade within 50 feet of a structure, the structure shall have a full building fire sprinkler system per City of Henderson Fire Department requirements.
Maximum Grade Length:	7 - 9%: 1400 feet 9 - 12%: 700 feet 12 - 15%: 350 feet
Minimum Curve Length:	100 feet
Vertical Clearance:	13.6 feet
Sidewalks:	Minimum lot sizes less than 20,000 sq. ft.: 4' walk; one-side only Minimum lot sizes greater than 20,000 sq. ft.: No sidewalk required
Cul-de-sacs:	Radius (45 foot measured to the face of curb)
Maximum Units Served:	25.
Vertical Curves	Required if grade difference exceeds 1%.
Roadway Aprons:	2% maximum slope measured 4 feet from the back of curb on both sides of the street.
Right of Way Slope:	3 feet horizontal for 1 foot vertical behind the roadway apron and within the right of way.
Cross Slopes:	4%
Street Lighting:	Intersections and other locations for public safety as required by the City of Henderson Public Works.
Intersection Spacing:	200 feet, measured center line to center line.

While the natural topography of MacDonald Highlands varies considerably from lot to lot, the following general limitations apply, unless special circumstances supporting an exception are approved by the Design Review Committee:

- No change in natural or existing drainage patterns for surface water shall be made on any lot that could adversely affect another lot.

- Retaining walls and other walls not directly supporting a building structure, except screen walls, shall typically not exceed 8 feet in height, measured vertically from the lowest finished grade adjacent to the wall along the exterior side of the enclosure. Where additional height is necessary, and subject to approval by the Design Review Committee, retaining walls must be terraced with a minimum separation of 4 feet between walls and an overall height not to exceed 16 feet. Subject to approval by the Design Review Committee, other acceptable methods for minimizing the impact of retaining walls greater than 8 feet in height include: landscaping with mature indigenous trees or large shrubs; and/or using a different texture and/or material such as stone for a portion of the wall treated to blend with the natural terrain.

- ***Rockery*** retaining walls may not exceed 12-feet in height measured vertically from the lowest finished grade adjacent to the wall along the exterior side of the wall. Where additional height is necessary, and subject to approval by the Design Review Committee, retaining walls must be terraced with a minimum separation of 6-feet between walls [per the City of Henderson *Hillside Development Plan Overlay District Update [ZOA-03-680002])* and an overall height not to exceed 36-feet. Subject to approval by the Design Review Committee, other acceptable methods for minimizing the impact of retaining walls include: landscaping with mature indigenous trees or large shrubs. Rockery retaining walls must be stained with "Dark Brown" Permeon, coordinated with Soil Tech Industries.

- *Screen walls*, walls not supporting a building structure or retaining earth, may not exceed 6-feet in height (per City of Henderson requirements) measured from finish grade along the exterior side of the enclosure in the manner described above for retaining walls.

- Stone used as a landscape material shall be 1" or less in size, and shall match the color of the existing native stone on the homesite. Rounded pea gravel may not be used as a landscape or driveway material.

- Native stone indigenous to the site is allowed for rip rap or other landscape treatments, as well as river rock stained to match the native stone.

3.3.7.c Lot Grading and Drainage: Lot grading and drainage should be done with a minimum disruption to the site. Structures, roads, driveways and any other site improvements should be designed to fit the existing contours of the site, minimizing the amount of excavation required rather than altering the site to fit a non-responsive structure or improvement onto the site.

Surface drainage shall not flow to adjacent lots or open spaces except as established by existing natural drainage patterns, or cause a condition that could lead to off-site soil erosion onto such areas.

The design of site improvements should carefully evaluate the potential for erosion based upon the percentage and direction of slope, soil type and vegetation cover. When a change in the natural drainage within a lot is necessary, right angle diversions should be avoided, but rather should create positive drainage in a logical and natural manner. The potential for erosion should be minimized through the use of native rock, plant material, and/or rip rap in disturbed areas. Any changes in a drainage pattern require contour grading and mature landscape to return the drainage way to it natural appearance.

If rip rap or other rock-type erosion control is used for significant drainage ways, it should be naturally contoured and be treated with Permeon. This method still provides the necessary engineered erosion control while creating a more natural looking drainage condition.

In cases where rip rap or other rock-type erosion control methods are used for minor surface drainage, it should be hand placed with flat faces placed up to create a surface plane. Spaces or voids between rocks should be provided to allow for small desert plants and shrubs.

Extensive grading activity on a homesite within MacDonald Highlands is discouraged. Grading is limited to the area within the Building Envelope and the driveway access between the Building Envelope and street. Existing grades must be maintained within the Natural Area of the lot.

Culverts, when used, should be concrete with exposed surfaces and be treated with. In addition, end walls or other terminal structures should be similarly treated as well as a portion of the inside surface of the culvert. The inside should be painted a minimum of two times the opening of the culvert at each end. For example, if an 18" diameter culvert is used, the inside must be painted a minimum of 36" from each end.

Where grading is unavoidable, careful consideration should be given to the impact to the natural appearance of the surrounding landscape. The following measures should be used to minimize negative visual effects of site grading, including:

- Exposed escarpments shall not exceed 2:1 in slope. In order to provide a natural appearance to such escarpments, the slopes should be varied (2:1, 3:1, 4:1 & 5:1) providing an undulating appearance.

- Cut and Fill conditions in excess of 2:1 slope shall use rip rap or other rock-type erosion control methods. Rip rap or other erosion control features shall be stained with Permeon to match the surrounding conditions of the natural desert environment.

- Smooth transitions between escarpments and natural topography are required at the top and toe of such slopes by rounding the transition areas.

- Disturbed areas should be reshaped to duplicate the original natural slope to the extent feasible.

- Disturbed areas should incorporate erosion control measures such as landscaping, rip rap, or other similar techniques, as approved by the Design Review Committee.

- The grading of an individual homesite should respect the existing natural drainage conditions of the lot. Where feasible, existing drainage channels should be maintained in their natural condition.

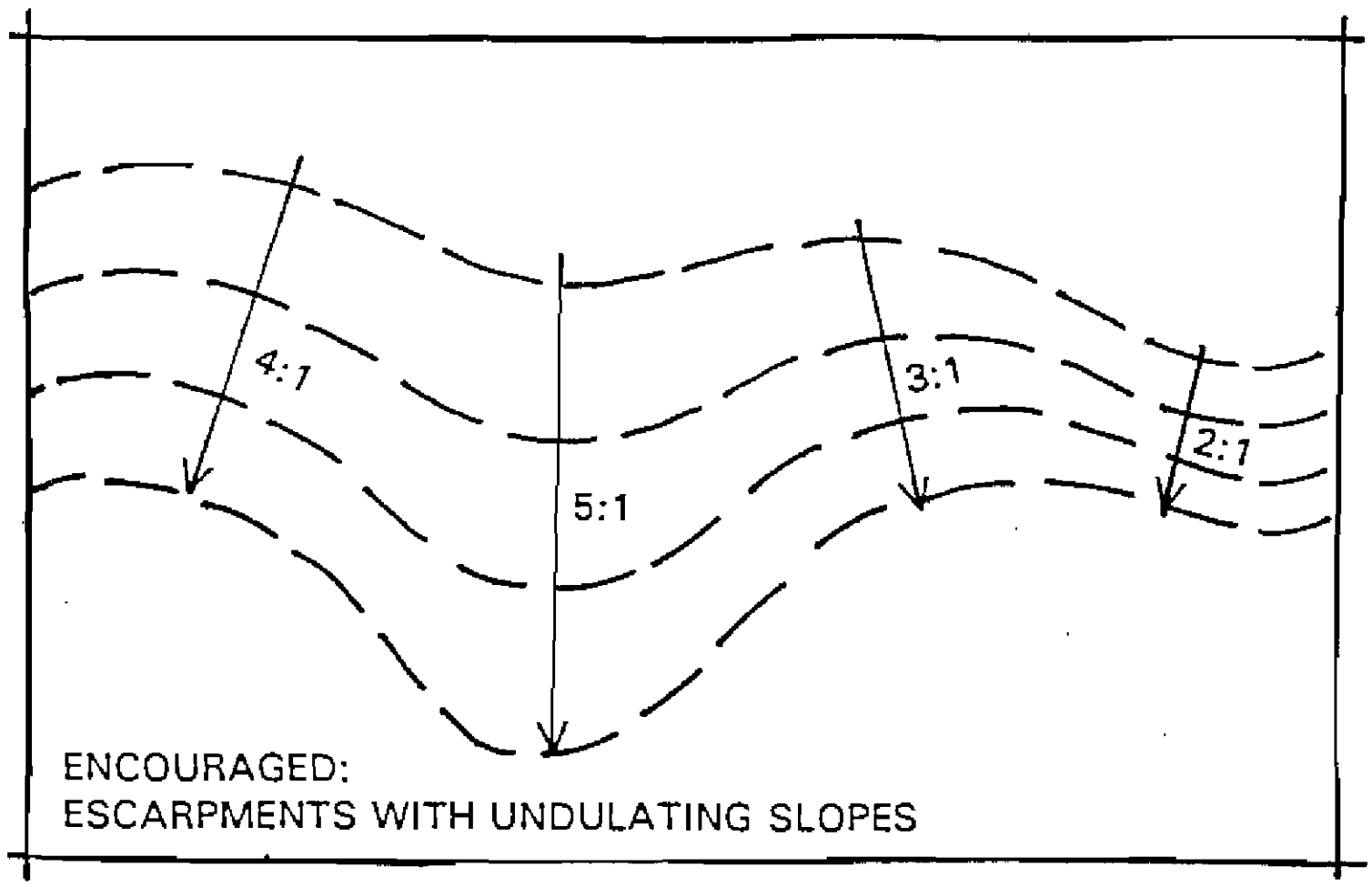
- In an ongoing effort to promote view corridors for neighboring properties by minimizing the overall building height of residences in the community, if a Lot Owner desires to raise the main finish floor elevation above the curb, then the maximum height permitted by the Design Review Committee is 1'-6" (18") measured from the top of curb elevation at the center of the lot, unless otherwise specified on the city-approved civil improvement plans by the Master Developer.

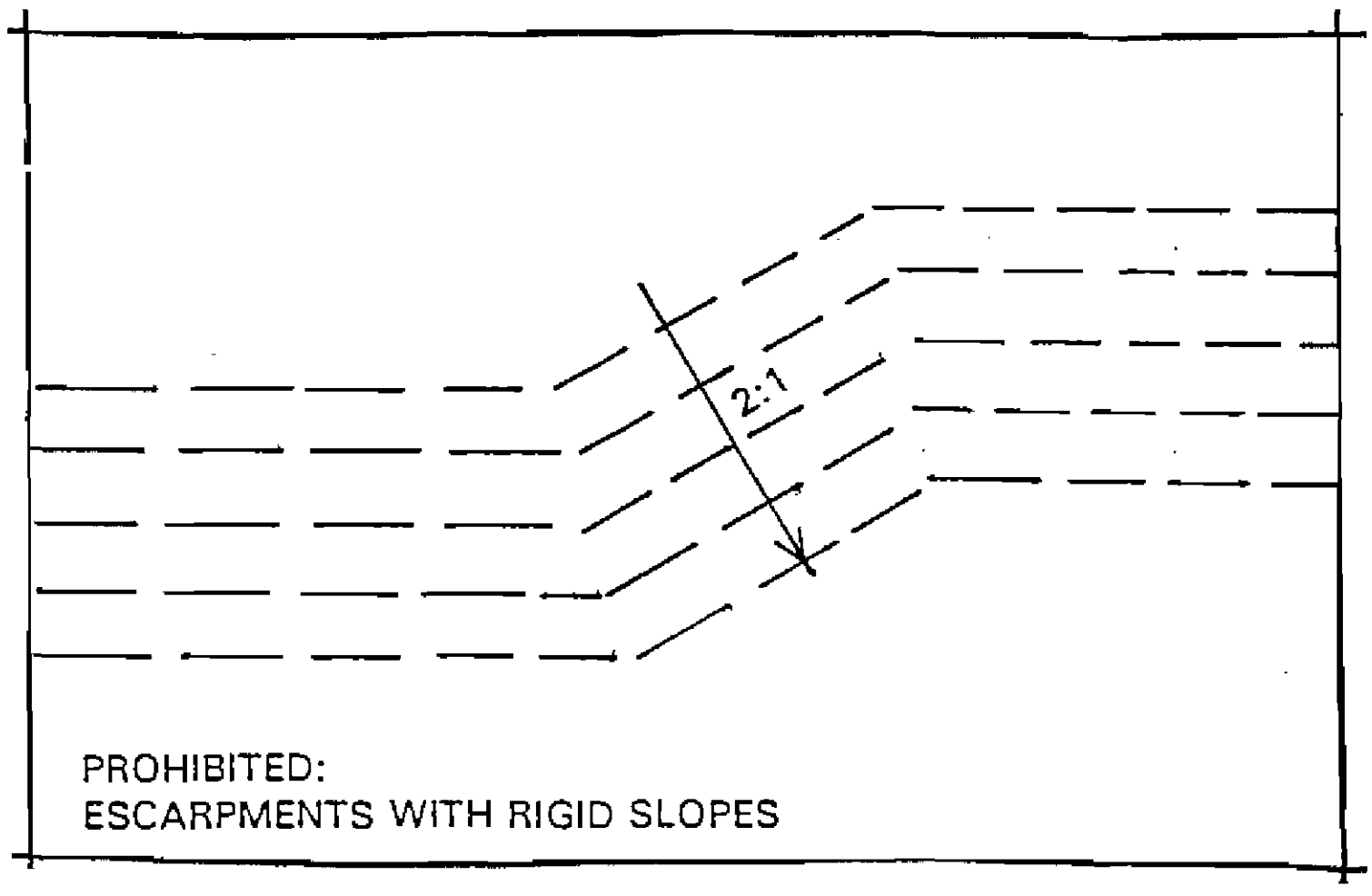
- For Lots where a dedicated drainage easement exists within the property boundaries (i.e., where approved by the hydrology report), no permanent structures or walls are permitted within the drainage easement and landscape material is restricted to grass and groundcover plants in this area (i.e., large trees are not permitted). In addition, openings such as decorative block or iron will be required to ensure proper drainage flows.

3.3.7.d Retaining Walls: The use of retaining walls may be necessary in certain graded conditions, and the maximum height of the block portion of the retaining wall cannot exceed 8 feet in height.

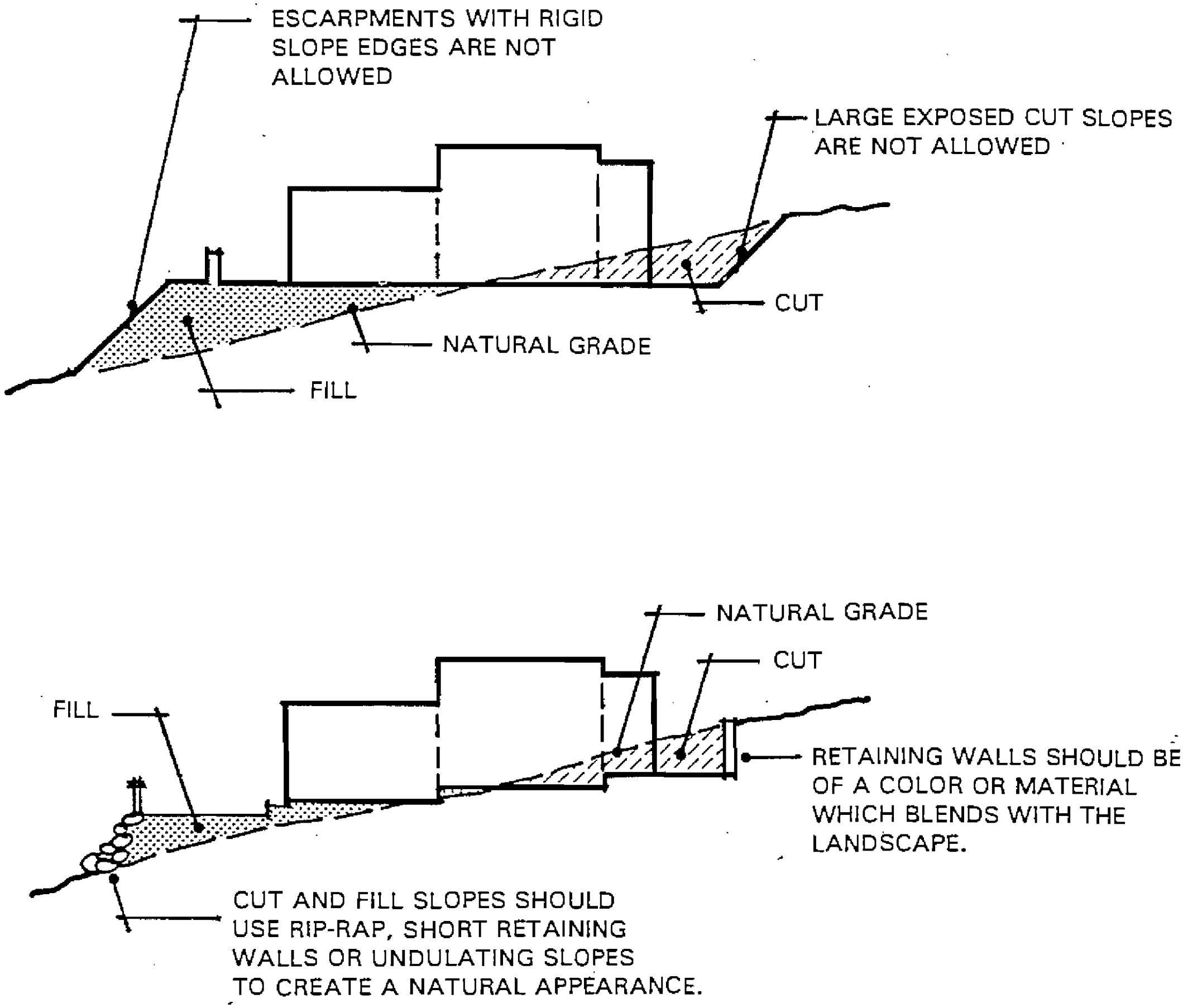
Where additional height is necessary, retaining walls must be terraced with a minimum separation of 4' between walls to allow for adequate landscaping. The maximum height of the block portion of an individual retaining wall in a terraced condition remains at 8 feet.

Rockery retaining walls may not exceed 12-feet in height measured vertically from the lowest finished grade adjacent to the wall along the exterior side of the wall. Where additional height is necessary, and subject to approval by the Design Review Committee, retaining walls must be terraced with a minimum separation of 6-feet between walls [per the City of Henderson *Hillside Development Plan Overlay District Update [ZOA-03-680002])* and an overall height not to exceed 36-feet. Subject to approval by the Design Review Committee, other acceptable methods for minimizing the impact of retaining walls include: landscaping with mature indigenous trees or large shrubs. Rockery retaining walls must be stained with "Dark Brown" Permeon, coordinated with Soil Tech Industries.





CUSTOM HOMES – ESCARPMENT GRADING Exhibit "W"


ESCARPMENTS WITH RIGID SLOPE EDGES ARE NOT ALLOWED
LARGE EXPOSED CUT SLOPES ARE NOT ALLOWED
CUT
NATURAL GRADE
FILL
NATURAL GRADE
CUT
FILL
RETAINING WALLS SHOULD BE OF A COLOR OR MATERIAL WHICH BLENDS WITH THE LANDSCAPE.
CUT AND FILL SLOPES SHOULD USE RIP-RAP, SHORT RETAINING WALLS OR UNDULATING SLOPES TO CREATE A NATURAL APPEARANCE.

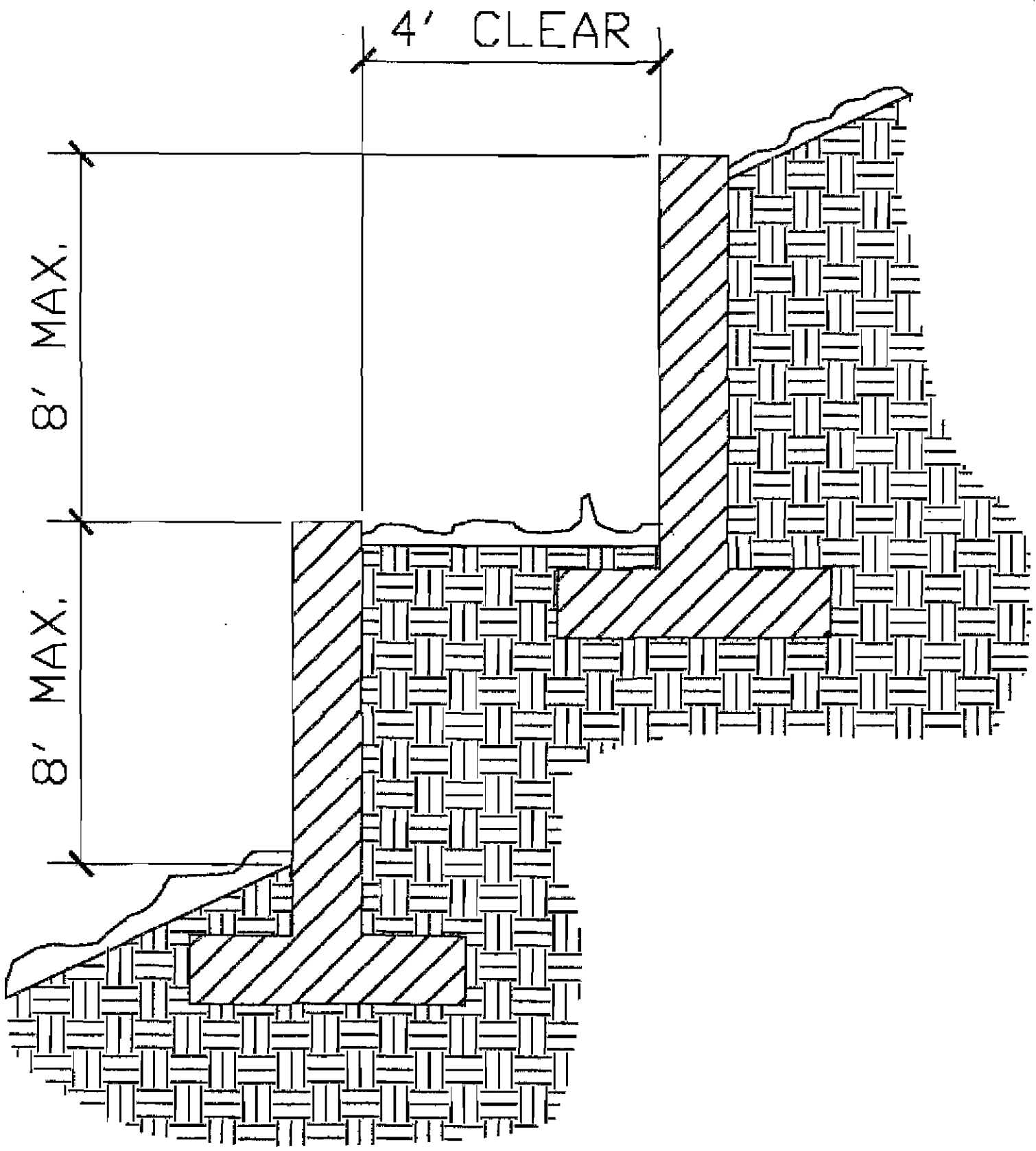
Open railings up to an additional 3' in height may be allowed on top of a maximum 8'-high retaining wall, subject to approval by the Design Review Committee. The design of such railings must be specifically approved by the Design Review Committee. The maximum height of a retaining wall with iron is 11'-0", however, if the height of the retaining wall is minimized the height of the iron may be increased accordingly, not to exceed a combined height of 11'-0".

Retaining walls should follow the existing contours of the site to ensure a natural blending into the surrounding desert environment.

Retaining walls should have a natural appearance through the use of such materials as stone, brick or slump-stone colored to match the adjacent structure or a color that is compatible with the surrounding desert landscape. Precision-cut concrete blocks or exposed concrete retaining walls will not be permitted.

3.3.7.e **Driveways:** Driveways in hillside neighborhoods should be kept to one per residence. Additional and circular driveways will be permitted provided they do not adversely disrupt the surrounding environment. The minimum driveway width is 14 feet.

In special cases, a private drive with a maximum length of 600 feet may serve up to four single-family lots. Driveways greater in length than 350 feet or with grades steeper than 15% must receive prior approval from the Fire Department. Driveways in excess of 450 feet in length and driveways, which serve more than a single residence shall meet the requirements for Fire apparatus



CUSTOM HOMES – RETAINING WALLS

Exhibit "Y"

access roads. An exception to this requirement can be granted if turn-arounds are provided and the driveway meets minimum width requirements. Driveways and parking areas shall be designed for adequate vehicle maneuvering and turn around for a Single Unit Truck (SU) as defined by AASHTO.

On hillside lots, driveways should be designed to follow the natural topography of the site.

Where site conditions warrant, the use of shared driveway access between two lots shall be permitted.

3.3.7.f **Hillside Architecture:** The sloping topography of a hillside lot, unlike a flat homesite, provides many challenges as well as opportunities. While hillside lots offer dramatic view opportunities, they are also highly visible elements on the landscape themselves. Therefore, careful consideration must be undertaken to ensure that hillside homes blend naturally into the surrounding desert environment.

The terrain in MacDonald Highlands provides a variety of landform and slope conditions throughout the community, requiring different Cut and Fill treatments depending on specific lot conditions, to ensure that the dwelling is well-integrated with the site. The following guidelines address the general Cut and Fill situations. Evaluation of the proposed site improvements will be based on conformance with these Cut and Fill guidelines. The Design Review Committee reserves the right to request that the proposed finish floor elevations be adjusted due to Cut and Fill conditions regardless of compliance with Building Height requirements.

Cut and Fill conditions must meet the intent and goals of these guidelines as well as their technical application. The Design Review Committee may allow exceptions to the technical Cut and Fill guidelines when, in the opinion of the Design Review Committee, the objectives and intent of the Guidelines are still met.

All Cut and Fill excavations must occur within the Building Envelope and any excess fill material must be removed from MacDonald Highlands and disposed in accordance with the requirements of the City of Henderson. Excavated material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

The building mass of an individual residence should be compatible with the existing natural landforms of the site and surrounding area. This can be effectively accomplished by separating the structure into a series of smaller building forms that conform to the natural topography of the site.

Predominant roof ridgelines should be designed parallel to the natural contours of the site to minimize the visual impact of roofs and gable ends.

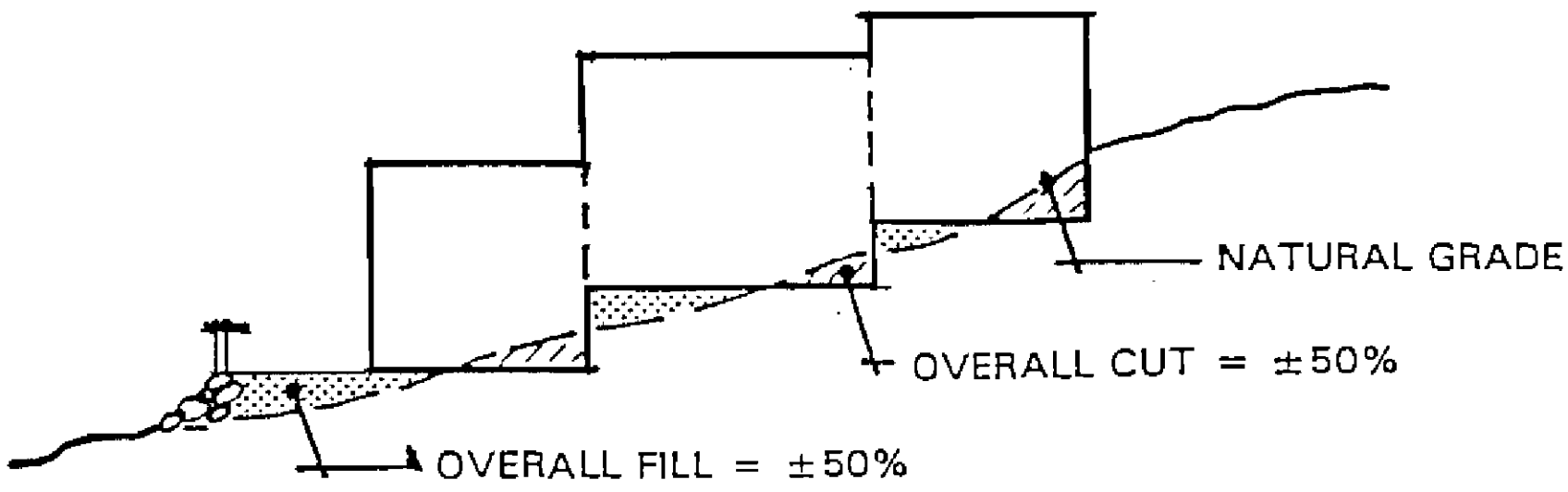
Materials and colors should be selected on their ability to blend into the surrounding desert landscape.

SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Sloping Site - Terraced Floor Levels

Where the Building Envelope is generally sloped in one direction, and the site improvements are on multiple floors, the following Cut and Fill criteria generally apply:



Note: Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

Exhibit "Z"

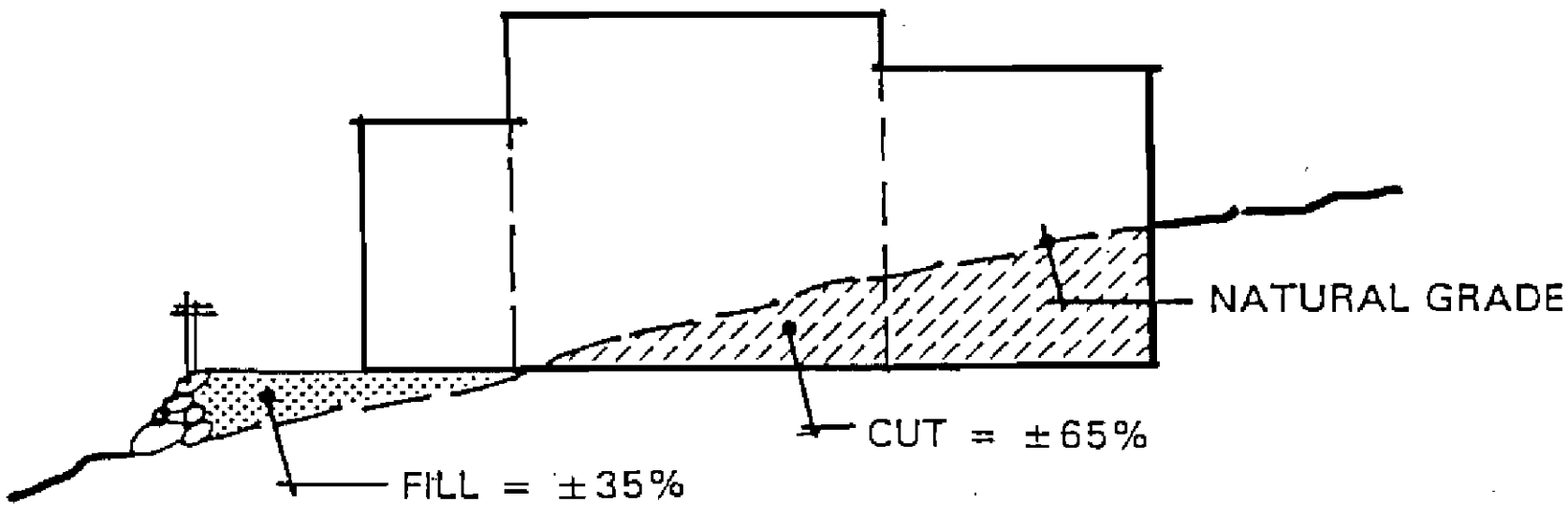
SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Sloping Site - Single Floor Level

Where the Building Envelope is generally sloped in one direction, and the site improvements are primarily on a single floor level, the following Cut and Fill criteria generally apply:

Note: Certain lots are granted exceptions from the above criteria, such that increased fill conditions may be allowed on the lower side of the Building Envelope to take advantage of golf course views. Such exceptions are subject to approval by the Design Review Committee at its sole discretion.



Notes:

- *Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.*

- *Certain lots are granted exceptions from the above criteria, such that increased fill conditions may be allowed on the lower side of the Building Envelope to take advantage of golf course views. Such exceptions are subject to approval by the Design Review Committee at its discretion.*

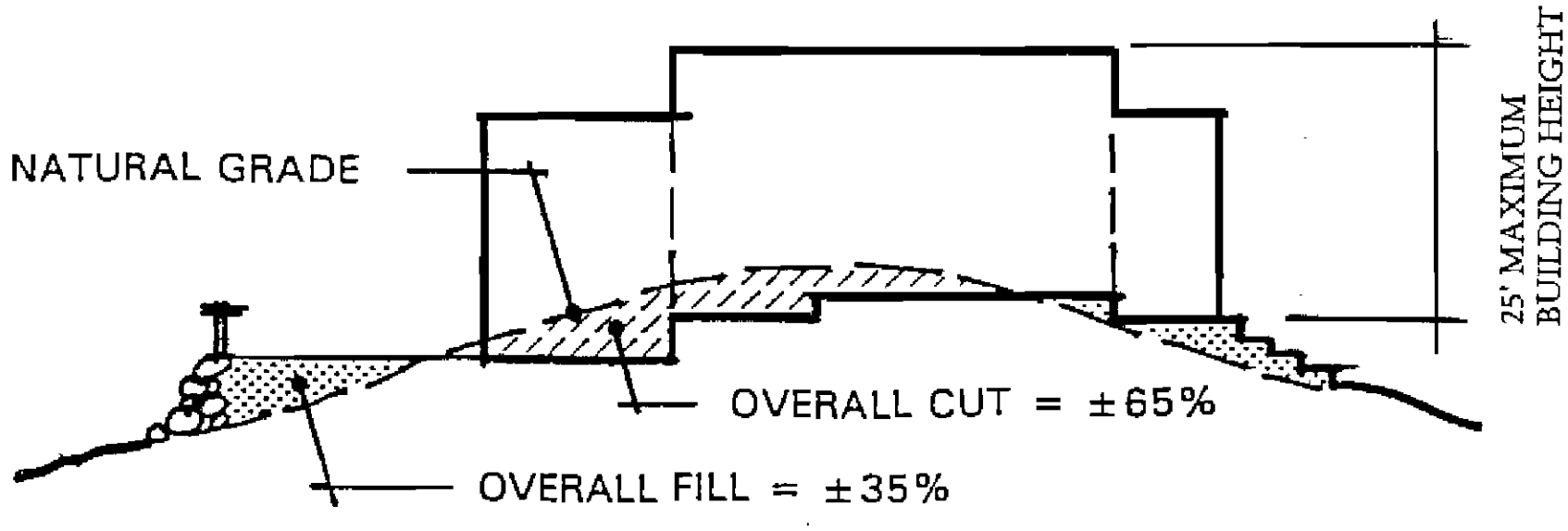
Exhibit "aa"

SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Ridge or Knoll - Terraced Floor Level

Where the Building Envelope is generally located on a ridge, knoll, or other high-point, and the site improvements are on multiple floors, the following Cut and Fill criteria generally apply:



Note: Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

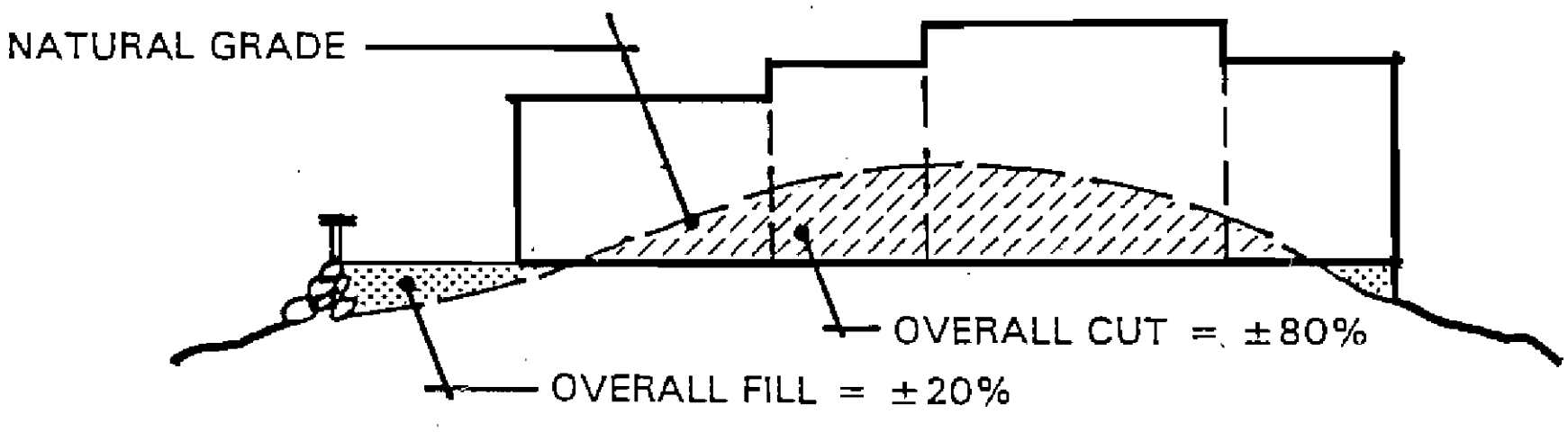
Exhibit "ab"

SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Ridge or Knoll - Single Floor Level

Where the Building Envelope is generally located on a ridge, knoll, or other high-point, and the site improvements are on a single level, the following Cut and Fill criteria generally apply:



Note: Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

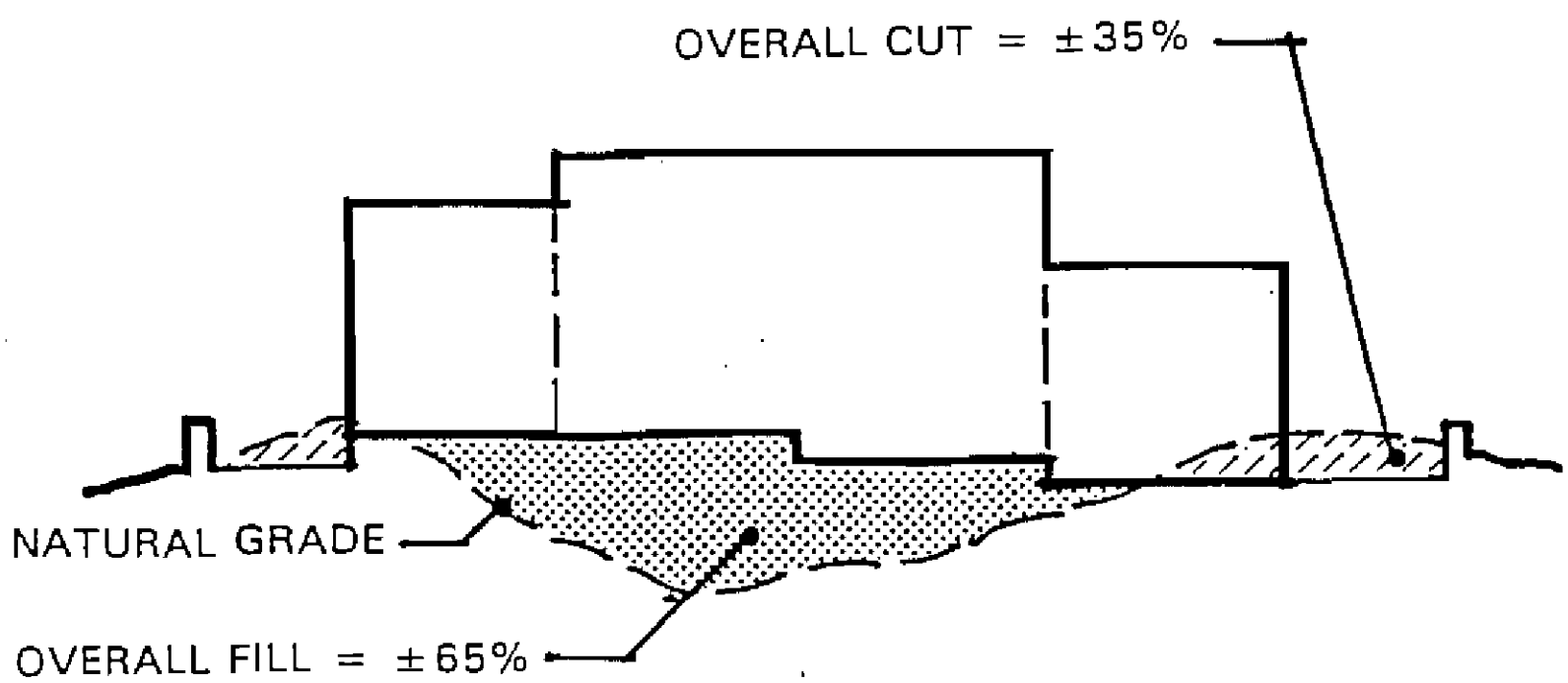
Exhibit "ac"

SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Low Center - Terraced Floor Levels

Where the Building Envelope is generally located in the low area of a lot, a low minor drainage, or other similar depressed areas, and the site improvements are on multiple floors, the following Cut and Fill criteria generally applies:



Note: Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.

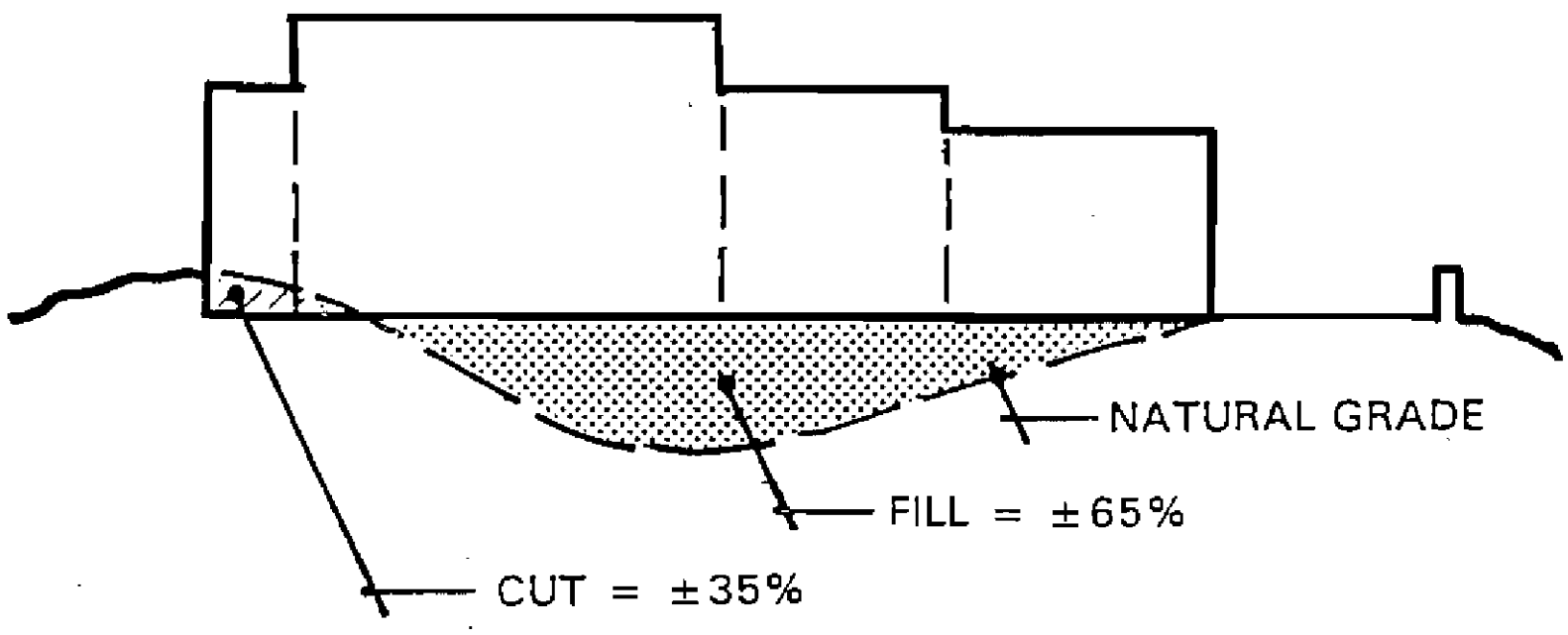
Exhibit "ad"

SITE PLANNING CRITERIA – CUSTOM HOMES

Hillside Design Criteria – Custom Lot Criteria
Hillside Architecture

Low Center - Single Floor Level

Where the Building Envelope is generally located in the low area of a lot, a low minor drainage, or other similar depressed areas, and the site improvements are primarily on a single floor level, the following Cut and Fill criteria generally applies:



Notes:

- *Excess fill material shall not impact natural areas, nor be disposed over a hillside within MacDonald Highlands.*

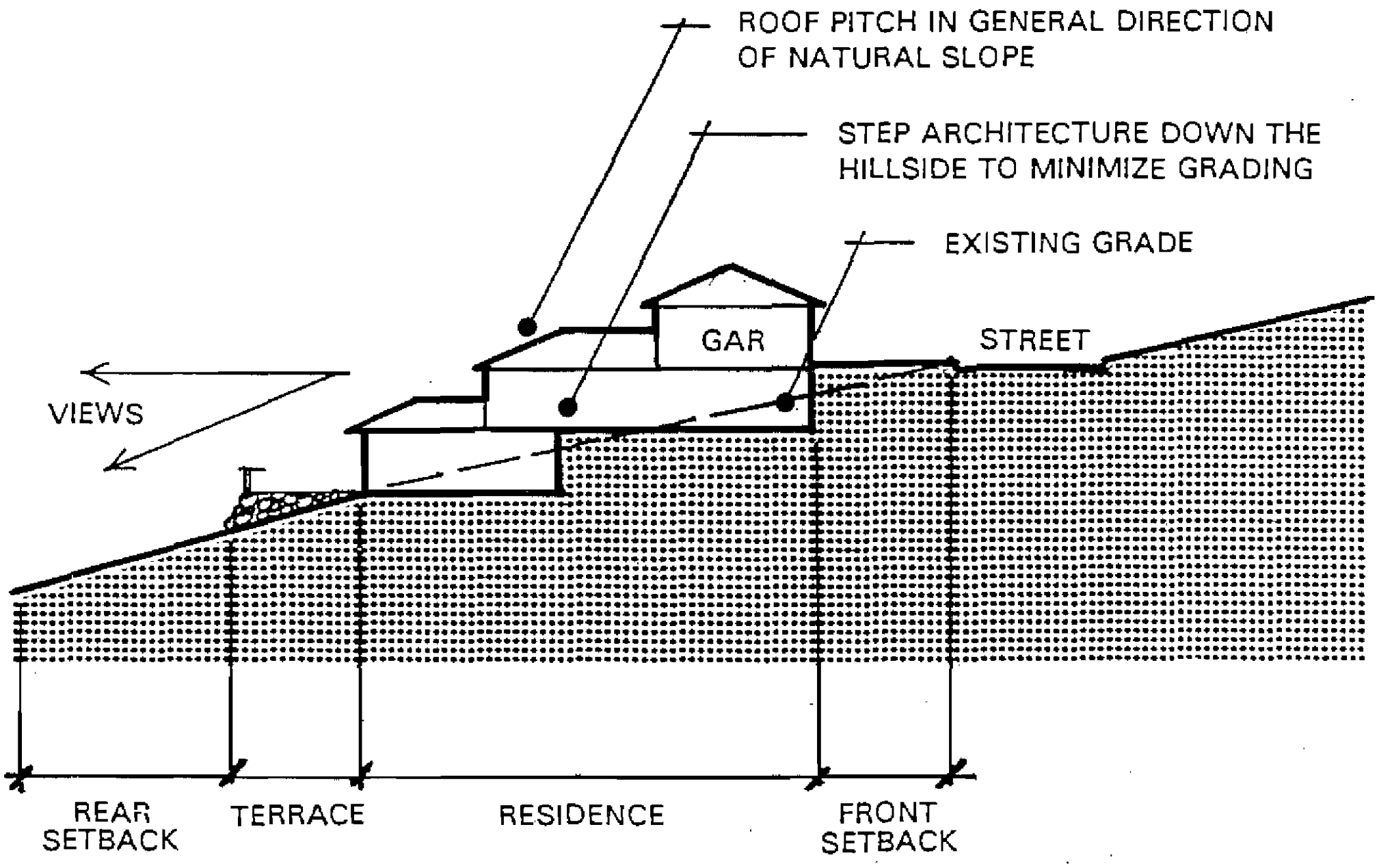
- *Certain lots are granted exceptions from the above criteria, such that increased fill conditions may be allowed on the lower side of the Building Envelope to take advantage of golf course views. Such exceptions are subject to approval by the Design Review Committee at its discretion.*

Exhibit "ae"

3.3.7.g View Preservation: The hillside character of MacDonald Highlands provides spectacular view opportunities for most of the lots throughout the community. The orientation of the residence's major rooms, patios and terraces should be designed to take advantage of these dramatic views.

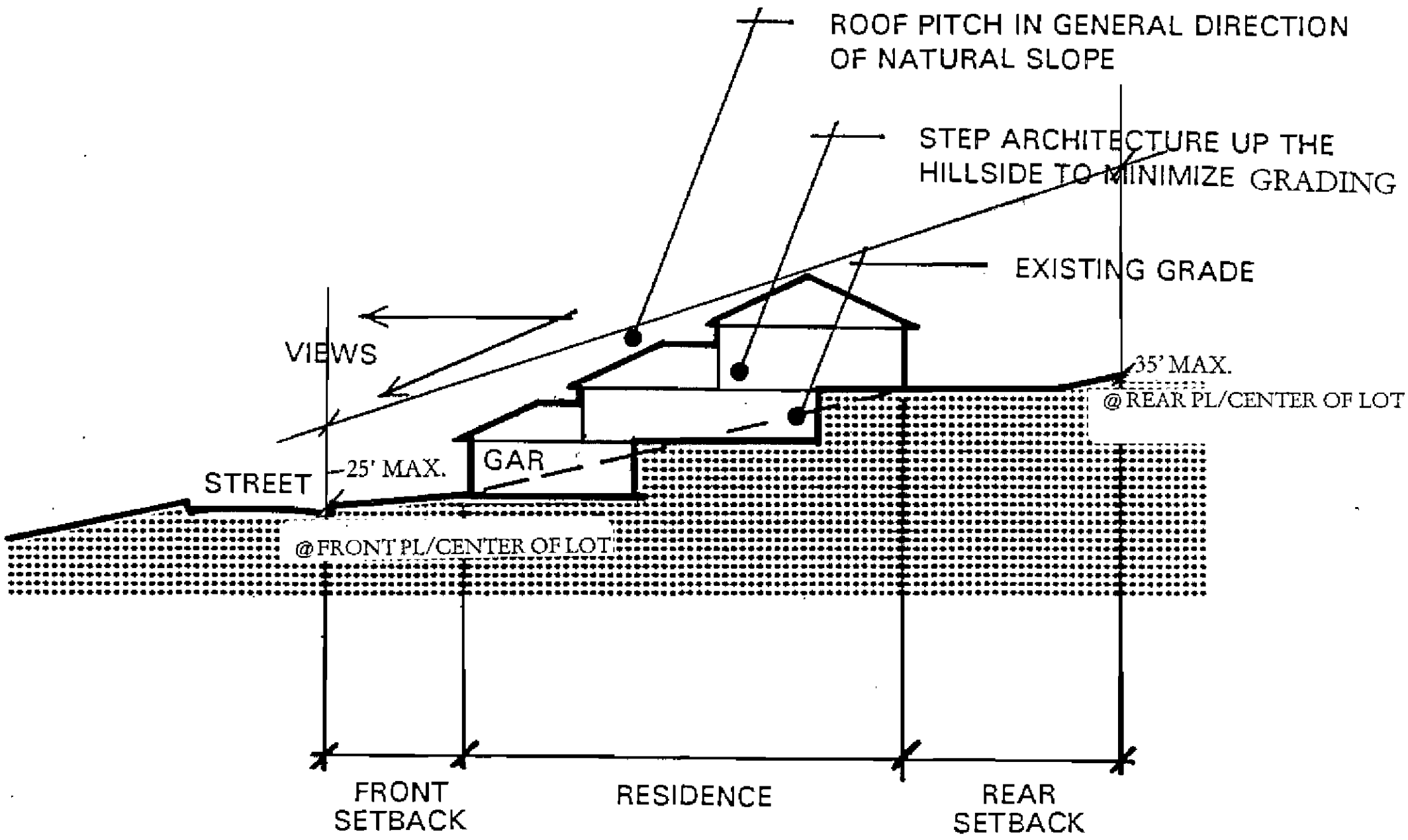
While views should be maximized from individual homesites, the residence should be designed and sited such that view opportunities from surrounding lots are not obstructed.

APP00232
JA_1880



CUSTOM HOMES – VIEW PRESERVATION

Exhibit "af"



CUSTOM HOMES – VIEW PRESERVATION Exhibit "ag"

APP00234
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3.4 ARCHITECTURAL DESIGN CRITERIA – CUSTOM HOMES [Planning Areas 1-Phase I, 3, 4, 5A (Highlands I), 5B, 5C (Highlands II), 6, 7, 8A, 10, 12, 15, 16, 18, 25, 26 (Palisades Unit I) and 27 (Palisades Unit II)]

3.4.1 ARCHITECTURAL CHARACTER

The primary goal for the design of residences within MacDonald Highlands is to create a homesite that integrates the architecture of the dwelling with the natural character of the surrounding desert landscape. The resulting architectural style is best described as "Desert Elegance", exemplified by strong horizontal building forms with a minimum of ornamentation. This integration of architecture to the site is further enhanced through the extensive use of terraces and courtyards providing a strong indoor/outdoor relationship to the residence. Finally, the proper use of color is crucial for the successful design of the house. Building colors have been selected for their ability to blend naturally into the desert environment, such as "earthy" tones of buff, sand, beige, gray and other hues of the areas natural landscape. Bold color schemes featuring crisp whites, pastels, or bright colors are not permitted.

The purpose of the Architectural Design Criteria is to ensure that the architectural character of the Custom Homes is compatible with that of the overall character envisioned for MacDonald Highlands, while encouraging unique, innovative and creative design solutions to individual residences. Individual consideration will be given to the aesthetic and physical relationships of the residence to the site and adjacent dwellings.

3.4.2 FLOOR AREAS

Architectural Character – Custom Lot Criteria
Floor Areas

	PLANNING AREA	LOT SIZE	RESIDENCE SQ. FT. RANGE
Compound Estate	13	1-3 Acres	10,000+
Manor Estate	5B and 12	1 Acre	5,500 - 25,000
Manor Estate	10	1/2 to 1 Acre	5,500 - 25,000
Hillside Estate	6, 7, 18, 26, Palisades Units I and II	1/2 Acre	3,500 - 13,500
Golf Estate	1-Phase 1, 8A, 15/16	1/2 Acre	3,500 - 15,000
Executive Estates	3, 5A, 5C (Highlands Units I and II)	1/3 Acre	3,000 - 5,000

NOTE: The square footage of any subsurface level, which has at least one side exposed will be considered part of the total allowable square footage of a Residence. However, the square footage of any subsurface level that has no exposures to the surface (i.e., a "Cellar") will not be considered part of the total allowable square footage.

NOTE: Executive Estate Lots requiring electrical panels in excess of 400-amps require prior Nevada Power Company written approval to ensure electrical needs for the residence are attainable. Said approval shall be included as part of the schematic plan submittal package.

3.4.3 Architectural Components

BUILDING FACADES	ROOFS	ARCHITECTURAL FEATURES / ACCENTS
FORM / MASS COURTS / PORCHES SHADOW OPENINGS MATERIALS / TEXTURE	ROOF PITCH OVERHANGS MATERIALS	ACCENT WINDOWS / DOORS DECKS / PATIOS FENCES / WALLS ACCENT COLOR / TREATMENTS

The architecture of a custom home can be broken down into three major components, including 1) Building Facades, 2) Roofs, and 3) Architectural Features & Accents. The proper design treatment of these three components will result in a visually pleasing residence and neighborhood environment throughout MacDonald Highlands. The following is a general description of how each of these components should be addressed relating to the Desert Elegance architectural style.

3.4.4 Building Facades

The three dimensional success of a building and its site elements is a result of the careful treatment of building mass, proportion and scale, articulated by a variation in texture, materials, and color treatment. In general, large building masses should be avoided because of the resulting scale that would be out of balance in achieving a desirable relationship to the desert environment. Structures that require greater amounts of space, should have vertical and horizontal offsets to break up the building mass and create a more desirable scale and visual interest to the dwelling. The interplay of shade and shadow, along with texture and openings in large building surfaces provides interest, balance, and

human scale to the residence. In addition, the use of terraces, porches and balconies, window and entry treatments further emphasize building articulation. Together, each of these elements enable the creation of a residence, which will blend harmoniously into the natural desert environment.

3.4.4.a Building Massing and Scale: the Desert Elegance style of residential architecture features a strong horizontal character achieved through the predominant use of one-story residences.

No single-story **restricted** Structure shall exceed 20 feet measured as the vertical distance in feet between ***curb*** finished grade *at the center of the lot* to the highest roof peak. In certain cases, if a 2-story element is approved by the Design Review Committee, it will be subject to additional criteria outlined within these Design Guidelines.

An exception is pre-graded lots, which, by design, prevent this.

Those Residences that obtain an approved 2-story element may not exceed a height of 35 feet measured as the vertical distance in feet between ***curb*** finished grade *at the center of the lot* to the highest roof.

The MacDonald Highlands Design Review Committee is responsible to enforce the measurement requirement of all structure heights within the community.

3.4.4.b Building Height: Specific guidelines have been established based upon the overall topographical character of the lot, including relatively flat lots with slopes less than 5%, and hillside lots with slopes exceeding 5%.

3.4.4.c Hillside Lots With Slopes Exceeding 5%: On hillside lots, residential design should carefully consider the existing site conditions, and should be designed as an integral element of the landscape. Multi-level designs which "step-down the hillside" and relate strongly to the topography of the site are encouraged.

3.4.4.d Sloping Height Limit: For lots with a naturally occurring slope *in excess of 5%*, a sloping building height limit shall apply. This sloping building height is formed by the intersection of two lines as described below:

- A horizontal line measured 20' for single-story residences or 25' for two- or more-story structures directly above curb elevation at the front property line in the center of the lot intersected with a line measured 35' directly above and parallel to the existing grade along the rear property line at the center of the lot. Please refer to Exhibit "ah". Due to the unique and varied topography, the Design Review Committee may approve, on a case be case basis and at its sole discretion, increases in the sloping height limitations.

- This sloping height limit ensures that the single-story character of residences is maintained along neighborhood streets, while allowing multi-level designs to terrace down the hillside at the rear to minimize grading requirements, and to take advantage of view opportunities.

- The Design Review Committee may from time to time consider requests for adjustments to the Maximum Building Height Elevations. The criteria for such variances will be the quality of building materials and overall design, logic and common sense. All such variances will be made at the sole discretion of the Design Review Committee and must ultimately be approved by the City of Henderson Building and Planning Departments.

- The MacDonald Highlands Design Review Committee is responsible to enforce the measurement requirement of all structure heights within the community.

3.4.4.e **Reversed Sloping Height Limit:** For uphill lots assigned a "reversed sloping height limit" classification, the sloping building height is formed by the intersection of two lines as described below:

- A horizontal line measured 35' directly above curb elevation at the front property line in the center of the lot intersected with a line measured 20' directly above and parallel to the existing grade along the rear property line at the center of the lot. Please refer to Exhibit "ai". Due to the unique and varied topography, the Design Review Committee may approve, on a case be case basis and at its sole discretion, increases in the sloping height limitations.

- This sloping height limit ensures that the single-story character of residences is maintained along neighborhood streets, while allowing multi-level designs to terrace up the hillside at the rear to minimize grading requirements, and to take advantage of view opportunities.

- The Design Review Committee may from time to time consider requests for adjustments to the Maximum Building Height Elevations. The criteria for such variances will be the quality of building materials and overall design, logic and common sense. All such variances will be made at the sole discretion of the Design Review Committee and must ultimately be approved by the City of Henderson Building and Planning Departments.

The MacDonald Highlands Design Review Committee is responsible to enforce the measurement requirement of all structure heights within the community.

3.4.4.f **Lots With Slopes Less Than 5%:** Single-story residences which step-down the hillside are less practical on lots *with a slope of less than 5%.*

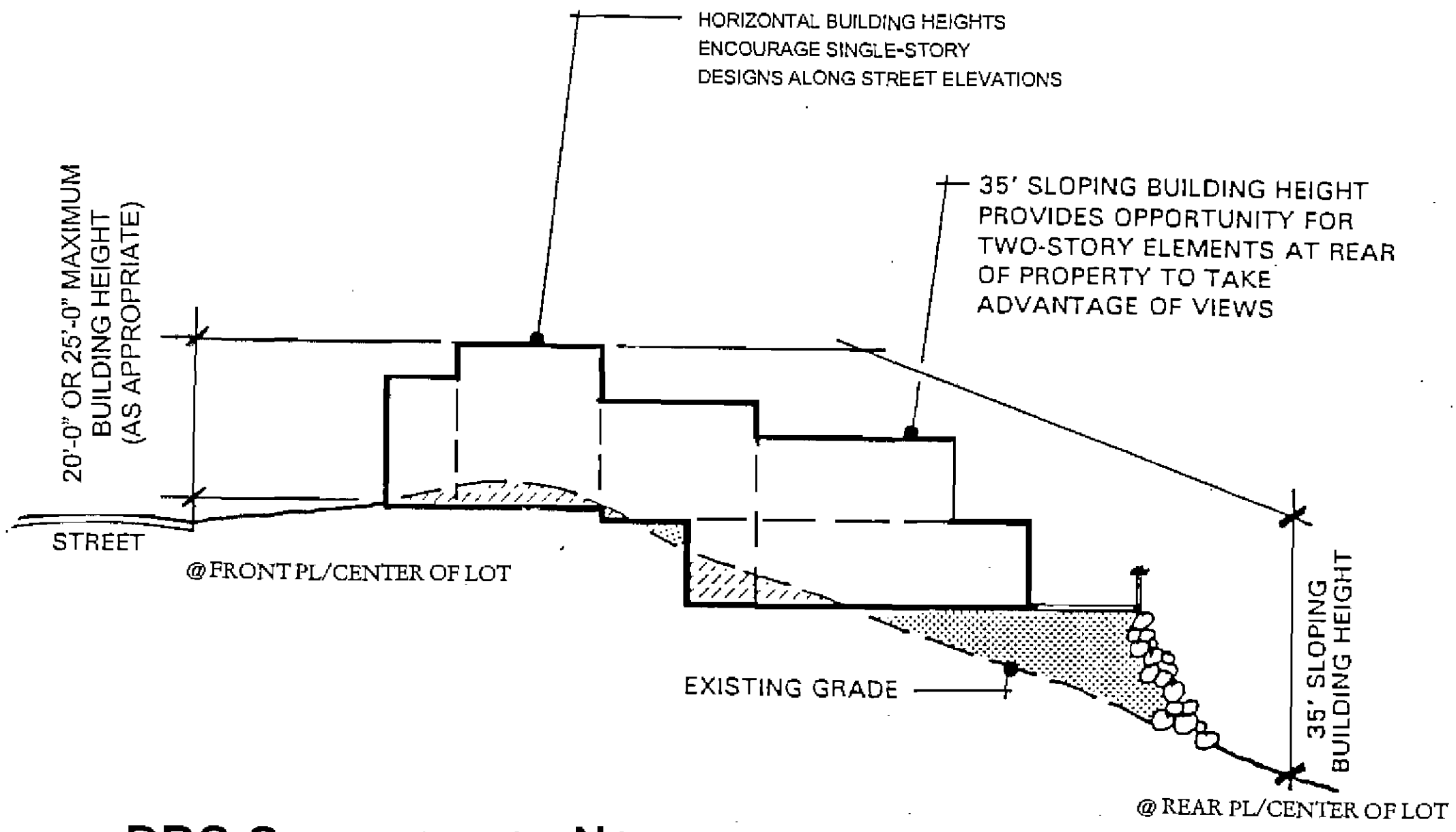
No single-story **restricted** structure shall exceed 20 feet, while the maximum building height for a two-story structure is 35'. Both dimensions are measured as the vertical distance in feet between ***curb*** finished grade *at the center of the lot* to the highest roof peak. Limited architectural projections, i.e., chimneys and roof vents, can be extended beyond this height subject to the approval of the Design Review Committee.

3.4.4.g Massing: The proper massing of Desert Elegance architecture will reduce the visual scale of a large structure, and create building texture, which helps blend the residence with the surrounding natural environment.

Unless otherwise specifically approved by the Design Review Committee, homes less than 5,000 square feet shall be composed of at least three visual building masses as viewed from any elevation, while homes larger than 5,000 square feet, excluding garages, shall feature at least four visual masses as viewed from any elevation.

3.4.4.h Articulation: All height limitation criteria form the basis of general massing only. For example, in addition to the overall massing which must step with the terrain, it is expected that all elevations will not only take advantage of the view from within the residence, but will also provide pleasant views from all surrounding areas, as well. All side and rear elevations should be articulated to break up the facade into smaller elements, as well as adding the richness of shade and shadow. Large blank walls will not be allowed. Failure to provide adequate articulation and richness may be grounds for rejection of the design by the Design Review Committee.

The horizontal character of Desert Elegance architecture is enhanced by the integral design of outdoor living spaces such as terraces and patios as a transition between the residence and the natural landscape environment. Extended roof forms and broad overhangs are often used to provide cover for these spaces, protecting them from the harsh climatic conditions of the desert.



DRC CLARIFICATION NOTE:

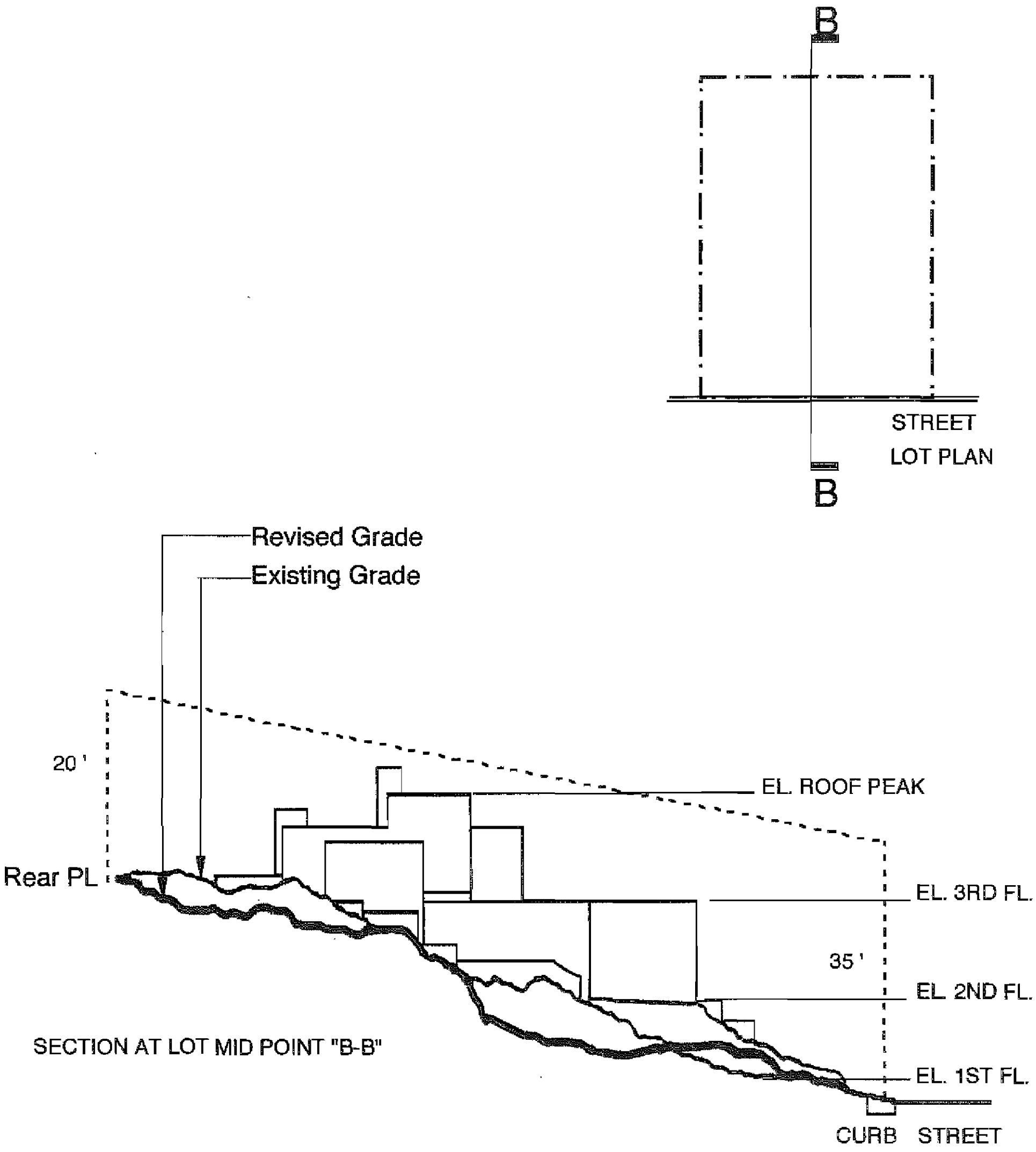
20'-0" for single-story structures

25'-0" for two-story structures

CUSTOM HOMES – SLOPE CRITERIA

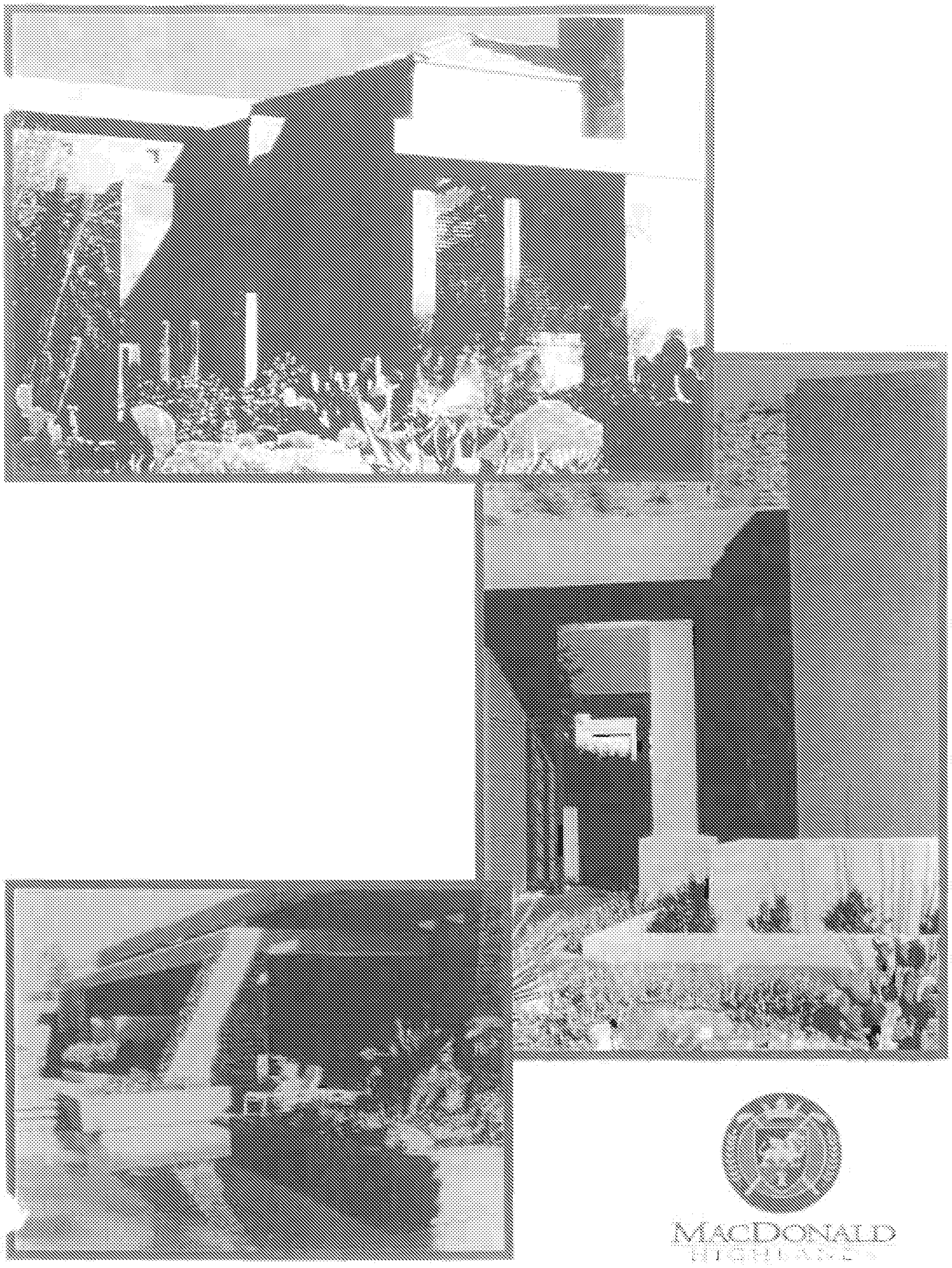
Exhibit "ah"

Reverse sloping height limit



SECTION AT LOT MID POINT "B-B"

CUSTOM HOMES – REVERSED SLOPE HEIGHT CRITERIA Exhibit "ai"

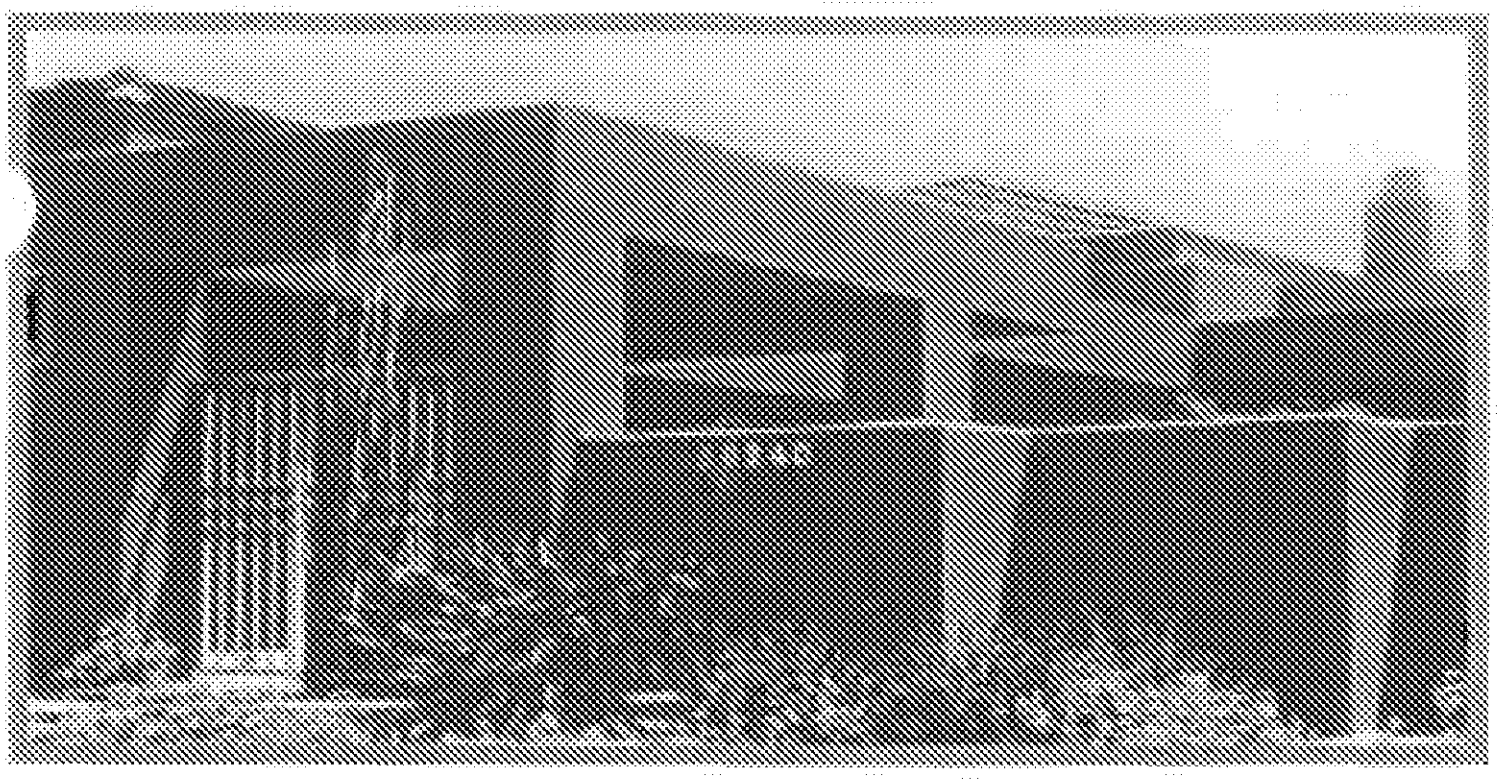


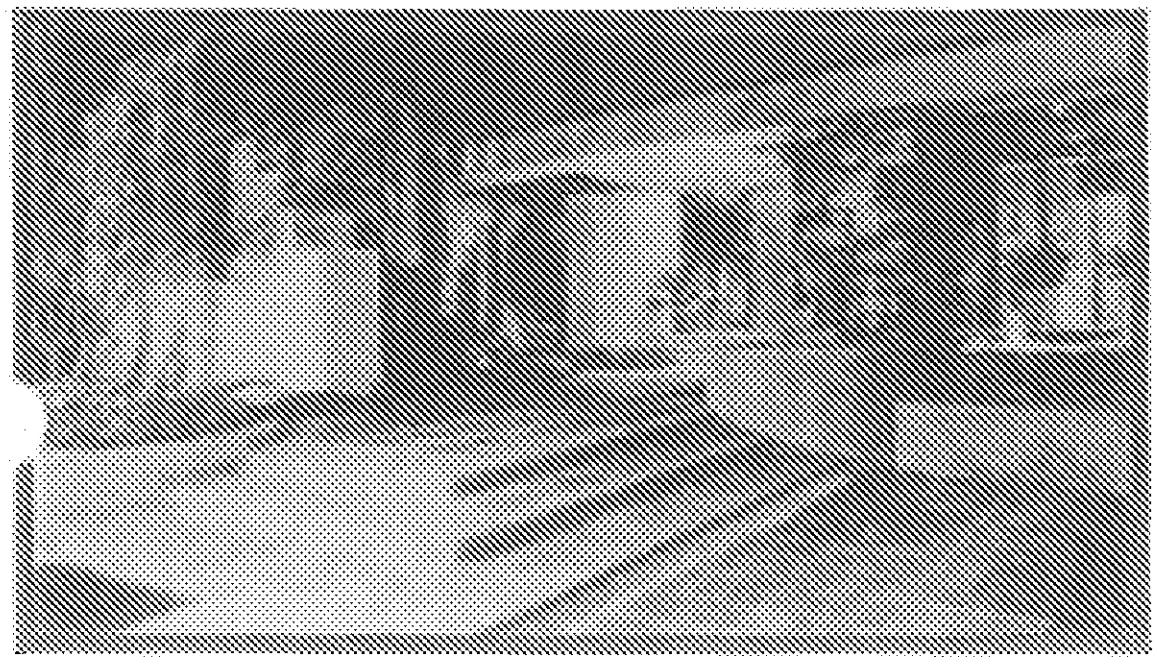
MACDONALD

The use of front entry courtyards is encouraged as a transition from the public space of the street to the private dwelling. Building wings as well as landscape walls (or a combination of these) are effective in creating this entry courtyard space.

The horizontal character of Desert Elegance architecture is further enhanced by the use of articulated roof forms combining low pitched hip roofs and flat roof forms. The zoned activity areas are often highlighted by the use of pyramidal roof forms.

3.4.4.i **Exposed Wall Heights:** In no case shall a wall have an unbroken height of more than 25 feet measured vertically from the finished grade at its lowest point along the wall to the top of the wall. Door and window penetrations and applied banding or textured relief in a wall plane do not change the measurements of an unbroken wall height.





MACDONALD
HIGHLANDS

Exhibit "ak"
Page 3.72

3.4.5 Exterior Materials

Exterior surfaces shall generally be of natural material that blend with and are compatible with the natural landscape. Materials should be selected based on their ability to withstand the extreme climatic conditions of the desert. Exterior building walls shall consist of at least one, but not more than three of the following:

- Stone such as the following:
  - Granite (Thermal or Honed Finish)
  - Arizona Sandstone (Thermal or Honed Finish)
  - Slate (Cleft Finish)
- Split-face CMU block of earth tone colors compatible with the surrounding desert environment
- Brick (clay)
- Stucco or plaster with a light to medium texture, such as dash, smooth, sand or lace. (Heavy textures such as swirl or heavy trowel are prohibited.)
- Glass / Glass Block

Large expanses of painted surfaces, particularly wood, will not weather well in desert conditions and will not be approved.

All residences shall feature "wrap-around" architecture, which is all four sides of the building shall have a consistent level of detail in terms of materials and architectural detailing. The purpose of this requirement is to ensure that all elevations of a Residence will be considered equally during the evaluation and review process, particularly for those residences with frontage on the golf course or other public spaces. If the use of stone is eliminated on one or more of the exterior elevations, it must be removed from the remaining elevations as well.

All surface treatments or materials shall be designed to appear as an integral part of the design, and not merely applied. All materials shall wrap columns, porches, or balconies in their entirety. Material wainscoting (i.e., the application of stone along the lower portion of an elevation) and random patterns are not preferred—applying masonry material in massed elements is more appropriate to the Desert Elegance architectural theme of the community. If a masonry material is used in a massed element on the front of a residence then the remaining three sides of the residence shall also have a stone-massed wall plane. The application of a masonry material that is only visible from the ground level within the yard is no longer permitted.

Material changes (where proposed) should occur at inside corners. Siding materials shall be continuous to within 6" of finished grade. Exposed footings are not permitted.

Highly reflective finishes shall not be used on any exterior surfaces.

3.4.6 Color Overview

Nestled in the McCullough Mountain range, east of Las Vegas, the community of MacDonald Highlands has a unique natural setting. Building colors and materials must be in muted desert shades in order to blend the residences harmoniously into the surrounding desert landscape. To help builders and architects achieve this goal, MacDonald Highlands has developed a color program that:

- Identifies appropriate colors.
- Outlines criteria for color selection.
- Gives guidelines for color implementation.

All builders and architects shall utilize this color program in the planning and execution of exterior finishes.

3.4.7 Color Program

Roof, field and masonry color palettes have been identified for use at MacDonald Highlands. Builders are required to make their selections from these palettes, however, additional colors and color combinations may be considered by the Design Review Committee provided the alternate color(s) complies with community-specified light reflectance value ranges, and is consistent with and compliments the natural surroundings. Final approval or disapproval of an alternate paint color(s) and/or color combination(s) will be judged at the sole discretion of the Design Review Committee.

The community-approved palettes are defined by the following criteria:

- Roof colors that are flashed or modeled and have a medium light reflectance value (LRV).
- Field colors that are muted shades with a light reflectance value (LRV) between 60% and 15%.
- Masonry materials that are natural in form and compatible in color with the desert environment.

The topography of the development suggests the need for two levels of field color usage. The Lower Hillside areas have full use of all colors in the defined Field Color Palette where the more visually sensitive Upper Hillside areas have a qualified use of the palette. Exhibit "al" identifies the site locations of these two field color categories.

The Lower Hillside areas have a field color palette that is defined by colors with a LRV between 60% and 15%. This is available for secondary as well as primary field colors. The Upper Hillside

areas may only use the colors in the Field Color Palette with a LRV between 55% and 25% for the primary field colors. However, secondary field colors in the Upper Hillside areas may be selected from any color in the Field Color Palette. Exhibit "am" provides a full listing of all approved roof, field and masonry (faux) materials.

Remaining colors to be identified for a residential color scheme, fascia, trim, garage door & accent must also be in muted shades that blend appropriately with the desert environment. These colors may be selected by the builder or architect, from their own source, as long as they maintain a LRV of 70% or less and will be reviewed by the Design Review Committee.

3.4.8 Color Palette Design Kit

A "Color Palette Design Kit" (Design Kit) has been created for use by the builders and architects in MacDonald Highlands to assist them with their selections from the defined roof, field and masonry palettes. Each Kit contains a color fan deck of the Field Color Palette as well as a listing of the approved roof and masonry colors. Within the Field Color Palette, the Upper Hillside primary field color options will be identified by shortened paint chips. Listed on the front of each chip in the fan deck is the manufacturer's reference number, name and light reflectance value (LRV).

FRAZEE PAINT was selected for use in the Design Kit, ***however, manufacturer crossovers are acceptable so long as the corresponding Frazee number, name and LRV are noted when submitting a color package or scheme to the Design Review Committee for review.***

3.4.9 Builder Color Requirements

Builder color palettes shall utilize the following guidelines:

3.4.9.a Color Scheme Number:

- Custom Homes shall have six color schemes minimum.
- Attached Housing shall have three color schemes minimum.

3.4.9.b Roof Colors: Roof colors shall be selected from the defined palette. ***Manufacturer crossovers are acceptable only if they maintain the roof color criteria.***

- Custom Homes shall have three or four roof colors or blends as part of the project color package.
- Attached Housing projects shall have one roof color or blend.

3.4.9.c Building Colors: Each color scheme shall have a minimum of three different colors not counting the roof or any masonry material. All field colors shall be different with a discernable difference between them. Schemes utilizing a primary and secondary field color shall have a 15% LRV spread between them. Only one third of the color schemes may use the same fascia color. Only one third of the color schemes may use the same trim color. All accent colors are to be different.

If a masonry material is used in a massed element on the front of a residence then the remaining three elevations shall also have a stone-massed wall plane. The application of a masonry material that is only visible from the ground level within the yard is no longer permitted.

3.4.9.d **Masonry**: Custom Homes shall have a masonry material integral to one third (minimum) of their building elevations.

3.4.9.e **Color Plotting:** In an effort to offer the most balanced blend of materials and colors as possible, adjacent and facing residences shall not have the same front or rear elevation and shall not have the same color scheme. However, opposite hand footprints with variations in elevation design elements and a different color scheme will be permitted.

3.4.10 Custom Color Requirements

Custom home color palettes shall utilize the following guidelines:

3.4.10.a **Roof Colors:** Roof colors shall be selected from the approved palette. ***Manufacturer crossovers are acceptable only if they maintain the roof color criteria.***

3.4.10.b **Building Colors:** The field color(s) shall be selected from the Field Color Palette. See Exhibit "al" for which color area, Upper or Lower Hillside, your lot is located within. A customhouse color palette shall have a minimum of three different colors not counting the roof or hardscape colors and/or materials.

One of those colors may be substituted with a masonry material, however, if a masonry material is substituted for one of the three required colors, it must be used consistently and effectively on all four sides of a residence. If a masonry material is used in a massed element on the front of a residence then the remaining three elevations shall also have a stone-massed wall plane. The application of a masonry material that is only visible from the ground level within the yard is no longer permitted.

Hardscape colors and/or materials do not classify as one of the three required colors, as these accents are not applied to the actual residence.

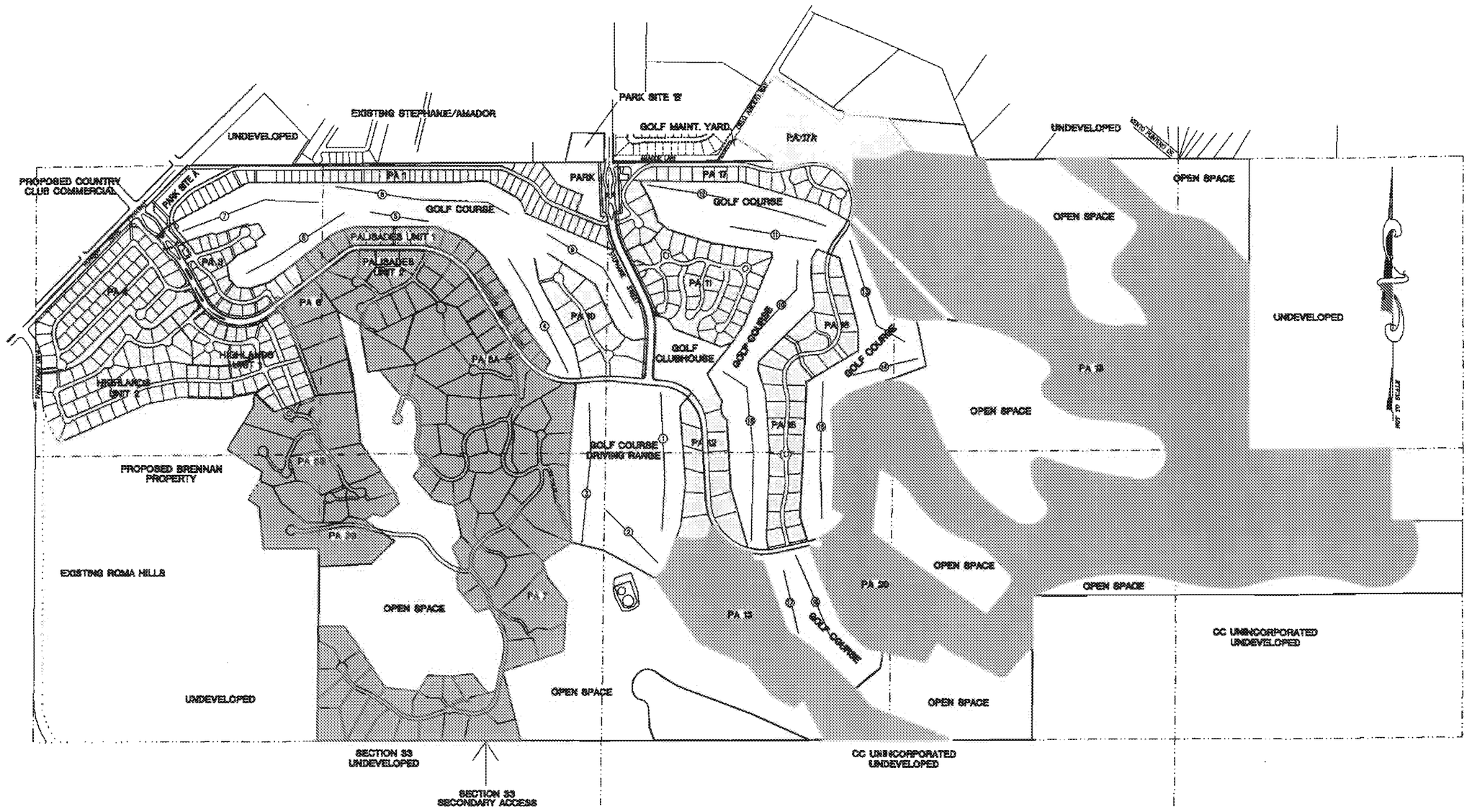
3.4.11 Color Submittals

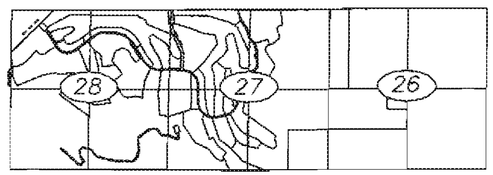
Submittals for Builder color packages and Custom Home color palettes to the Design Review Committee must contain the following information:

A color and material sample board showing the selected building colors, roof and masonry material. *The Frazee paint reference number, name and LRV must be identified on the board.* ***Paint crossovers must list the Frazee color as well.***

When multiple field colors are used, exterior elevations showing the color application strategy shall be submitted (i.e., Color Blocking Exhibits). See Exhibit "an" for submittal example.

Manufacturer cut-sheets, photographs or samples of all exterior materials, colors and textures *are required* at schematic plan submittal. Examples include windows, glass block, skylights, roof top windows, Solatubes®, solar panels, flat roof surface material, railings, wrought iron gates, doors (typical), front doors, patio doors, garage doors, landscape lighting, wall-mounted light fixtures, recessed lighting; driveway, walkway, terrace, balcony and patio materials; address identification device, etc.





PROJECT LOCATION
SECTIONS 26, 27, AND 28
TOWNSHIP 22 SOUTH, RANGE 62 EAST,
HENDERSON, CLARK COUNTY, NEVADA

LOWER HILLSIDE

UPPER HILLSIDE

MACDONALD HIGHLANDS

BY : FOOTHILLS DEVELOPMENT CO.
1700 HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89012

UPDATED NOVEMBER 2002

APPR'D	REV	DATE	BY	REVISION

TITLE: LOWER/UPPER HILLSIDE LOTS

PROJECT: MACDONALD HIGHLANDS

VPOINT
DESIGNING FOR THE FUTURE
PLANNERS · ENGINEERING CONSULTANTS · SURVEYORS
48 WEST SAHARA AVENUE · LAS VEGAS, NEVADA 89117 · (702) 545-9515

W.O. # : 320-C620
BY : RMM
DATE : 11/02
SCALE : NONE

1 OF 1 SHEETS

Exhibit "al"
Page 3.81

ARCHITECTURAL COLOR PALETTE

FIELD COLORS

Lower Hillside – Field Color Palette

8253M	8254M	8255D	
8283W	8284D	8285A	
8303W	8304M	8305D	
8664M	8665D		
8683W	8684M	8685D	
8693M	8694M	8695D	
8703M	8704D	8705D	
8713W	8714M	8715D	
8723M	8724M	8725A	
8732W	8733M	8734M	8735D
8742W	8743M	8744D	8745A
8753M	8754D	8755A	
8773M	8774M		
8812W	8813W	8814M	
8822W	8823W	8824M	

Upper Hillside – Primary Field Color Palette

8253M	8254M		
8283W	8284D		
8303W	8304M		
8683W	8684M		
8693M	8694M		
8713W	8714M		
8723M	8724M		
8732W	8733M	8734M	
8742W	8743M	8744D	
8752W	8753M	8754D	
8762W	8763M		
8773M			
8812W	8813W		
8822W	8823W		

Exhibit "am"

ROOF COLORS

MONIERLIFETILE:

Standard Shake:	1SRCB3233R	Brown Blend Brushed (formerly #501)
	1SRCB1430R	Charcoal Blend Brushed (formerly #503)
	1SRCB1132R	Charcoal Brown Blend Brushed (formerly #505)
Standard Slate:	1LSCS3233R	Brown Blend (formerly #1271)
	1LSCS1430R	Charcoal Blend Brushed (formerly #1273)
	1LSCS1132R	Charcoal Brown Blend Brushed (formerly #1275)
	1LSCS4598R	Forest Green (formerly #1248)
	1LSCS0026R	Sandstorm (formerly #1280)
M2000Shake / Vignette:	1SKCB3960	Cattails
	1SKCB3940	Cliffside
	1SKCB3934	Saddle
	1SKCB5937	Silver Rock
	1SKCB5932	Silver Smoke
	1SKCB3958	Smokey
/ Collage:	1SKCB3949	Mahogany
	1SKCB7951	Mulberry
	1SKCB3942	Raffia
M2000Slate/ Vignette:	1STCS3960	Cattails
	1STCS3940	Cliffside
	1STCS7933	Flashburn
	1STCS6938	New Bronze
	1STCS3934	Saddle
	1STCS4930	Silhouette
	1STCS5937	Silver Rock
	1STCS7980	Slate Plum
	1STCS3958	Smokey
	1STCS0959	Turtle Dove
/ Collage:	1STCS7954	Camelot
	1STCS3957	Cobblestone
	1STCS3947	Heather
	1STCS3949	Mahogany
	1STCS7951	Mulberry
	1STCS3942	Raffia
	1STCS5969	Wolf Grey
/ Tapestry:	1STCS3963	Camouflage
	1STCS4976	Impressionist
	1STCS3962	Tiger Eye

Exhibit "am"
(continued)

MONIERLIFETILE: *(continued)*

M2000Split Shake		
/ Vignette:	1SECB3934	Saddle
/ Collage:	1SECB3949	Mahogany
	1SECB3946	New Bark
/ Tapestry:	1SEBC3963	Camouflage
T2000 – Traditions:	1TRCD3083	Hearthside
	1TRCD3079	Manorhouse
	1TRCD3085	Plantation
	1TRCD3080	Riverpebble

PIONEER:

Standard Slate:	SL 550	Ironwood Blend
	SL 547	Sandalwood Blend
	SL 544	Cocoamo Grey
	SL 543	Camino Blend
	SL 541	Santa Clara Blend
	SL 540	Solano Blend
	SL 513	La Jolla Blend
	SL 433	Kona Blend
	SL 503	Cobblestone Green
	SL 471	Birchwood Blend
	SL 504	Boroughwood
Weathered Shake:	WS 550	Weathered Ironwood Blend
	WS 544	Weathered Cocoamo Grey
	WS 543	Weathered Camino Blend
	WS 541	Weathered Santa Clara Blend
	WS 540	Weathered Solano Blend
	WS 513	Weathered La Jolla Blend
	WS 411	Chestnut Brown
	WS 471	Birchwood Blend
	WS 546	Oakwood Blend
	WS 504	Boroughwood

DISCONTINUED MONIERLIFETILE: (Discontinued by MonierLifetile January 2000)

General Line:	1276	3188	3206		
Vignette:	7973				
Collage:	3935	3961	7943	7952	7977
Tapestry:	7971				

Exhibit "am"
(continued)

MASONRY COLORS

Eldorado Stone:

Hillstone: Molano, Lucero

Fieldledge: Meseta, Veneto

Shadow Rock: Teton, Bronze, Mountain Blend

Rustic Ledge: Sequoia, Prairie, Sawtooth, Cascade (w/wo rubble)

Mountain Ledge: Smokey, China, Buckskin, Warm Springs, Copper

Stacked Stone: Mountain Blend, Desert Shadows, Slate Gray, Castaway

Weather Edge: Wisconsin, Calistoga

Cultured Stone:

Country Ledgestone: Honey, Chardonnay, Caramel, Aspen

Southern Ledgestone: Chardonnay, Rustic, Fog, Bucks County

Weather Edge Ledge: Fox Valley, Wisconsin, Silverado

Pro-Fit Ledgestone: Mojave, Autumn, Shale

Caroline Ledge: Vintage Sand, Pewter Gray, Onyx Brown, Silver Sand

Drystack Ledgestone: Caramel, Chardonnay, Mist, Cedar, Suede

Southern Ledgestone & Dressed Fieldstone: Fog & Aspen, Bucks County, Rustic & Brandywine, Chardonnay

Country Ledgestone & Dressed Fieldstone: Caramel & Brandywine, Chardonnay & Chardonnay, Honey & Brandywine, Aspen & Aspen

DISCONTINUED MASONRY COLORS:

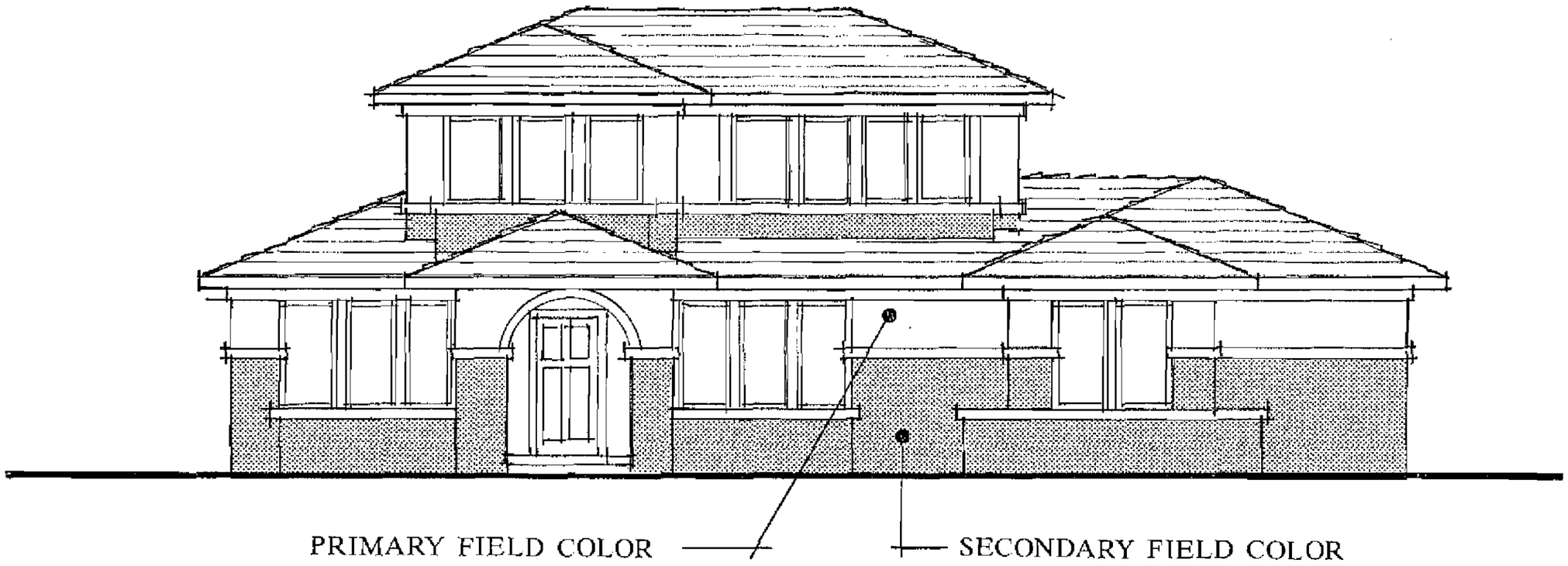
Eldorado Stone: "La Jolla" Coastal Ledge, "Santa Cruz" Coastal Ledge

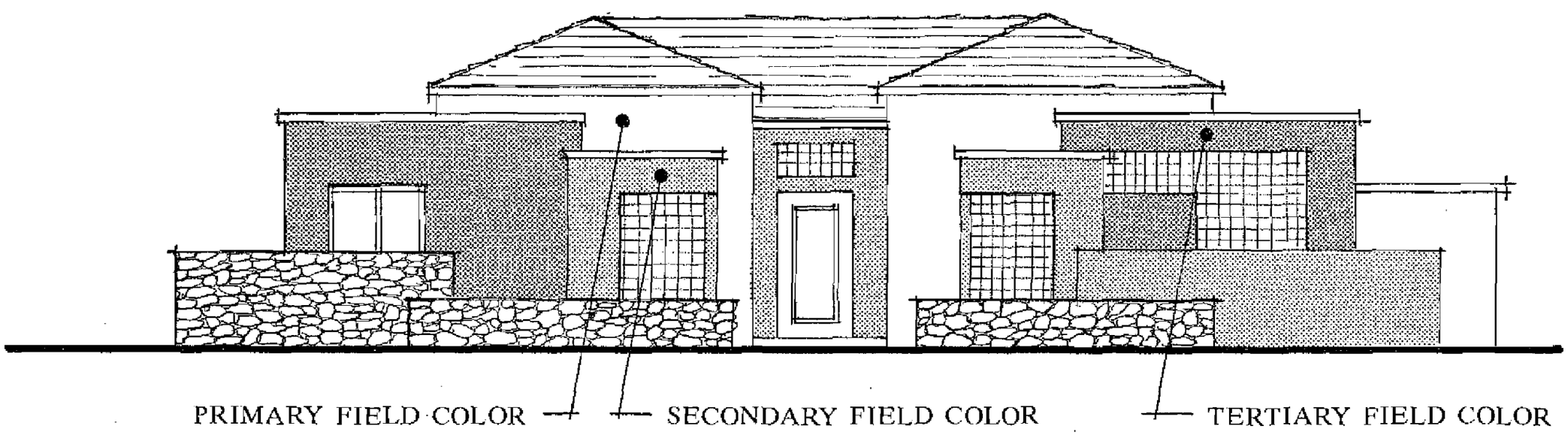
Eldorado Stone: "Oakwood" Stacked Stone

Eldorado Stone: "Napa Valley" Weather Edge

Cultured Stone: "Fawn" Southern Ledgestone

Exhibit "am"
(continued)





Color Application Strategy

Exhibit "an"
Page 3.86
AFP00261
JA_1909
3.0 ARCHITECTURAL GUIDELINES

3.4.12 Roof Design

Roofs are a significant component in the overall appearance of a building, and careful consideration must be undertaken to ensure that the design and scale of the roof is compatible with the architectural style of the dwelling and surrounding neighborhood. Roofs should be simple shapes without overly complex joining. Predominantly low to moderately pitched hip roofs are encouraged, with small portions of flat roofs permitted to enhance the desert character of the architecture. Roof articulation should strive to establish a relationship not only to the human scale, but should also enable the roof forms to blend into the natural desert environment.

3.4.12.a Roof Form and Slope: Low-pitched hip roofs are the predominant type of roof in Desert Elegance architecture. Roof pitches are not permitted to exceed a maximum slope of 4:12. Roofs with gable ends, used on a limited basis, are subject to review and approval by the Design Review Committee.

Pyramidal roof forms are often used to highlight architectural forms and floor plan elements of the residence.

Small portions of flat roofs used in conjunction with the low-pitched hip roofs further enhance the Desert Elegance character of the architecture. The use of flat roofs should be limited primarily to covering exterior spaces to minimize waterproofing constraints.

Flat roofs should be surrounded by parapets a minimum of 10" up to a maximum of 36" above the adjacent roof surface. Parapets must return and end in an intersection with a building mass.

Flat roofs that do not have parapets may be approved by the Design Review Committee if such roofs are free of any skylights, roof penetrations, roof vents, plumbing vents, or other similar elements, and if in the opinion of the Design Review Committee, any drainage crickets are not distracting to the overall design character of the residence. On flat roofs, the flashing detail between the roof and the parapet wall must be kept horizontal, not sloped to follow the roof or cricket slope, and all flashings must be painted to match the walls.

Roofs featuring broad overhangs are encouraged to provide shade protection from harsh desert climatic conditions. However, roof overhangs and/or cantilevered elements may not exceed more than 5'-0" into the side yard setback.

A variety in rooflines is encouraged to avoid a common roofline along the street scene. Rooflines of adjoining residences should vary ridge heights and the direction of main ridgelines to enhance the roofscape of the overall neighborhood.

Predominant roof ridgelines should be designed parallel to the natural contours of the site to minimize the visual impact of roofs and any gable ends.

Creatively designed skeletal roof structures offer the opportunity to provide shelter and shade while creating roof top color through the growth of vines and other plant material.

Skylights and roof top windows are permitted and should be designed as an integral part of the roof. In addition, these elements shall be tinted bronze or gray; white or clear glass is not allowed; and all framing material shall be colored to match the adjoining roof surface.

Several types of fascias are commonly used in Desert Elegance architecture. These include concealed, flush or tight fascias, as well as broad overhanging eaves providing protection from the sun.

Fascias may be either stucco, stone or tile. Corbel elements are non-characteristic of the Desert Elegance style of architecture and are <u>not</u> permitted.

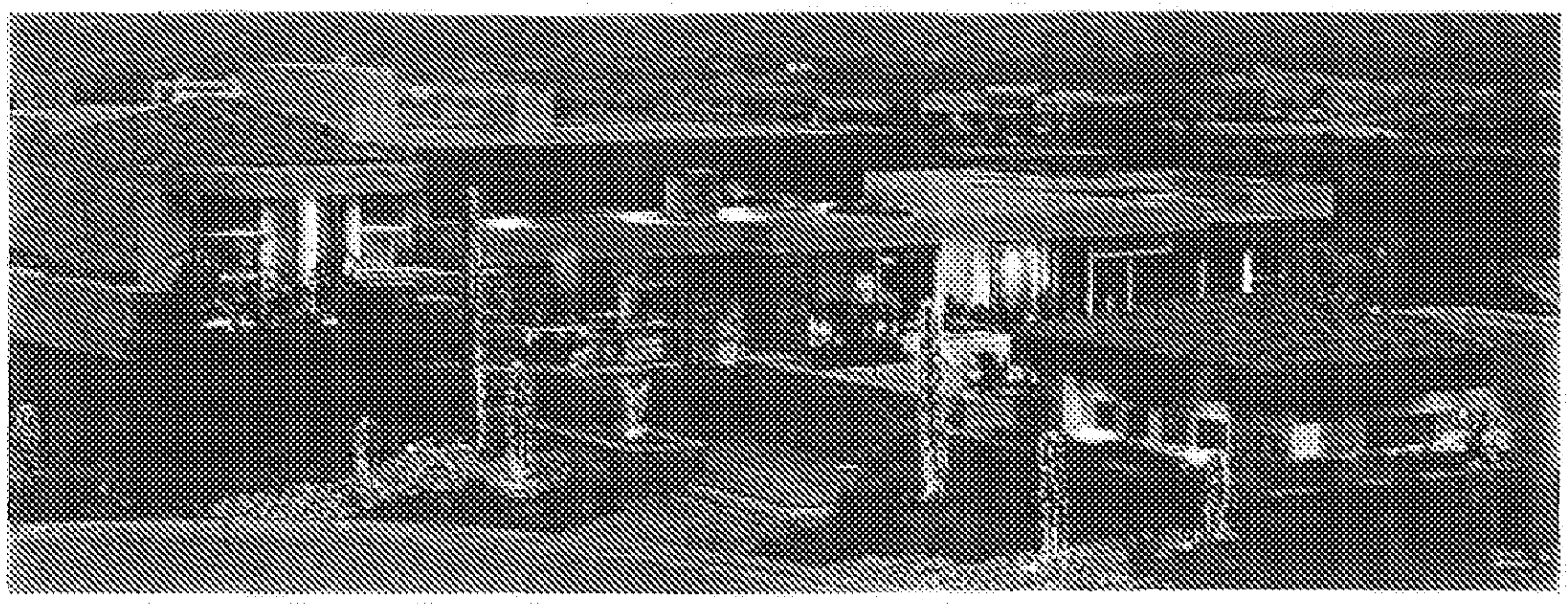
3.4.12.b Roof Materials and Colors

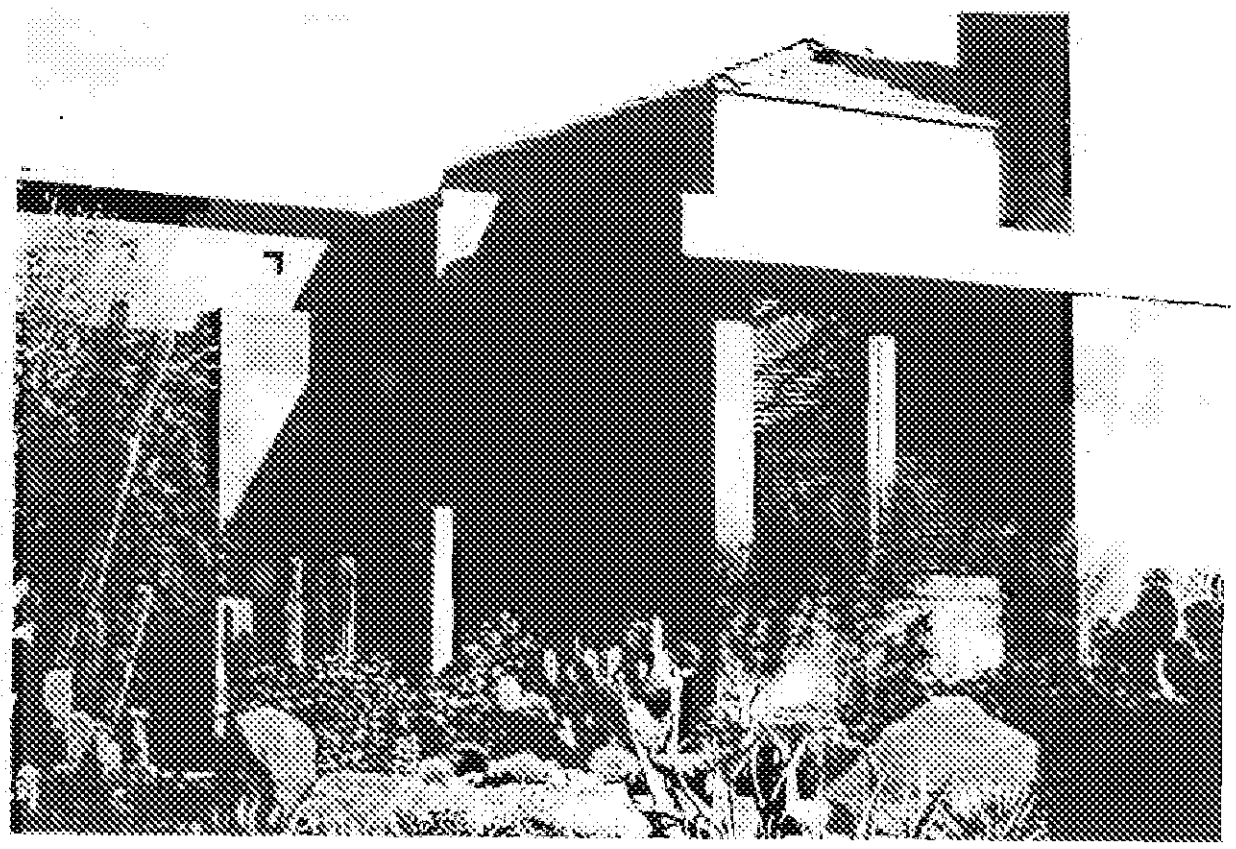
<u>Permitted Roof Materials</u>:

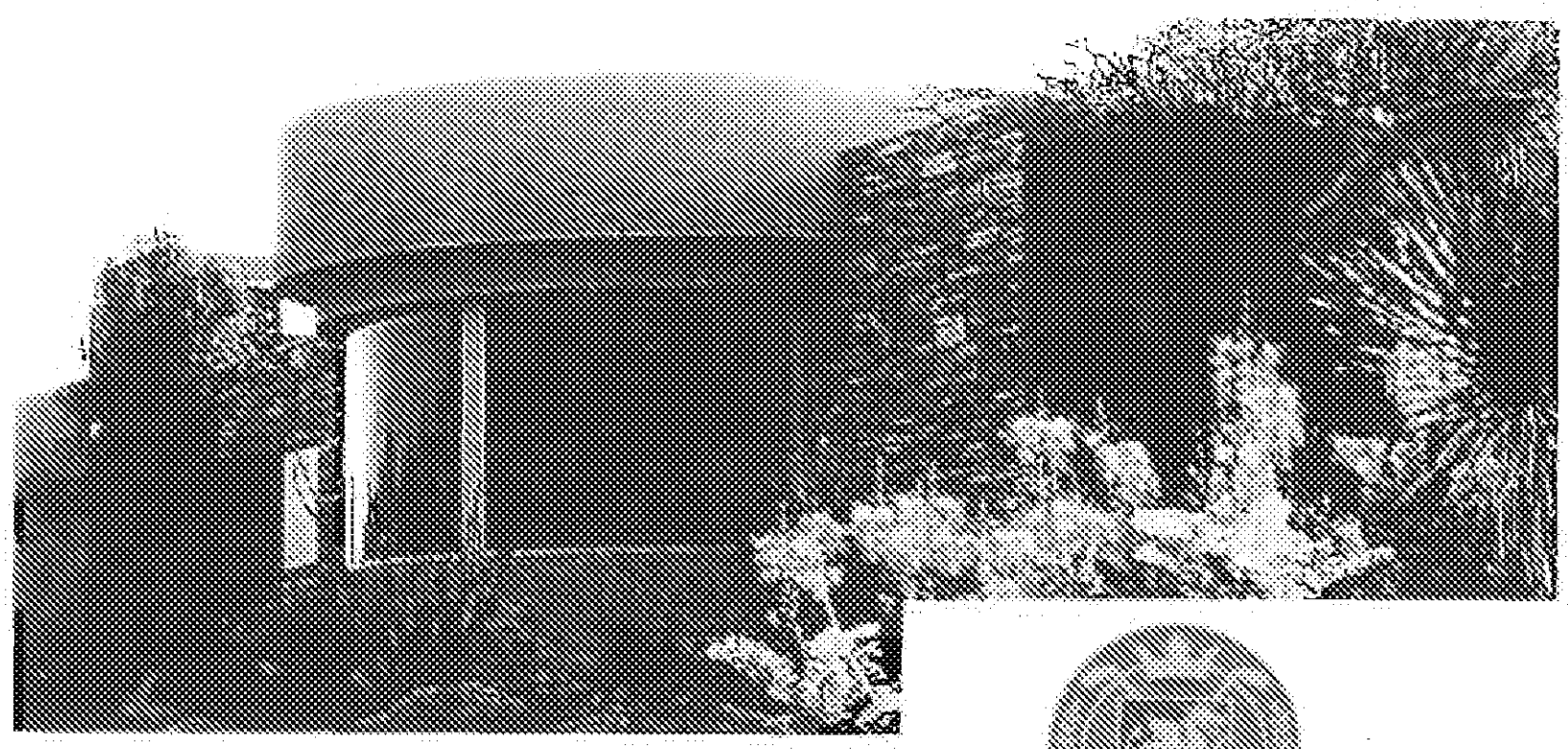
Roof materials for each residence shall consist of one of the following in either flat tiles or concrete shakes:

- Concrete Tile
- Clay Tile
- Slate

Refer to Exterior Color Section for permitted roof colors.







MACDONALD
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Standing seam metal roofs, including patinaed copper, may be used, subject to approval by the Design Review Committee. Such roofs, however, shall have a matte finish to minimize glare.

Prohibited Roof Materials:

- Barrel or "S" Tiles
- Plain Red Tiles
- Asphalt Shingles
- Fiberglass Shingles
- Reflective roof surfaces causing excessive glare
- Simulated Tile including Fiberglass or Metal

Gutters and downspouts, when used, must be concealed unless designed as a continuous architectural feature. The use of patinaed copper gutters and downspouts is encouraged when used as an architectural feature.

3.4.12.c Mechanical Equipment Screening: Mechanical equipment such as air conditioners, heaters, evaporative coolers, television and radio antennas, satellite and radar receivers and other such devices shall not be permitted on any roof. Mechanical devices such as exhaust fans, vents and pipes shall be painted to match adjacent roof surfaces.

The use of solar panels, hot water storage systems, or other similar devices shall not be visible from any street or community open space, and are subject to approval by the Design Review Committee.

Air-conditioning units, etc. must be completely screened from view from adjacent lots, streets, or open space areas by a wall at least 12" higher than the equipment being screened within and must be setback a minimum of five feet (5') from all property lines. All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400-amps require a closet, which is to be integrated into the design of the residence. Executive Estate Lots requiring electrical panels in excess of 400-amps require prior Nevada Power Company written approval to ensure electrical needs for the residence are attainable. Said approval shall be included as part of the schematic plan submittal package.

3.4.13 Architectural Features and Accents:

The use of architectural features and accents is encouraged to create interest on building facades. Careful placement and treatment of accent windows, for example, not only reduces the scale of the building, but also adds character to the elevations. Stairways and columns should be carefully integrated into the design of the building. Accent colors and material treatments should complement the primary building color. Extreme contrasts in style, material and/or color should be avoided.

3.4.13.a Entry Courtyards: The use of front entry courtyards is encouraged as a transition from the public space of the street to the private dwelling.

The arrangement of interior living spaces can be used to enclose an entry courtyard, creating a focal point for surrounding rooms, as well as providing a charming entry to the residence.

In addition, garden walls and fences can be used in conjunction with the building architecture to create the entry courtyard.

Garden walls and fences, when used, should complement the adjacent finish and architectural character of the adjoining residence.

Garden walls should be embellished through the use of wall caps, ceramic tiles, steps, recesses, cutouts, and/or wrought iron details.

The use of gates or doors at the entrance to the courtyard is encouraged.

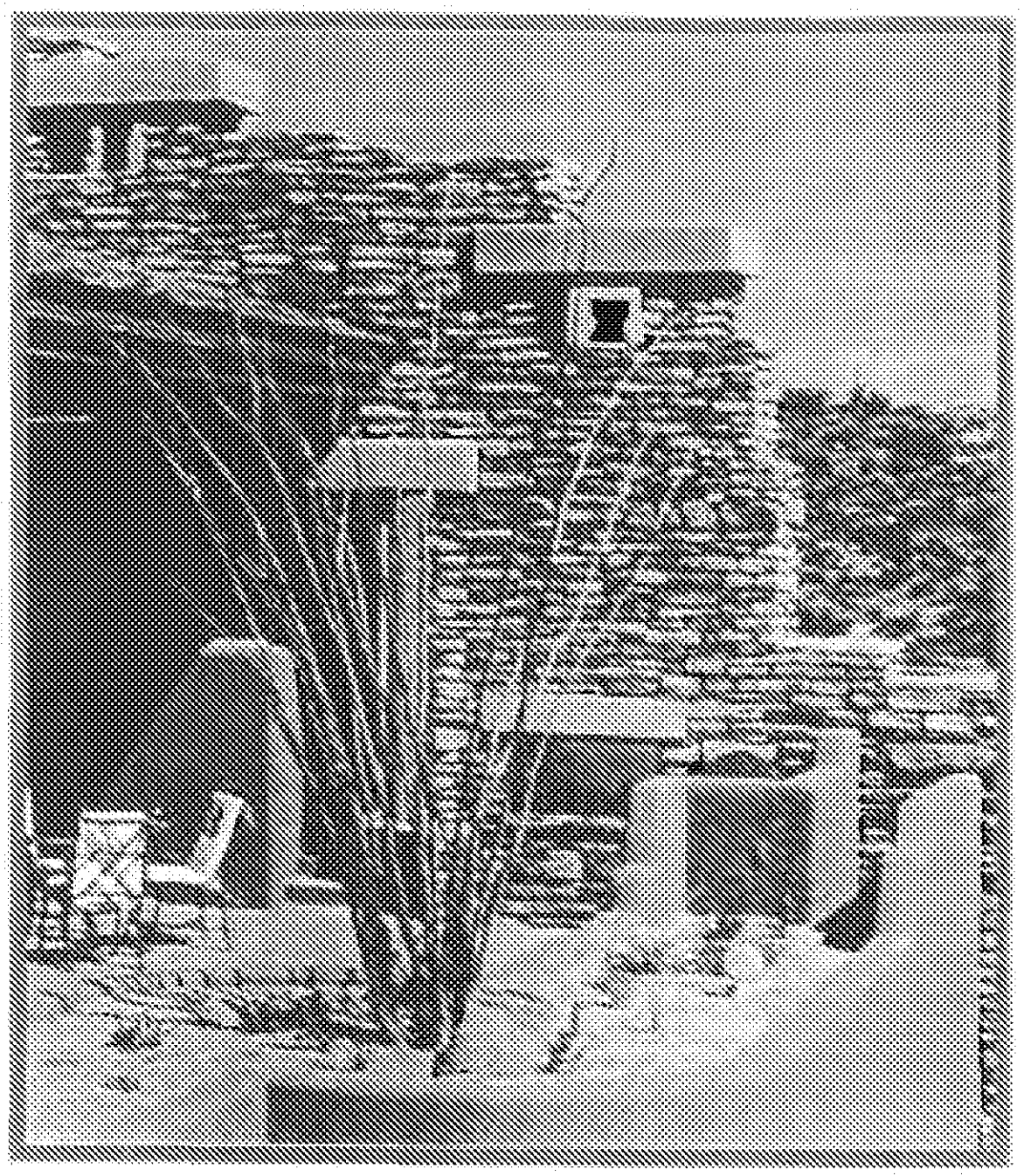
Plant material should be used to visually soften courtyard walls and fences.

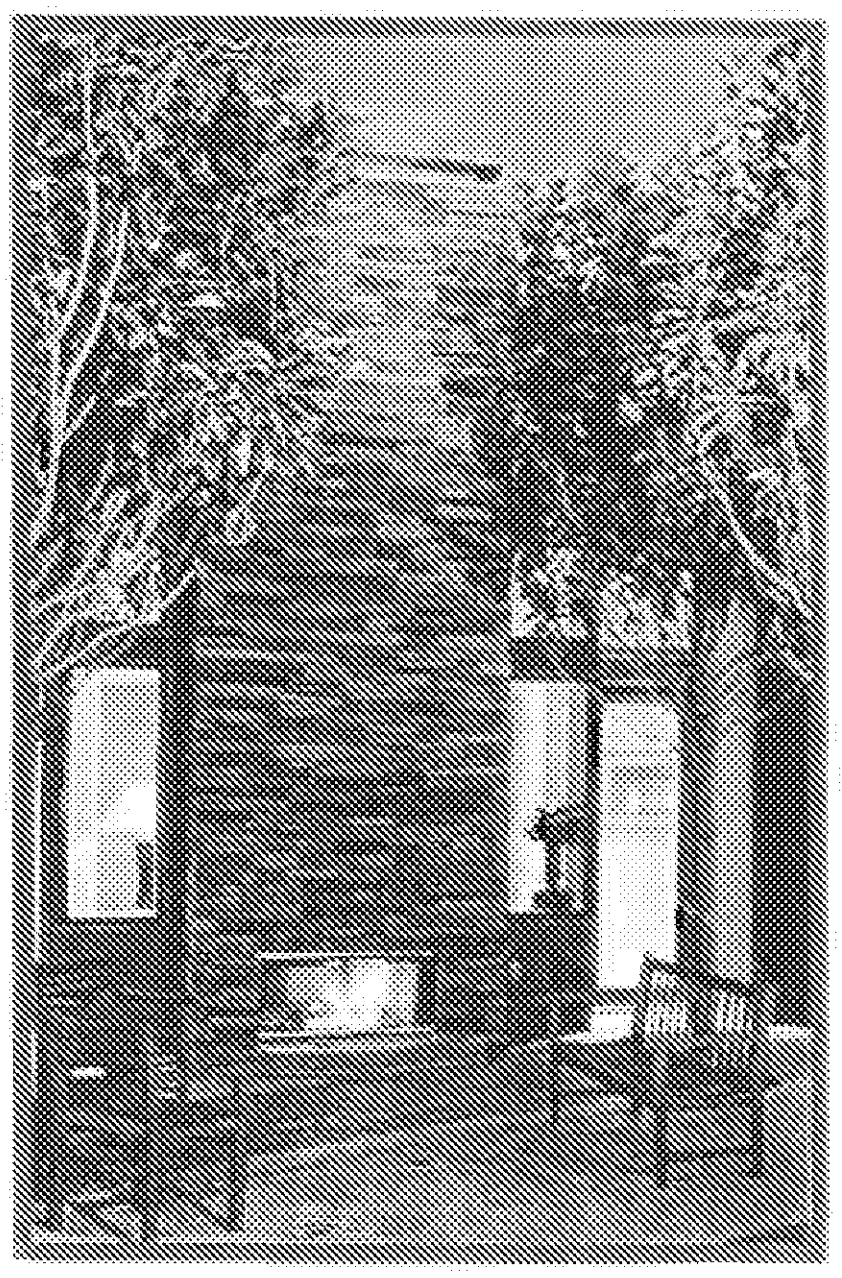
3.4.13.b Walkways, Balconies, Terraces and Patios: Terraces and patios provide a strong indoor/outdoor relationship to the residence, enhancing the integration of the structure with the surrounding natural desert environment.

Broader verandas on both the front and rear elevations are important and shall be used to create appropriate design features.

Cantilevered balconies and shall be wood, metal, or ornamental wrought iron and must be consistent in character and detail with the project and particular residence.

The generous use of windows and doors onto terrace and patio areas strengthens the visual continuity from interior living spaces to the out of doors.





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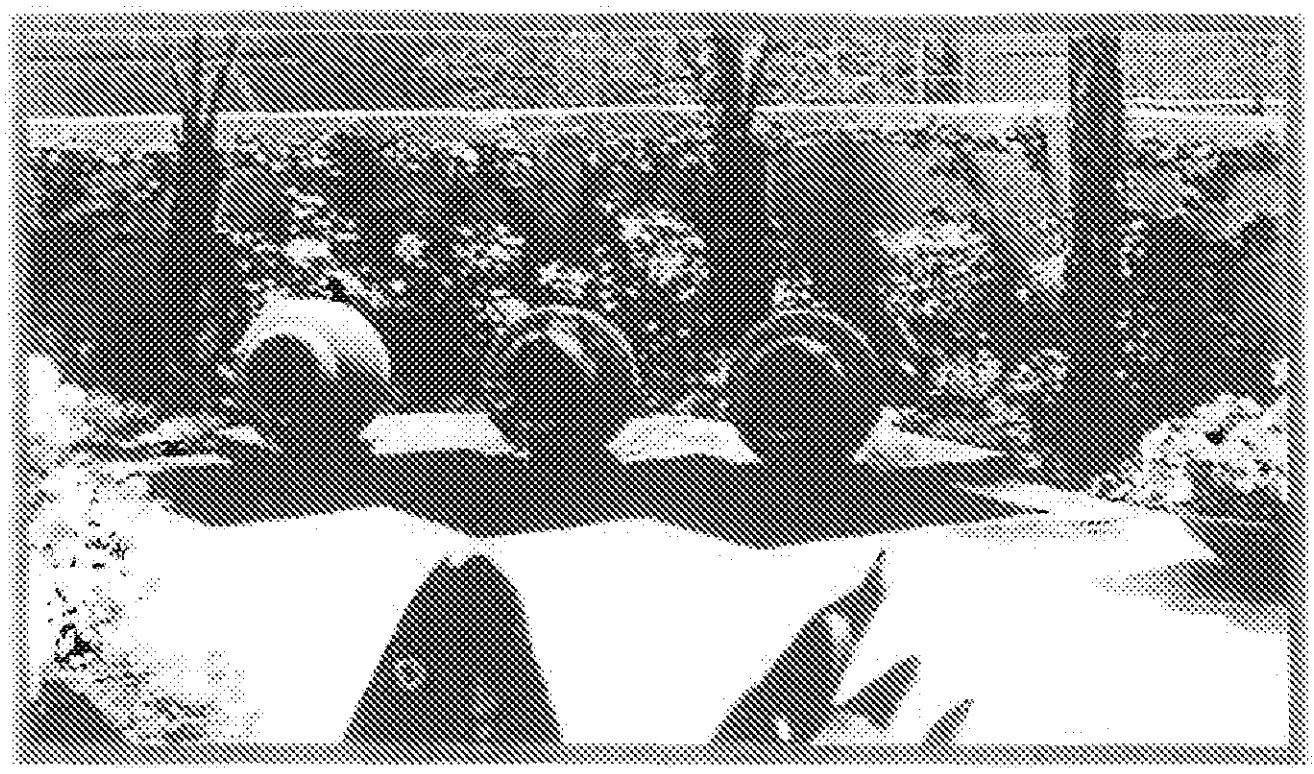

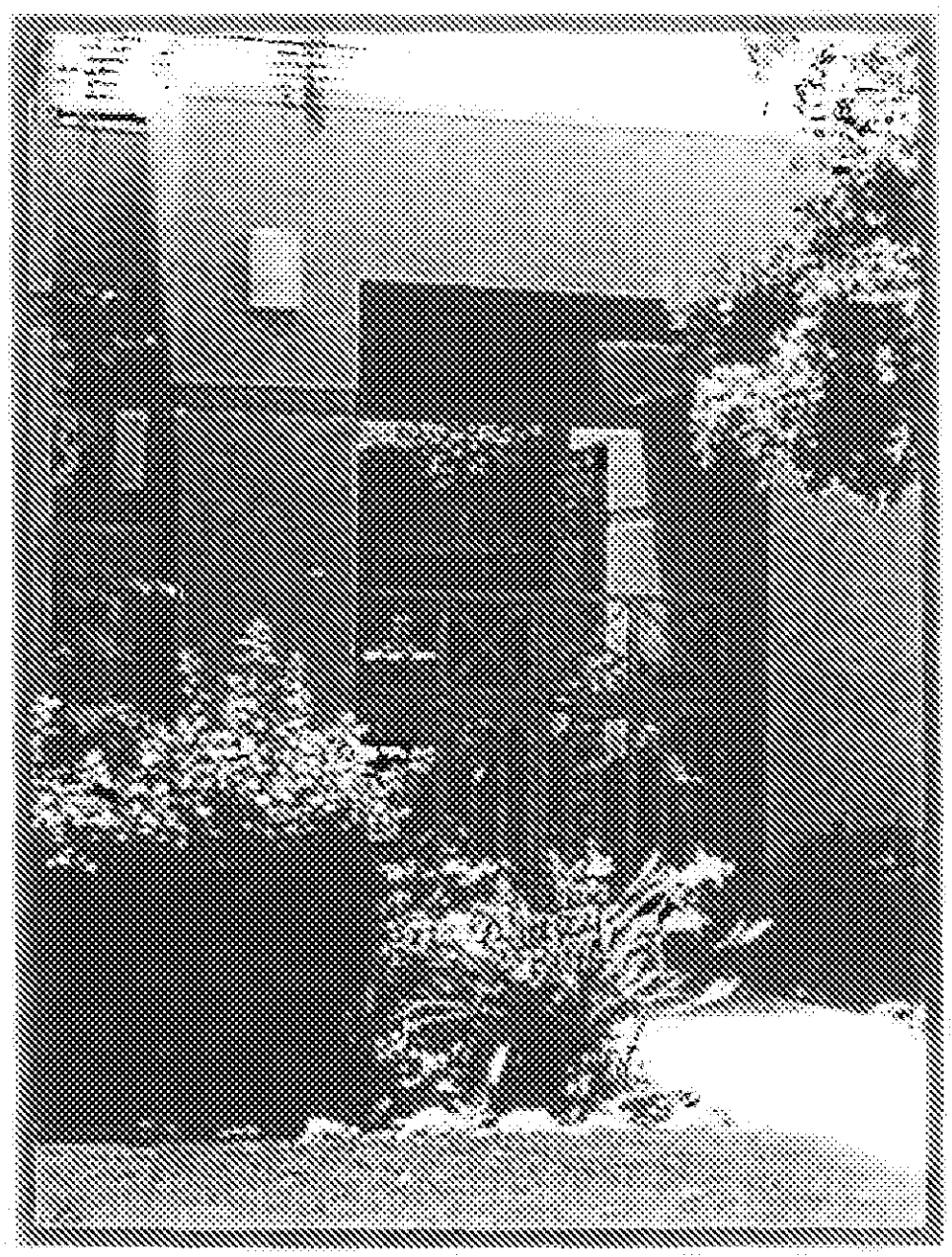

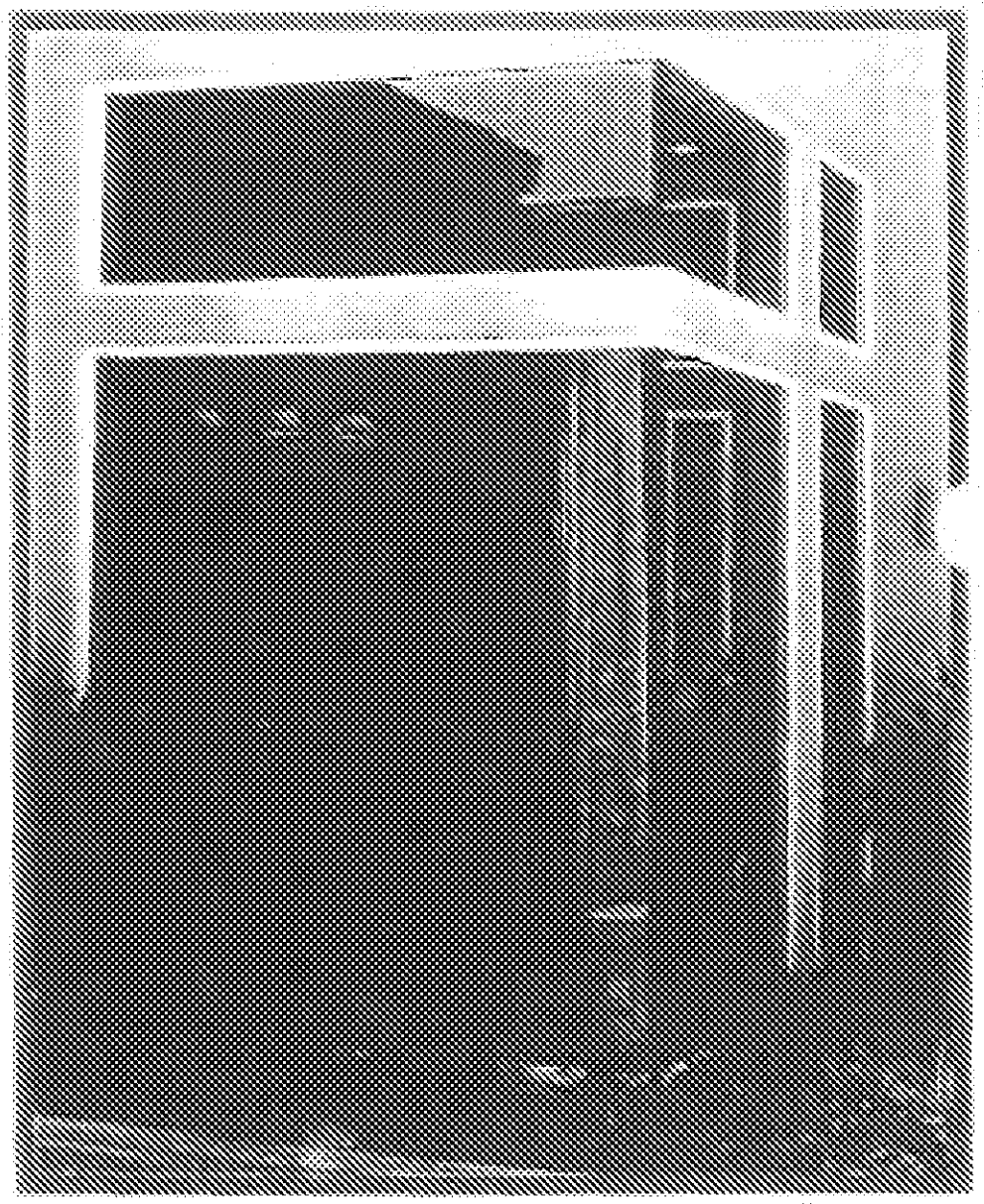

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An extension of the overall roof form to cover portions of the terrace and patio areas provides effective protection from the desert sun.

As rear patios, sundecks and "open" balconies are classified as non-livable spaces, these single-story elements will be permitted to encroach 10'-0" into the rear setback on Executive and Golf Estates, however, must comply with side setback criteria.

On Hillside and Manor Estates, rear patios and balconies will be permitted to encroach up to 15'-0" from the rear property line, but cannot exceed 15% of the overall rear yard area, and must comply with side setback criteria.

Broad roof overhangs and trellises also provide shade protection for terraces, patios, and the residential dwelling.

Walkways, terraces and patios should be constructed of materials that blend with the natural desert environment to the extent possible. Examples of such materials include stone, brick, and concrete colored to match the surrounding landscape. Ordinary concrete that is not colored or textured is not acceptable.

Tempered glass railings are permitted, however, their glazing must be either clear or tinted; reflective glass is not permitted.

3.4.13.c Windows: Special consideration should be given to solar orientation when determining window locations and details. Windows with direct sun exposure should be shielded by covered patios, wide overhangs, deep window opening recesses, shade structures, tinted glass or other similar devices, to minimize the effects of the sun.

Large picture windows are effective in capturing the spectacular views offered from the site. The use of corner glass enhances the view opportunity within the residences and is characteristic of the Desert Elegance style of architecture.

The use of mullions is discouraged in the design of windows. Mullions, where approved by the Design Review Committee, may be used as an accent element.

Metal window frames are permitted, and may be bronze or earth tone colors compatible with the surrounding desert environment. Bright accent colors and mill finish frames are not permitted.

Window glazing may be either clear or tinted; reflective glass is not permitted.

3.4.13.d Screen Walls: Screen walls and fences shall be compatible with the architectural character of the residence in terms of design, material and color selections. They may be used to separate the Private Area from the rest of the Building Envelope and as screening for parking and service areas. They may not be used to arbitrarily delineate property lines or the Building Envelope.

In no case shall the height of a screen wall or site wall exceed 6-feet (per City of Henderson requirements), measured vertically from the lowest point at finished grade adjacent to the wall to the highest point of the wall along the exterior side of the enclosure, unless otherwise specifically approved by the Design Review Committee.

3.4.13.e Garage / Auto Courts: The placement of garages should carefully consider the impact of the garage doors on the streetscene.

The use of auto courts in which the garage doors are oriented completely away from the street is strongly encouraged. The auto court should be screened from view from the street, adjacent residences or public spaces through the arrangement of building elements, courtyard walls, gates or landscape material.

Detached garages must feature the same architectural style, materials, detailing and other characteristics as the main residence.

Garage doors shall be inset a minimum of 12" from the adjacent wall surface and should not be excessively ornamental. Roll-up garage doors are required; out-swing doors are not permitted. Copper doors, where permitted by the Design Review Committee, shall have a matte finish to minimize glare. Wood garage doors, where permitted by the Design Review Committee, must be maintained regularly. If problems occur with wood garage doors, the HOA and/or Design Review Committee reserve the right to require such doors to be replaced.

Garages, particularly when viewed from the street, shall feature offset garage doors to minimize their impact. For example, a 3-car garage shall feature one single garage door offset from the remaining two garage doors by a minimum of 3', or separated by a minimum of 12'.

3.4.13.f **Parking:** Each custom residence must have at least five parking spaces. Two of these spaces must be in a two-car garage that must be both enclosed and attached to the residence, or in a separate, totally enclosed structure. Carports are not permitted, except where enclosed on three sides and made an integral part of the structure. On-street parking is limited to visitors and guests only. Due to City of Henderson Fire Code, on-street parking is limited to one side of the street only. The approved street parking for visitors and guests will be limited to the southside and the eastside of the street only *(per MacDonald Highlands Master Association Rules and Regulations adopted July 10, 2002).*

3.4.13.g **Chimneys:** Chimneys shall be designed to be in scale and proportion with the architecture of the building, and incorporate materials consistent with the detailing of the building's elevations.

A chimney mass may not exceed an overall horizontal dimension of 12', unless otherwise specifically approved by the Design Review Committee. Unconcealed metal chimney terminations are not allowed.

Use of terra cotta or fabricated sheet metal enclosures is required for metal chimneys. Masonry chimneys must provide a cap detail that is consistent with the architectural character of the residence.

Chimney heights shall conform to City of Henderson standards.

3.4.13.h Building Projections: All projections from a building, but not limited to, chimney caps, vents, gutters, scuppers, downspouts, utility equipment, meters, boxes & connections, porches, railings, and exterior stairways shall match the color of the surface from which they project, or must be a compatible accent color, unless otherwise approved by the Design Review Committee.

3.4.13.i Accessory Structures: Accessory structures shall include any building or structure that is totally detached from the main building. Examples of these shall include, but are not limited to the following:

- Detached Garages
- Detached Guesthouses
- ~~Storage Buildings~~
- Equipment Enclosures
- Shade Structures including:
  - Gazebos
  - Cabanas
  - Trellises

Any accessory structure should be located and designed to respect the views, privacy, and other aspects of the adjacent properties. Such structures should be located and designed to be compatible with and compliment the design and form of the main residence. The use of mature landscaping is encouraged to soften the appearance of these structures.

Accessory structures provided on interior lots (i.e., fully-enclosed/non-visible lots) must be setback a minimum of five feet (5') from all property lines. While accessory structures provided on lots along the golf course and/or common open space must be setback a minimum of ten feet (10') from all property lines.

The height of an accessory structure will be reviewed by the DRC on a case-by-case basis as it impacts neighboring properties, the golf course and common open space.

3.4.13.j **Flagpoles:** Freestanding flagpoles are not allowed on any lot in MacDonald Highlands. Displaying the American flag, State of Nevada flag or other appropriate flag may be displayed on special occasions if it is hung from a pole bracket mounted to the residence or if it is suspended from a roof overhang.

3.4.13.k **Service Areas:** All above-ground trash containers, clotheslines, mechanical equipment, fuel tanks, water tanks, and other outdoor maintenance and service facilities must be completely screened from view from adjacent lots, streets, or open space areas by wall and gates at least 12" higher than the equipment. Gates, or a maze entry that provides complete screening, shall be required around all mechanical and pool equipment enclosures.

3.4.13.l **Utility Equipment:** All utility meters and panels must be painted to match the adjacent building color at which they are located or must be located in service yards, mechanical rooms, or within meter closets. Utility panels in excess of 400-amps require a closet, which is to be integrated into the design of the residence. Executive Estate Lots requiring electrical panels in excess of 400-amps require prior Nevada Power Company written approval to ensure electrical needs for the residence is attainable. Said approval shall be included as part of the schematic plan submittal package.

3.4.13.m Unique Exterior Features: Unique exterior features including, but not limited to, entry arches, decorative gates, glass patterns, railings, enclosures, ramadas, gazebos, cabanas, exterior fireplaces, permanent BBQs, wet bars, water feature or water displays, or other similar features, must be designed as an integral part of the residence. Requests for approval of unique exterior features should include detailed design information including sketches, cut sheets, photographs, etc. submitted as part of the design review process with the Design Review Committee.

Specific restrictions include:

- Open railings on visible exterior stairs will be reviewed on a case-by-case basis at the sole discretion of the Design Review Committee. Exterior ornamental stairs are not allowed.

- Outdoor fireplaces, fire pits or similar items shall be gas fueled only to minimize the danger of fire. Gas units are permissible; however, it is the Owner's responsibility to ensure that all outside sources of emissions must conform to, and be permitted by, applicable federal, state and municipal environmental regulations in effect at the time of submission.

- Infinity/negative-edge swimming pools and/or spas, fountains, water features, water displays, outdoor fireplaces, fire pits, permanent BBQs, wet bars, etc. are limited in height to no higher than 5' above the grade at which they are located when visible from the golf course and/or common open space. If not visible, individual variance requests may be

considered by the DRC on a case-by-case basis, however, detailed design information including sketches, cut-sheets, photographs, etc. must accompany an Owner's request for variance and shall be submitted as part of the design review process with the DRC.

3.4.13.n Materials: Due to climatic extremes, the use of wood as an exterior material should be carefully considered. The use of wood on exterior walls as an accent is a high-maintenance item, and is prohibited as the primary exterior material. All exposed wood beams, fascias, columns, trellises, etc., should be of glulam construction. Expression of wood trim is generally used in lintels, porches, trellises, outlookers, and rafter tails.

- Plaster finishes with a hand-troweled finish or light-sand float finish is encouraged. Spanish Lace and other heavy textures are discouraged.

- Patinaed copper gutters and hidden down spouts are permitted and encouraged.

3.4.13.o Exterior Storage: Exterior storage shall only be permitted in the Side Yard if attached to primary structure or in the Rear Yard of any Lot or Parcel if in a totally enclosed Building or opaque screened area. Storage structures are not allowed along the golf course, common open space and hillside areas.

The height of the screened area shall be a minimum of six (6) feet (per City of Henderson requirements).