

Rancho Madera Homeowner's Association

Architectural Control Committee (ACC) *Process, Rules & Guidelines*

Note: No changes, alterations, improvements or modifications shall be made to any exterior portion of buildings, structures or lot until plans and specifications, prepared in accordance with the ACC Process, Rules & Guidelines, have been submitted to and approved in writing by the Architectural Control Committee.

Send ARF and all materials to:

Rancho Madera ACC
c/o The Emmons Company
P.O. Box 5098
Thousand Oaks, CA 91359
805-413-1170 Fax 805-413-1190

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RANCHO MADERA HOA ARCHITECTURAL RULES AND GUIDELINES

Purpose

The purpose of these guidelines and standards is to clarify the rights and obligations of members as to the method for seeking approval from the ACC and the bases upon which the ACC will be making decisions so as to avoid confusion, conflicts and disputes between the Association and its members. The Rancho Madera Homeowners Association is governed by a recorded Declaration of Covenants, Conditions and Restrictions (CC&R's) which contain in Article IX, certain covenants and restrictions upon the members regarding constructing improvements on or to the Private Lots or modifying the appearance of Structures located on the Private Lots. The CC&R's establish an Architectural Control Committee to make decisions upon applications submitted by members for additions or modifications to the Private Lots. The Board is authorized to appoint the ACC or the Board may act in that capacity, in its sole discretion.

The provisions of Article IX of the CC&R's are incorporated by reference herein and any inconsistency between Article IX and these guidelines shall be controlled by Article IX of the CC&R's.

Section 1: Architectural Control Committee

- 1.1 **Committee Structure.** The ACC shall be appointed by the Board of Directors and the committee members shall serve at the sole discretion of the Board. The ACC shall be primarily responsible for the preservation of the architectural integrity of the Project. The committee shall be composed of no less than three (3), but no more than five (5) who shall be owners of Private Lots within the Project. The Board shall designate one of the ACC members to be the chairperson of the committee. The chairperson shall serve as the liaison between the ACC and the Board. The Board will be required to act as the ACC when there is less than the required number of ACC members on the Committee.
- 1.2 **Committee Meetings.** The ACC shall meet at least once a month unless no applications or violations are pending before it. The business to be conducted at said meetings shall include:
 - a. Review and act upon applications;
 - b. Update and maintain ACC records and files;
 - c. Act on special requests from the Board of Directors;
 - d. Prepare monthly reports to the Board for presentation at Board meetings.
- 1.3 **Professional Services.** The Committee shall have the right to hire professional services to aide in the review of application if it deems necessary and such cost of services will be at the expense of the applicant. The ACC shall notify the applicant in writing prior to doing so.
- 1.4 **ACC communications.** Written communication generated by the ACC shall be via Management and the Board of Directors with board members being copied. Neither ACC nor any Board Member shall have the authority to give any owner of a Private Lot verbal approval of any application or any

proposed project. Only written approvals by the ACC shall be valid. **All acceptances or rejections of application shall be mailed to the Owner at the Owner's official address via first class mail.**

Section 2: General

- 2.1 **Routine Repairs or Maintenance.** Repairs and maintenance of a routine nature which do not alter the exterior appearance of the structures do not require ACC approval. (If you are not sure whether your project requires approval, inquire in writing to the ACC, in care of the management company.)
- 2.2 **Purpose of Review.** The review by the ACC is to check for general conformity to the architectural standards of the community concerning harmony of appearance and impact on neighboring properties and the Association. The ACC in no way is reviewing the sufficiency of the designs or plans from a structural or functional perspective or to determine compliance with applicable building codes or similar regulations. Similarly, comments or recommendations to plans from the ACC do not relieve the member from obtaining permits or properly engineering the changes requested.
- 2.3 **Starting Construction without ACC approval.** Commencing work of improvement or alteration without ACC approval is prohibited and may result in the Association taking legal action to cause you to cease and desist from performing further work and/or to remove the work performed. In addition, fines and other disciplinary measures may be imposed. Do not schedule contractors until the written approval from the ACC is received.
- 2.4 **Building Permits.** Members desiring to perform alterations or modifications are required to obtain all appropriate permits for the work under applicable governmental regulations. Failure to obtain permits or make them available to the ACC during construction will constitute grounds for the Association to demand that all work cease until appropriate permits are obtained or provided. The role of the permitting agency and the ACC is completely different and therefore, **the fact that a member or member's contractor obtains permits does not act as a substitute for ACC approval.**
- 2.5 **No waiver based on existing non-conforming improvements.** The fact that a non-conforming improvement exists in no way obligates the ACC or Association to approve a subsequent application for non-conforming improvement or alteration.
- 2.6 **Conflicts between Governmental regulations and Association regulations.** In the event that there is a conflict in the conditions of approval between the Association and any governmental agency, the more restrictive conditions will control, regardless of whether the condition is from the governmental agency or the Association. Nothing in these guidelines or the CC&R's prevents the Association or ACC from imposing more restrictive conditions than a governmental agency.
- 2.7 **Variances.** The ACC, with the ratification of the Board of Directors may approve on a case-by-case basis variances from the Association's architectural standards if the circumstances warrant the need for a variance.

- 2.8 **Conflicts of Interest.** No member of the Board or ACC may participate in the review process associated with their own Private Lot or that of a family member or of a lot in which they have any financial interest, including that of a lender.
- 2.9 **Additions, alterations or modifications of structures.** Two stamped sets of building plans shall be submitted along with the application when the member is seeking to construct an addition to or to modify the exterior architectural features of a structure. One copy will be returned. An accurate description of proposed finish materials shall be supplied. In addition, an accurate rendering of the proposed alteration shall be provided of each elevation effected by the alteration. If windows or doors are to be replaced, photographs or manufacturers specifications shall be submitted with the application. In the event the regulatory agency does not require a set of building plans for certain modifications, accurate renderings of what the alteration will look like upon completion shall be submitted with the application. **The purpose of this requirement is to allow the ACC to have a clear picture of the proposed work so that the finished product can be compared to the proposed work. If the finished product differs from the rendering submitted the Association has the authority to require conformity to meet the approved rendering.** The ACC shall not consider any application for approval which does not contain a rendering of the proposed project.

Section 3: Construction Rules.

- 3.1 **Construction Hours.** Construction is limited to Monday-Friday 7 a.m. to 5 p.m. and Saturdays 9 a.m. to 5 p.m. No noise producing or disturbing construction work is permitted on Sundays or on the following holidays: New Years, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.
- 3.2 **Construction Signs.** Contractors may not post signs on the Private Lots.
- 3.3 **Security.** Members are responsible for securing the construction site and Member bears all risks of loss for any theft or other damage which may occur. The Association shall not be responsible for any loss, injury or damage occurring on an approved project or arising from approved work.
- 3.4 **No Temporary Structures.** No trailer, RV, tent, or similar structure shall be used for residency during a construction project.
- 3.5 **Paint or Cement Work.** Any concrete or paint spills on streets within the Association or in the common areas must be cleaned up immediately. The Member shall be responsible for all costs incurred for cleanup related to their contractor actions and/or workers. All cleanups shall be free from residue on a street or in a gutter. No discharge of any construction material into the sewer system is permitted.
- 3.6 **Trash Bins.** Members who require oversized trash bins for their construction projects shall locate them on their driveway if at all possible. If bins are to be placed on the street, appropriate protection shall be put down on the street before installation and owner must obtain permit (if applicable).

- 3.7 **Construction Materials.** All construction materials for a Member's project must be kept entirely within the Private Lot.
- 3.8 **Construction Vehicles.** Construction vehicles shall be parked on the driveway of the Private Lot whenever possible.
- 3.9 **Members liable for damage.** Any damage to common areas which is caused by a Member or their contractor, subcontractor, material supplier, laborer, employee or anyone performing work on the Private Lot shall be the sole responsibility of the Member. If the damage is not repaired by the Member in a timely manner, the Association has the right to make the repairs and assess the Member for the cost. If a Member fails to pay the special assessment, the Association has the right to suspend construction and seek any other remedy (including legal action) available in the governing documents and/or under California law.

Section 4: Improvements and Modifications A-Z List

AIR CONDITIONERS

1. Units extending from windows are not permitted.
2. Condensers and other equipment are to be screened from address street views where possible by landscaping or fencing.
3. Air conditioners must be installed in the position designated by the builder.

ANTENNAS & SATELLITE EQUIPMENT

1. No radio or TV antenna may be installed or erected upon the exterior of any residence.
2. Satellite dishes 1 meter – or less, in diameter are permitted.
3. Require submission of an ARF with description of location of satellite dish. The satellite dish will be located in the least conspicuous location. Cables and wires will be firmly attached and are to best match color of exterior paint color.

ATTIC VENTILATION

1. Ventilators or other mechanical apparatus requiring roof installation are to be as small as is functionally possible and painted to match roof color.
2. Units should be located on the least visible side of the roof and may not extend above the ridgeline.
3. Require submission of an ARF and prior approval from committee before installation.

BALCONIES

1. Approval to construct any balcony structure is contingent on lot elevation, grade and location.
2. Each request will be considered on a case-by-case basis.
3. Require submission of an ARF (with plans) prior approval from committee before installation.

BARBECUES

1. Permanent barbecues are permitted in rear yard only.
2. Placement/location shall be considered to avoid smoke drift to adjacent owners.
3. Require submission of an ARF and prior approval from committee before installation. Application should provide dimensions, color, materials and location of barbecue on the lot.

BASKETBALL HOOPS – PORTABLES ONLY

1. No permanent hoop installation is allowed.
2. Portable basketball hoops and equipment must be stored out of view while not in use

CLOTHESLINES

Exterior clothesline are not permitted.

DOG HOUSES

1. Dog houses in rear yard only.
2. No structure shall be visible from street view.
3. Permanent structures require submission of an ARF with all supporting documents to the committee and ACC approval before installation.

FENCES AND WALLS INCLUDING DECORATIVE WALLS

1. Plans to raise the height of a party wall must be submitted for approval. The application must include written notice to the adjacent neighbor(s), as well as information on the height of all walls that will abut the wall(s) being raised, material to be used to raise wall, and texture and color of finished wall. Walls must match the existing wall in texture and color.
2. Plans for 'new' fences or walls must be submitted for approval to the Committee prior to construction.
3. Access for pool installation must be through the front gate access or by removing a portion of the front wall. Corner lots must receive prior approval to remove a portion of the sidewall.
4. Decorative or garden walls must be submitted for approval prior to installation.
5. Any fence or wall shall be designed and built to not interfere with drainage.
6. The ONLY approved color for painting of common area wrought iron fences is the current color of Brown.

GATES

1. All gates visible from the street shall be wrought iron or wood.
2. Designs are to be compatible with the architectural appearance of the neighborhood.
3. Require submission of an ARF and prior approval from committee before installation.

GUTTERS AND DOWNSPOUTS

1. Gutters and downspouts must be painted to be compatible with the stucco finish of the house.
2. Proper drainage for runoff from gutters must be in place so that adjacent property is not affected.
3. Require submission of ARF and prior approval from committee before installation

LANDSCAPING AND IRRIGATION

1. Plants shall not encroach on walkways.

2. Irrigation lines shall not be exposed and are to be subsurface.
3. Softscape landscaping (plants, grass, etc.) does not require prior Committee approval. Complete removals of lawn for re-sodding require written notice to Management with time frame for completion of work.
4. Hardscape items require submission of an ARF and prior approval from committee before installation. Examples of hardscape items are planters, walkways, retaining walls, decorative walls and fountains.
5. Rock Ground Cover require ARF submission and approval prior to installation:
 - a. If crushed granite or other landscape rock is used, it must be of an "earth tone" color and not painted white, green, blue or other bright colors.
 - b. Rock shall not be more than fifteen percent (15%) of the 'front yard' landscaping.

LIGHTING – EXTERIOR WALKWAY AND SECURITY

1. Lighting fixtures shall be compatible with owner's house in style and scale.
2. Lighting & security devices mounted to the exterior require submission of an ARF and prior approval from committee before installation.

OUTSIDE UNITS - TOOL SHEDS, GREENHOUSES, STORAGE & OTHER

1. No unit shall be visible from the street view.
2. All permanent structures require an ARF and plans and shall include – location; list of materials with color, type, etc; foundation, drainage and support details; along with dimensions.
3. Portable storage sheds may be kept in the side and rear without prior Committee approval provided the maximum height of the shed, including roof, do not exceed the height of the immediately surrounding walls.

PAINTING – EXTERIOR

1. All exterior repainting involving a 'color change' require submission of an ARF and prior approval from committee before work begins.
2. All exterior repainting involving 'same color' requires notification in writing to Management prior to work being done.

PATIOS AND GROUND DECKS

1. Patios and decks are to be located in rear yards only.
2. ARF improvement application and detailed plans are required and shall include - location; list of materials with color, type, etc; foundation, drainage and support details; along with dimensions.
3. All exposed wood of patio supports and tops shall be painted the same color as the house stucco or matching accent trim.
4. Fiberglass covers are not be permitted.

PLAYGROUND EQUIPMENT AND STRUCTURES

1. No unit shall be visible from the street view.
2. Equipment and structures are permitted in rear yards only.
3. Permanent structures require an ARF and shall include – at a minimum the location; listing of materials with color, type, etc; foundation, drainage and support details; along with dimensions on a plan.

ROOM ADDITIONS

1. Additional rooms are to be compatible in scale, materials and color with the applicant's existing structure.
2. No structure or building shall exceed two (2) stories.
3. Architectural design of addition shall be consistent with existing structures and openings such as windows, doors, roof slopes, etc.
4. ARF application submission with samples and materials is required and approval granted by the ACC prior to any work beginning.
5. Changes in grade are to be clearly noted in the application and proper drainage must be installed when necessary.

SCREEN DOORS

1. Security doors or swing style screen doors are prohibited on front entry doors.
2. Retractable screen doors are acceptable provided the screen frame matches the stucco color or frame color of the home.
3. Require submission of an ARF and prior approval from committee before installation.

SOLAR COLLECTORS AND PANELS

1. Solar collectors are to be placed flush with and in the same plane as the roof slope.
2. All plumbing lines from collectors to tank must be concealed.
3. Community area trees will NOT be altered to facilitate solar collectors.
4. All related mechanical equipment shall be screened from view from common areas and adjacent properties.
5. Require submission of an ARF and prior approval from committee before installation.

SPAS AND SWIMMING POOLS

1. Permanent above ground pools are prohibited.
2. Portable or above ground spas are permissible.
3. Pool or spa equipment is to be placed so as not to disturb adjacent properties. (Depending on location, the ACC may require sound attenuation devices to be installed to mitigate impact on neighboring properties.)
4. Spa or pool equipment is to be concealed from street view.
5. Plumbing lines to spa or pool must be subterranean.
6. Require submission of an ARF and prior approval from committee before installation. Application is to include the following:
 - a. Location of spa or pool in relation to existing structure and property lines.
 - b. Dimensions of pool or spa.
 - c. Drainage detail.
 - d. Material for decking.
 - e. Location of equipment and shed details.
 - f. Detail of fencing to surround pool or spa.

WATER FEATURES, STATUARY, ETC

1. Items such as fountains, statuary, etc., are permissible within the rear yard and do not require ARF submittal to the Committee, except on Lots with view fencing or if these items will be visible above the fence wall.
2. Placement of these items in the 'front yard' requires submission of an ARF and prior approval from committee before installation.
3. Water features may not exceed four and one half feet (4-½') in height.
4. It is recommended that water features be chlorinated.
5. The Committee reserves the right to limit the size and quantity of statuary in the front yard, as well as in rear yards with view fencing.

WINDOWS, SHADES AND AWNINGS

1. Windows (frosted or opaque glass) are permitted in the top 25% of the garage door. Configuration and appearance must be consistent with other windows of the home. ARF submission and approval by the ACC is required prior to installation.
2. Front doors may be replaced with glass window features, ARF submission and approval by the ACC is required prior to installation.
3. No exterior plastic, fabric, bamboo, rattan, or similar awnings or shades of any type shall be permitted on the side, or front of the home, ARF submission and approval by ACC is required prior to installation.
4. Wrought iron bars are prohibited on windows.
5. Glass tinting requests will be considered by the ACC. However, mirror and reflective finishes are prohibited. For dual glazed windows check with your manufacturer as tinting may void warranty. ARF submission and approval by ACC is required prior to installation.

RANCHO MADERA HOA

ACC Application Process

1. **Application and Materials.** All Members shall submit an, ARF, Architectural Review Form (Application) for any exterior addition, change, or alteration to any Lot or structure. ***For guidance, please review the Architectural Rules & Guidelines following.** The application shall include:
 - a. Details of the complete plans and specifications of the project, including the height, width, length, size, shape, color – including manufacturer, name and sample (if sample is applicable), materials, and location of the proposed improvement.
 - b. An elevation view of the proposed change should also be included along with a plot plan. (Photographs are helpful, but are not required.)

- c. With respect to Applications submitted for the approval of a deck, fence, or other structure, the plan must show the proposed item, e.g. deck, drawn to scale, and the distance, in feet and inches, of the proposed item, e.g. deck, from the side and rear property lines.

2. **Submit Application.** ARF (Applications) can be downloaded from <http://ranchomadera.org> or obtained from the Management company and must be received no later than one week before the next regularly scheduled monthly ACC meeting in order to ensure the request is reviewed that month.
 - a. All paperwork and materials must be sent to the Association's Management Company for processing. New ARF's may be submitted at the HOA meeting. However, review of ARF will be done at the following month's meeting.
 - b. All applications must be in writing using the ARF form stated above (with all accompanying materials).

3. **Committee Reviews.** Generally, the ACC meetings will be held the third Tuesday of each month. All current HOA meeting dates and times are posted at <http://ranchomadera.org/calendar>.
 - a. Any applications not received by the Tuesday prior to the ACC meeting will not be reviewed until the following regularly scheduled ACC meeting (resubmission is not necessary).
 - b. The Committee will review and determine if a site visit needs to be scheduled with the homeowner.
*This is generally the case with applications pertaining to structural changes including rear of the lot.

4. **Site Visit.** If a site visit is required, Management will contact the homeowner in writing to schedule a viewing with the Committee members.

5. **ACC Decision.** The Architectural Control Committee shall approve or disapprove the application within 45 days or less from receipt thereof.
 - a. The 45 day period for the Architectural Control Committee's review of the proposed use and plans shall not commence to run until the ARF, supporting materials, the final drawings, plans and specifications have been received by the Architectural Control Committee in complete and final form.
 - b. The ACC shall have the right, but not the obligation, to conditionally approve the proposed plans by specifying alternative changes to the plans that would make the plans acceptable.
 - c. The ACC shall have the right to hire professional services to aide in the review of application if it deems necessary and such cost of services will be at the expense of the applicant. The ACC shall notify the applicant in writing prior to doing so.

6. **Homeowner Notified.** The Management Company will then notify the homeowner of the approval or disapproval in writing.
 - a. If an application is rejected, the Member may request reconsideration if new or additional information is available to demonstrate its acceptability. Or, the Member may pursue an appeal to the Board of Directors in writing via Management within 15 days of notification of the rejected ARF application.
 - b. Homeowner's approved ARF is valid for 6 months from approval date of approval. If the work does not commenced within 6 months a new application must be resubmitted for approval.

7. **Apply for Permits.** Applicant submits to City for any necessary permits.
 - a. If completion date is delayed due to City permits/applications, then the Member must request an extension.
 - b. All modifications required by the City must be submitted to the ACC for approval before work begins. The ACC will attempt to expedite the process of approval for the modification request.
 - c. It is the Member's responsibility to verify lot boundaries, location of easements and to comply with setback requirements. Encroachments may require (at the Member's sole expense) the removal of the work, even if completed.

8. **Work Begins.** Once work has commenced, 'job end' date shall be diligently pursued. Management Company must be notified in writing if more time is needed.
 - a. In the event construction is not completed within the period committed to on the application, an extension must be requested from the ACC. If no extension has been requested and time has lapsed 30 days from completion 'job end' date, a letter will be sent to homeowner requiring a new completion date. Non-contact/non-compliance after a 30 day period will require re-application to the ACC.
 - b. The ACC shall have the right to inspection any work in progress. Refusal by Member to permit access shall be grounds to suspend the approval, until such access for observation is permitted
 - c. ANY change or alteration to an existing approved project must be submitted for review and approval by the ACC. In cases where a project must conform to specifications outlined by the ACC, the member must make every effort to comply with the given specifications and, if an alteration is requested, the member shall state the justification as to why the given specifications could not be met.

9. **Work Done Notification.** Upon the completion of work, the Applicant shall give written notice to the Management office via letter, fax or email that the work is done.

10. **Final Inspection and Sign-off.** Within sixty (60) days after receipt of the completion notice the ACC may inspect the work for compliance with the approved ARF application.
- a. If a site visit was required at first submission, then a site visit will need to be conducted at time of completion. Management will contact the Member to schedule a viewing with the Committee.
 - b. Within ten (10) days of site inspection by ACC, applicant will be notified of completion compliance. If ACC deems non-compliance, then applicant will be notified in writing of particulars.
 - c. If applicant gets non-compliance notice from ACC, then they will have 30 days to remedy.
 - d. If applicant does not remedy in 30 days, a hearing will be scheduled with the Board of Directors and fines may be imposed.