

ARCHITECTURAL GUIDELINES

FOR

RANCHO BELLA VISTA COMMUNITY ASSOCIATION

Adopted by the Board of Directors Dated: <u>December 2002</u> <u>Amended February 2005</u>

RANCHO BELLA VISTA COMMUNITY ASSOCIATION ARCHITECTURAL GUIDELINES

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ARCHITECTURAL GUIDELINES FOR RANCHO BELLA VISTA COMMUNITY ASSOCIATION

I. PURPOSE

As set forth in the Declaration of Covenants, Conditions and Restrictions, recorded on March 21, 2002 by the Riverside County recorder as instrument No. 2002-144592, and any subsequent amendments, (CC&Rs) the Design Review Committee (DRC) is vested with the power to review and approve architectural proposals or plans for all residential Lots and Dwellings for Rancho Bella Vista Community Association. Such improvements include, without limitation, painting, additions, modifications and alterations to residential Dwellings, signs, fences, walls, landscaping, screens, patios and patio covers, awnings, window treatments, air conditioning units and attic fans, and any other modifications to the exterior of a Dwelling or other improvements or alterations to your home or lot. All capitalized terms in these Guidelines have the same meaning as set forth in the CC&Rs unless expressly stated otherwise.

The Design Review Committee seeks to assure continuity in design, which will help preserve and improve the appearance of the Community.

The Design Review Committee shall consist of not less than three (3) members. Members of the Design Review Committee receive no compensation for services rendered other than reimbursement by the Association for any expenses that might be incurred in performing their duties. The Design Review Committee has the right to retain architects and other construction specialists as may be necessary to perform its duties.

Prior to the commencement of any addition, alteration or construction work of any type on any residential Lot or Dwelling in Rancho Bella Vista Community Association, an owner must first submit a written application to the Design Review Committee for approval of such work. Failure to obtain approval from the Design Review Committee prior to beginning work constitutes a violation of the CC&Rs and may require modification or removal of unauthorized work or improvements at owner's expense. In addition, a building permit or other permit may be required by the County of Riverside Building Department, or other governmental agencies prior to the commencement of any work. Neither the Design Review Committee, nor the Association assumes any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the Owner's obligation to obtain written Association approval.

Each residence, as a result of its location, enjoys a particular view; however, that view is not guaranteed nor protected. Future development of other property, construction of public facilities, and/or growth of trees or other vegetation may change, obstruct, impair or otherwise affect the view from a residence at any time. The governing instruments of the Rancho Bella Vista Community Association do not contain any provisions intended to protect the current view from any residences or guarantee that such views will not be impaired or obstructed in the future by changes to other property.

These Guidelines shall have an effective date of December 1, 2002 and have retroactive application.

II. GUIDELINES

A. <u>Submission Procedure and Requirements</u>

- 1. All requests ("Requests") for Design Review Committee approval are to be made on the standard Rancho Bella Vista Home Improvement Form (Exhibit A).
- 2. Submission of Requests. All Requests are to be submitted to the Rancho Bella Vista Design Review Committee, c/o Elite Management, 38760 Sky Canyon Drive, Suite C, Murrieta, California 92563.
- 3. Construction Drawings. Plans and specifications for the work of improvement must be prepared in accordance with the applicable building codes, and with sufficient clarity and completeness to enable the Design Review Committee to make an informed decision on your request.
- 4. Submission of Application or Improvements. Please forward three (3) sets of your proposed plans and specifications, together with the standard Rancho Bella Vista Home Improvement Form (Exhibit A) and the Impacted Neighbor Statement (Exhibit B) along with the following information to the Design Review Committee to constitute a complete Application. Please mail this information to the address noted above in item #2. One (1) set will be returned to you after completion of the review. The following information constitutes a complete application package.
 - a. Plot plan drawn to scale showing the following:
 - i) All proposed improvements and relevant elevations, including existing or planned "slopes" together with the desired location of such improvements to dwelling and property lines.
 - ii) Complete dimensions of the proposed improvements.
 - iii) Public streets, with the names that are contiguous to the property.
 - b. Description of materials to be used, including the proposed color scheme and pattern. Material samples should be provided; color samples must be provided.
 - c. Grading plans (if applicable) must establish where the drainage pattern might be altered by the proposed improvements. Note: All grades and drains must comply with CC&Rs.
 - d. Floor plans (if applicable) showing overall dimensions and area of improvements reflecting your preliminary design concept.
 - e. Description of proposed construction schedule.
 - f. Landscape plan and working drawings (if applicable).

- g. If proposed improvements require access over the Common or Community Areas or Community Facilities for purposes of transporting labor or materials, prior written permission shall be required from the Association. Any such requests must be filed with the DRC prior to the commencement of your improvements.
- h. Any other information or documentation deemed to be necessary by the Design Review Committee in evaluating your request.
- i. Once the DRC has received all required information, within 45 days they will issue either a; written approval, an approval with conditions, or a denial of the application. All such approvals, or subsequent changes may only be in writing and be signed by the DRC or their appointed representative. There are no "verbal" approvals.

B. Failure to Comply with Required Procedures

An owner's failure to comply with the requirements and procedures set forth herein and in the CC&R's shall automatically cause the owner to toll the time period in which the Association and Design Review Committee have to act pending submission of further information and documentation to the Design Review Committee.

C. <u>Construction Time Limits</u>

Construction must be completed within the number of days indicated on the DRC's approval.

D. Appeal

In the event that plans and specifications submitted to the Design Review Committee are disapproved, the party making such submission may appeal in writing to the Board. The written request must be received by the Board not more than thirty (30) days following the final decision of the Design Review Committee. The Board shall submit such request to the Design Review Committee for review, and the written recommendation of the Design Review Committee will be submitted to the Board. The review of the Appeal will then take place at a duly noticed meeting of the Board of Directors. Within forty-five (45) days following receipt of the request for appeal, the Board shall render its written decision. The failure by the Board to render a decision within said forty-five (45) day period shall be deemed a decision in favor of the party making such submission.

E. Enforcement

Failure to obtain the necessary written approval from the Design Review Committee, or failure to complete the improvements in conformity with the plans, time limits and specifications approved by the Design Review Committee, constitutes a violation of the CC&Rs and may require modifications, removal of any work of improvement, at the Owner's expense, and/or monetary fines and legal costs. Pursuant to the provisions of the Declaration, the Board shall have the right to record against your home a Notice of Non-compliance which shall identify the reason(s) for such notice, or pursue any additional legal remedy available. If necessary, the County of Riverside will be contacted to assist in enforcement of this policy or law.

F. Violations

All Owners in Rancho Bella Vista Community Association shall have the right to bring to the attention of the Design Review Committee, any violations of the Standards set forth herein.

G. Notice of Completion

Upon completion of the work of improvement, the owner shall submit a written notice of completion (Exhibit C) to the Design Review Committee.

III. ARCHITECTURAL STANDARDS

A. Structural or Material Additions or Alterations.

Exteriors of any building shall conform to the material, colors, character and detailing as established on existing Lots and Dwellings within the respective Tract.

- 1. Structures in this section shall conform to the original structural character of the existing Dwelling.
- 2. No second-hand materials shall be used in the construction of any building or other structure without the prior written consent of the Design Review Committee.
- 3. Patio trellises, sun shades, arbors or gazebos, and all type of structures shall require approval by the Design Review Committee.
- 4. Structures under this section shall have either flat or shed roofs, or a form consistent with the existing roof line, unless approved by the Design Review Committee in writing.
- 5. Structures under this section will be stained or painted to match or be complimentary with colors used on its appurtenant Dwelling.
- 6. In designing any addition, intrusion upon a neighbor's privacy, or the passage of light or air to a contiguous Lot or Dwelling, should be kept to a minimum. Aesthetic appearance as well as impact on a contiguous Lot(s) or Dwelling(s) will be given consideration.
- 7. Hardscape, decorative lighting and landscaping are allowed on rear yard slopes. No (structural) improvements shall be allowed. "Structural" under this section shall mean extended decks, patio covers, gazebo's or any other covered structure. All slope improvements will be reviewed by the Design Review Committee on a case by case basis.
- 8. Applications for walls, fences or gates will be evaluated on an individual basis. No wall or fence extending toward the street shall exceed a maximum height of three (3) feet, beginning at a point parallel to the front of the house or garage. Please also see wall/fence painting policy.

B. <u>Landscaping and Other Related Improvements</u>

Each Owner shall install (unless landscaping is installed by the Merchant Builder) and thereafter maintain landscape in a clean, safe and attractive condition according to any rules promulgated by the Board of Directors. All portions of a Lot which are not within an enclosed fence or otherwise visible from any other Lot which are improved with a Dwelling or Structure, shall be landscaped by the Owner thereafter in accordance with the Community Association Rules

promulgated by the Board of Directors on or before a date which is one hundred eighty (180) days from the original conveyance of such Lot by a Merchant Builder.

C. Perimeter Walls and Fences

Any perimeter walls or fencing situated on an Owner's Lot shall be promptly repaired and maintained in good condition by the Owner of the Lot.

D. <u>Water Supply Systems</u>

No individual water supply, sewage disposal system, or water softener system shall be permitted on any Lot unless such system is designed, located, constructed and equipped in accordance with the requirements, standards and recommendations of any water district serving the lot, the Health Department for Riverside County, all other applicable governmental authorities as well as the Design Review Committee.

E. <u>Terrace Drains</u>

If any drainage culverts or terrace drains are situated on an Owner's Lot, such Owner shall clean and maintain such terrace drains or drainage culverts so as to ensure that no debris obstructs the flow of water on the Owner's Lot or any other Lot through which the drainage culvert runs.

F. Drainage and Fill

There shall be no interference with the established drainage patterns over any Lot or Common Area, unless an adequate alternative provision is made for proper drainage and is first approved in writing and sign by the Design Review Committee or their appointed representative.

G. Gutters and Downspouts

No gutters, downspouts or scuppers to control water shed from roofs shall be installed without prior approval of the Design Review Committee. Such improvements shall be primed and painted to match the same color as the fascia board trim color of the home.

H. <u>Unsightly Items</u>

All weeds, rubbish, debris, unsightly materials or objects of any kind shall be regularly removed from the Lots and shall not be allowed to accumulate thereon. All clotheslines, refuse containers, wood piles, air conditioners, water softeners, storage areas, machinery and equipment shall be prohibited upon a Lot unless obscured from view from a height of six (6) feet of adjoining streets, lots, dwellings, alleys, Common Area nearest such portion of the Lot and shall comply with any restrictions or standards promulgated by the Board of Directors or the Design Review Committee.

I. <u>Utility Service</u>

Utility lines shall be contained in conduits or cables constructed underground or concealed in, under or on buildings or other structures approved by the Design Review Committee.

J. Flag Poles

All flag pole installations must be approved in advance in writing by the Design Review Committee.

A permanent flag pole may be installed in the backyard no less than 10 feet set back from the rear property line and no less than 10 feet set back from the side property lines, or from a wall or fence, whichever is nearest to the house. Permanent backyard flagpoles may be of metal, aluminum or thick walled PVC material, to be no larger than 6 inches in diameter at the base and no higher than 20 feet above the ground.

A temporary (removable) flag pole may be installed in the front yard, no less than 20 feet set back from the street curb line and no less than 10 feet set back from the side property lines, or from a wall or fence, whichever is nearest to the house. Temporary (removable) front yard flagpoles must be of thick walled PVC material, to be no larger than 3 inches in diameter and no higher than 20 feet above the ground.

Flag pole brackets installed on the front or rear of the house may display the American Flag and/or seasonal banners provided they are maintained in good condition, and are not offensive in nature in the sole discretion of the DRC.

K. Window Coverings

Only curtains, drapes, shutters or blinds may be installed as window covers. No aluminum foil, paint, newspaper or similar covering deemed to be inappropriate for a window covering by the Design Review Committee in its discretion shall be applied to the windows or doors of any dwelling.

L. Awnings

Prior to the installation of awnings, plans for awnings must be submitted to the Design Review Committee for review and approval. Awnings must be of colors that compliment the existing house colors.

M. <u>Temporary Structures</u>

No trailer, mobile home, tent, shack or other outbuilding shall be kept upon any Lot, the Common Area or on any street within the Rancho Bella Vista Community, except as approved in writing by the DRC in connection with work or construction approved in writing by the DRC and diligently pursued.

N. Skylights and Other Solar Energy Equipment

The installation of rooftop structures or a system to accommodate solar energy equipment or skylights are not permitted without prior Design Review Committee approval.

O. Height of Trees, Hedges and Other Plant Material

All trees, hedges and other plant material shall be trimmed by the owner of the Lot upon which same are located so that the same shall appear well maintained. In the event of a dispute as to whether an item is considered well maintained, the final determination of the level of maintenance required shall be determined by the Design Review Committee, and/or its appointed agent. Before a homeowner plants any trees, hedges or other plant material that may exceed the height of closest fence, the proposed location of such items shall be approved in writing by the Design Review Committee. For all builder planted slopes; the Owner is to review with the builder, prior to the close of escrow on their home, and approve the landscaping to be provided by the builder on their property and/or slopes adjacent to their property and the acceptability of same.

P. Wrought Iron Fencing

Homeowners may install additional wrought iron fencing in certain instances with prior approval from the Design Review Committee. The only approved color for wrought iron fencing or gates is Hunter Green. Wrought iron fencing or gates may not be installed facing the front of the Lot, except in front entry courtyards.

Q. Antenna and Satellite or Direct Broadcast Dishes

Please refer to the CC&Rs, Section 2.7 (pages 13 & 14) for Antenna Restrictions.

R. Screen Doors

- 1. Please contact Elite Management for a current list of approved screen doors.
- 2. Homeowners installing screen doors are responsible to maintain them in an attractive condition.

S. <u>Swimming Pools/Spas</u>

The Design Review Committee must approve all swimming pools and spas. Sound dampening enclosures are required on all spa/pool equipment which have decibel readings in excess of 75 decibels at a distance of 3 feet.

T. Wall / Fence Painting / Staining Policy

- 1. Prior to commencing any fence painting or staining, please contact Elite Management (951) 699-1220 for the approved paint or stain. Architectural approval is required prior to staining, painting, or weatherproofing walls or fences.
- 2. Owners are not permitted to construct any fences or walls upon any portions of a slope being maintained by the Association.
- 3. The Perimeter Walls / Fences shall not be removed, re-located, reconstructed or modified as to structure, finish or color without the prior written consent of the Design Review Committee. Each Owner shall promptly repair or reconstruct that portion of any damaged or destroyed Perimeter Wall / Fence that is contiguous to the Owner's residence to a condition approved by the Design Review Committee. If you move a gate or fence you will need written Design Review Committee approval.

V. Miscellaneous

- 1. Grass only installed in the rear or side yard does not require plan approval.
- 2. Appropriate holiday lights are permitted without approval from Thanksgiving through January 31.
- 3. Only roll-up/sectional garage doors are allowed.
- 4. The use of wire mesh or chicken wire, which exceeds 3 feet in height measured from the ground level is prohibited.
- 5. Tarps or fabric type materials over fencing to provide screening is not permitted. Homeowners are to provide other screening such as solid wood fencing or plant material which is to be approved by the Design Review Committee prior to installation.
- 6. Painting or staining of driveways is not permitted. The use of colorized concrete or brickwork on or in a driveway must be approved by the Design Review Committee.
- 7. The exterior painting of a home does not require approval provided there is no color change. Approval is required for any changes to the exterior color of a home. All exterior color change requests must conform with the home's existing "tract" color scheme. Prior to commencing any painting please contact Elite Management (951 699-1220) for a list of approved colors for your neighborhood.
- 8. Plans submitted and approved will only be valid for a period not exceeding the time stated on written approval from the DRC.
- 9. No walls, fences, or gates shall be removed, re-located, or modified without prior written approval of the Design Review Committee.
- 10. Patio umbrellas, sunshades, and other temporary items not otherwise identified in the governing documents do not require approval provided they are maintained in good condition, and are not offensive in nature, in the sole judgement of the DRC.

- 11. Sheds may not exceed the height of the fence.
- 12. Sidewalks/Walkways in the front yard, in front of the fence line, shall not exceed 48 inches in width. Material shall match the existing driveway or be complimentary with colors used on its appurtenant Dwelling. Alternative materials and/or color changes shall be approved in writing by the DRC.
- 13. Extensions to the existing driveway, to provide ingress and egress from vehicles, shall not exceed 24 inches on either side of the existing driveway. Extensions to the existing driveway shall match the existing driveway material unless approved in writing by the Design Review Committee. ** See also Section V # 6 concerning colorized concrete.**

IV. GENERAL CONDITIONS

- A. Rancho Bella Vista Community Association architectural approval does not constitute waiver of any requirements required by applicable governmental agencies. Architectural approval of plans does not constitute acceptance of any technical or engineering specifications, and Rancho Bella Vista Community Association assumes no responsibility for such. The function of the Design Review Committee is to review submittals as to aesthetics. All technical and engineering matters are the responsibility of the Lot owner.
- B. An oversight, or failure to enforce, the CC&Rs, these Guidelines, or a Committee policy does not constitute waiver of that rule and therefore, must be corrected upon notice.
- C. County of Riverside ordinances require homeowners to maintain correct grades of lots so that water drainage does not flow into adjoining properties or does not prevent off flow from same.
- D. Access for equipment used in construction must be through your property only. Access over Community Property will not be permitted without prior written approval from the Design Review Committee.
- E. Streets may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles, or otherwise. Items such as, but not limited to, dumpsters, sand and building materials may not be stored on streets, sidewalks or Community Property. Owners are responsible for the cleanliness of the surrounding streets during and after any construction.
- F. Building permits may be required for certain improvements from the County of Riverside.
- G. Any damage to Rancho Bella Vista Community Association Property arising out of or relating to construction of homeowner improvements shall be promptly replaced or repaired by a licensed contractor. All applicable charges incurred by the Association at its sole discretion for restoration will be charged back to the homeowner by Rancho Bella Vista Community Association and are due and payable within 30 days from notification or assessment of penalties.
- H. Approval of plans is not authorization to proceed with improvements on any property other than the Lot owned by the applicant.
- I. Approved plans are not to be considered authorization to change the drainage plan as installed by the developer and approved by the County of Riverside.

NOTICE OF COMPLETION

Upon completion of any work for which approval has been given, the Owner shall submit written notice of completion (Exhibit C) to the Design Review Committee. Thereafter, a representative of the Committee may inspect such improvement. If such work was not done in substantial compliance with the approved plans, the owner will be notified in writing of such noncompliance and the Owner shall be required to correct the matter within the time limit in the notice.

If the owner has failed to remedy the noncompliance, the Association may take any and all legal remedies available to enforce compliance.

VARIANCE

Please refer to the CC&Rs, Section 5.8 (pages 36 & 37) for information on variances.

EXHIBIT A (Page 1 of 2) - HOME IMPROVEMENT FORM

Mail to: Rancho Bella Vista Community Association c/o Elite Management 38760 Sky Canyon Drive, Suite C Murrieta, CA 92563	Lot # Tract # Close of Escrow:
Owner Information: Name	Home Phone
Site Address	Work Phone Has work already been started?
PROJECTS BEING SUBMITTED: (Please check a Air Conditioner Awnings Slabs/patio/walkways Deck Drains (if altering existing grade) Gutters Fence(s) or Wall(s) Front Side Rear Retaining Extension Other	all appropriate items) Green House Gazebo Trees Landscaping Side Front Back Patio Cover Painting (Should it not match existing color) Playhouse Spa and Equipment* Relocation
	d barrier if the noise level exceeds 75 decibels at a distance of 3 feet from HOWN ON PLANS:
developer and approved by the County of Riverside. The pipes and coring and other applicable aspects of drainage	red authorization to change the drainage plan as installed by the he review is intended to consider aesthetic appearance of the drains, ge. Owner may also need to acquire approval from the County of sement and for permission to proceed with the contemplated
The applicant has been provided with copies of all the I bound by and comply to the same.	Rancho Bella Vista's CC&Rs, Rules, Guidelines and agrees to be
defend, and hold harmless the Rancho Bella Vista Com and all claims, without limitation against any and all clai	ted or completed, the Owner hereby forever agrees to indemnify, munity Association, it's Committees and managing agent for any ms or challenges regarding such work. The foregoing ag any other remedies permitted by the Association documents or at
Signature of Owner/Applicant	Date:
EXHI	BIT A (Page 2 of 2)

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DO NOT WRITE BELOW THIS LINE

Sound baffle to be constructed around entire pool/spa equipment.	
Do not pour concrete against existing fences.	
Do not backfill against existing fences.	
Core through curb for drainage.	
Submit originally reviewed plans with revised drawings.	
Maintain existing drainage pattern or provide alternative drainage method.	1
must be painted to mate	ch existing stucco or trim.
Resubmit patio cover with additional dimensions and elevation.	
All lighting must be low wattage or low voltage. Add root barriers to all fence line trees.	
rade root partiers to all reflect line trees.	
HE DESIGN REVIEW COMMITTEE HAS DETERMINED THAT THE ABO	VE SUBMITTED IS:
Approved as submitted.	
Approved with the following conditions:	
Approved with the following conditions:	
D: 1 1 :: 1	
Disapproved as submitted.	
Additional Comments:	
additional Comments.	
DESIGN REVIEW COMMITTEE	
DATE: INITIALS:	

EXHIBIT B IMPACTED NEIGHBOR STATEMENT

It is the intent of the Design Review Committee to notify neighbors on any improvements which may impact their use and enjoyment of their property. Neighbor approval or disapproval of a particular improvement shall only be advisory and shall not be binding in any way on the Design Review Committee's decision.

1. <u>Definitions</u>: Facing Neighbor, Adjacent Neighbor, and Impacted Neighbor.

Facing Neighbor: Means the three (3) homes most directly across the street.

Adjacent Neighbor: Means all homes with adjoining property lines to the Lot in question.

Impacted Neighbor: Means all homes in the immediate surrounding area which would be affected by

the construction of any improvements.

2. Improvements Requiring Notification

Any exterior improvements including but NOT limited to exterior painting.

3. Statement

The Facing, Adjacent and Impacted Neighbor Notification Statement set forth on the next page (Exhibit "B") must be provided to the Design Review Committee to verify the neighbors have been notified about the proposed improvements.

EXHIBIT B

RANCHO BELLA VISTA COMMUNITY ASSOCIATION FACING, ADJACENT AND IMPACTED NEIGHBOR NOTIFICATION STATEMENT

The attached plans were made available to the following neighbors for review:

	Impacted Neighbor		Im	pacted Neighbor
Name		Name		
Address		Address		
	Signature	Date	Signature	Date
Ì		Common Area or	Back Yard - Rear o	f Home
	Adjacent Neighbor		N	Adjacent Neighbor
Name			OUR HOUSE	Name
Address				Address
Signature	Dat	e Name _ Address		Signature Date
		Your Str	reet ~ Front of Ho	me
Facing Neighbor		Facing Neighbor		Facing Neighbor
Name		Name		Name
Address		Address		Address
Signature	Date	Signature	Date	Signature Date
above veri note that i considered SUBMITT Address:	ification). If any neighb neighbor objections do d by Committee. All ab	or has a concern, the not in themselves cove boxes should be	ney should notify E ause denial of the pe filled out whether	Design Review Committee approval (see lite Management in writing. Please clans, however, those concerns may be or not a signature has been obtained.

EXHIBIT C

RANCHO BELLA VISTA COMMUNITY ASSOCIATION NOTICE OF COMPLETION

Rancho Bella Vista Community Association c/o Elite Management 38760 Sky Canyon Drive, Suite C Murrieta, California 92563

: Application # :
otice is hereby given that:
e undersigned is the owner(s) of the property located at:
(Street Address)
(City)
e work of improvement on the described property was COMPLETED ON THE day o
, 20 in accordance with the Design Review Committee's written
proval of the above owner's plans and submitted package.
Signature of Owner:
Dated: