



LAKE SHASTINA PROPERTY OWNERS ASSOCIATION

16320 Everhart Drive - Weed CA 96094 - Voice 530-938-3281 - Fax 530-938-4739

Application # _____

ECC Member _____

APPLICATION FOR NEW HOME CONSTRUCTION

DATE _____ APN _____ UNIT # _____ LOT # _____

OWNER'S NAME _____

I(We) authorize the LSPOA to send all correspondence regarding this application to the email address noted below: YES ____ NO ____

EMAIL: _____ TELEPHONE _____

CELL PHONE _____

MAILING ADDRESS _____

PROJECT ADDRESS _____

(If different than mailing address)

CONTRACTOR _____ TELEPHONE _____

CELL PHONE _____

IMPROVEMENT DESCRIPTION _____

Required Information to be submitted with Application

Plot Plan Construction Plans Exterior Colors Exterior Materials Noted Truss Cal. Energy Cal.

DEPOSITS AND FEES

\$ _____ \$ 100.00 Additions / Modifications: Plan Compliance and Cleanup Deposit* Projects under 500 sq.ft. (includes all fences, decks, sheds, re-paint, re-roofing, grading)

\$ _____ \$ 275.00 Additions / Modifications: Plan Compliance and Cleanup Deposit* Projects over 500 sq.ft.

\$ _____ \$3,000.00 New Home Construction: Plan Compliance and Cleanup Deposit*

\$ _____ \$ 20.00 Projects under 500 square feet: Processing and Inspection Fee

\$ _____ \$ 100.00 NHC / Projects over 500 square feet: Processing and Inspection Fee

\$ _____ \$2,000.00 Driveway Apron: Plan Compliance and Cleanup Deposit* -Per Apron

\$ _____ \$ 100.00 Driveway Apron: Use Permit - Processing and Inspection Fees

\$ _____ \$ 220.00 New Home Mail Service Fee (for purchase and installation of Cluster Box Units (CBU))

\$ _____ \$ _____ Project Extension Fee New Home Construction:
-After 1 year for additional 6 months \$50.00
-After 18 months for each additional 6 months \$100.00

\$ _____ \$ 35.00 Project Extension Fee Modifications – After 1 Year for each additional 6 months

\$ _____ **TOTAL FEES AND DEPOSITS**

***Note: All deposits are interdependent and will be held until project meets final plan compliance**

Note: Re-Inspection fees vary from \$10 to \$50 depending upon the subject.

Note: All fees and deposits are subject to change by LSPOA Board of Directors

Preliminary Checklist for LSPOA Application

Before Submitting your LSPOA Application for Improvements, please ensure the following **minimum requirements** are completed:

New Construction or Additions (Plans must show the following):

New Home Construction Plan Requirements:

- (2) sets of Plans must be a minimum scale 3/16"=1'.
- Elevation Plans.
- Foundation Plan.
- Roofing plan with truss calculations (truss calcs. can be email to lspoacmpl@lakeshastina.com)
- Roof pitch on elevations (minimum 4.5" x 12")
- Roof material and color.
- Gutters and downspouts noted.
- Eave dimension from side of building to outside edge of eaves (roof overhang must be min. 18")
- Locations of fuel tanks, HVAC equipment type.
- Decking, patio, sidewalks and stairs
- Siding material and color
- Home and Garage sqft. (minimum 1200 sqft. Home and 400 sqft. garage)
- Water house shut off and pressure regulator
- Height of highest roof peak to finished grade (maximum 35')
- Zone 16 energy calculations
- Zone 3 seismic requirements
- Must meet title 24 Section 25-00-00 of the California Building Standard
- Easement Use Agreement if any improvement is on or over easement
- Copy of county building permit.
- Payment for application fees.
- Signed Guidance Outline for New Home Construction.

New Home Construction Plot Plan Requirements:

- Plot plan must be minimum scale 1"=20' with size and shape of lot, precise location and shape of existing and proposed improvement. Scaled dimensions to property lines on plan view.
- Location of trees and proposed trees to be removed.
- Driveway and Driveway profiles. (see above)
- Screening around patio, retaining walls, fencing, sheds draw in with dimensions from property lines and home.
- Easement lines and setbacks located.
- Locate setbacks, easements and HVAC. Propane/Kerosene tanks must be screened.

***** ANY CHANGES TO ORIGINAL APPROVED PACKET MUST ALSO BE SUBMITTED FOR APPROVAL BEFORE CONSTRUCTION**

By signing this Application you are authorizing the Lake Shastina Property Owner's Association and its agents to enter your Lot(s) for purposes of inspection for any applicable Covenants, Conditions and Restrictions as they pertain to the purposed property Improvement, Modification or New Home Construction stated in the above project description.

Owners Signature: _____ **Date** _____

If contractor is acting as owner's agent and on behalf of owner, please sign below. Notices to be sent to owner.

Contractor's Signature: _____ **Date** _____

GUIDANCE OUTLINE FOR IMPROVEMENT APPLICATIONS

The Declaration of Covenants, Conditions and Restrictions for Lake Shastina (CC&R) shall govern the standards and guidelines of the request and approval procedure, please reference these documents if needed to clarify or further detail is needed. This is found under Article V (process for approval) and Article VI (minimum construction standards).

Or other submittals pertaining to improvements shall in no way be deemed to constitute Review and approval by the Environment Control Committee (ECC) of any proposal, plans, satisfaction or compliance with, any building permit process or any other governmental requirements, the responsibility for which shall lie solely with the owner who desires to construct, install, or modify the improvements.

ARTICLE V

Architectural Control by Environmental Control Committee

Section 5.1. Environmental Control Committee Approval of Improvements.

(a) Approval Generally. Before commencing construction or installation of any Improvement within the Properties, the Owner planning such Improvement must submit a request for approval to the Environmental Control Committee. The Owner's request shall include structural plans, specifications and plot plans satisfying the minimum requirements specified in the Architectural Rules (see Section 5.5 of this Declaration). Unless the Committee's approval of the proposal is first obtained, no work on the Improvement shall be undertaken. The Committee shall base its decision to approve, disapprove or conditionally approve the proposed Improvement on the criteria described in Section 5.5 of this Declaration.

(b) Definition of "Improvement". The term "Improvement" as used herein includes, without limitation, the construction, erection, or installation of any buildings, decks, fences, swimming pools, patios, driveways, ground-based satellite reception dishes, or any other structure of any kind. In addition, it also includes alteration by painting, roofing, siding, or remodeling of the exterior of any buildings or any other structure of any kind and the filling, grading, or excavation of any Lot or portion thereof.

(c) Modifications to Approved Plans Must Also Be Approved. Once a proposed work of Improvement has been duly approved by the Committee, no material modifications shall be made in the approved plans and specifications therefore and no subsequent alteration, relocation, addition or modification shall be made to the work of Improvement, as approved, without a separate submittal to, and review and approval by, the Committee. If the proposed modification will have, or is likely to have, a material effect on other aspects or components of the work, the Committee, in its discretion, may order the Owner and his or her contractors and agents to cease working not only on the modified component of the Improvement, but also on any other affected component.

In the event that it comes to the knowledge and attention of the Association, its Environmental Control Committee, or the agents or employees of either, that a work of Improvement, or any modification thereof, is proceeding without proper approval, the Association shall be entitled to exercise the enforcement remedies specified in this Declaration including, without limitation, ordering an immediate cessation and abatement of all aspects of the work of Improvement until such time as proper architectural review and approval is obtained.

Section 5.5. Basis for Approval of Improvements. When a proposed Improvement is submitted to the Committee for review, the Committee shall grant the requested approval only if the Committee, in its sole discretion, makes the following findings regarding the proposed project:

(a) The Owner's plans and specifications conform to this Declaration and to the Architectural Rules in effect at the time such plans are submitted to the Committee;

(b) The Improvement will be in harmony with the external design of other structures and/or landscaping within the Properties;

(c) The Improvement, as a result of its appearance, location or anticipated use, will not interfere with the reasonable enjoyment of any other Owner of his or her property; and

(d) The proposed Improvement(s), if approved, will otherwise be consistent with the architectural and aesthetic standards prevailing within the Properties and with the overall plan and scheme of development within the Properties.

The Committee shall be entitled to determine that a proposed Improvement or component thereof is unacceptable when proposed on a particular Lot, even if the same or a similar Improvement/component has previously been approved for use at another location within the Properties if factors such as drainage, topography or visibility from roads, Common Areas or other Lots or prior adverse experience with the product, design or components used in construction of the Improvement. Finally, it is expressly agreed that the Committee shall be entitled to make subjective judgments and to consider the aesthetics of a proposed Improvement project, so long as the Committee acts reasonably and in good faith.

In approving a request for construction of an Improvement, the Committee may condition approval upon the adoption of modifications in the plans and specifications or observance of restrictions as to location, noise abatement or similar mitigating conditions.

Section 5.6. Procedures for Obtaining Committee Approval of Plans and Specifications.

(a) Application for Preliminary Approval. In order to afford an Owner who is proposing to make substantial Improvements an opportunity to obtain guidance and comment from the Committee prior to the expenditure of substantial sums on complete plans and specifications, any Owner may apply to the Committee for preliminary approval of the proposed project. Applications for preliminary approval shall be considered and processed as follows:

(i) Any application for preliminary approval shall be in writing and shall present sufficient detail to apprise the Committee of the general nature, location, dimensions and contemplated exterior colors and finishes of the proposed Improvement.

(ii) Within 45 days after receipt of the application for preliminary approval, the Committee shall grant the preliminary approval only if the proposed Improvement, to the extent that its nature and characteristics are shown by the application, would be entitled to a final approval on the basis of a full and complete application. Failure of the Committee to act within 45 days from the receipt date shall constitute a preliminary approval only if receipt of the application by the Committee was evidenced by a writing signed by or on behalf of the Committee; otherwise, failure of the Committee to act within 45 days from the receipt date shall constitute a denial of the request for preliminary approval. In granting or denying approval, the Committee may give the Applicant such directions or recommendations concerning the form and substance of the final application for approval as it may deem proper or desirable for the guidance of the Applicant.

(iii) Any preliminary approval granted by the Committee shall be effective for a period 90 days from the date of issuance or such longer period as may, in the Committee's discretion, be granted. During that period, any application for final approval that presents complete plans and specifications for the proposed Improvements, consistent with the provisions of the preliminary approval and otherwise

acceptable under the terms of this Declaration and the Architectural Rules, shall be approved by the Committee.

(iv) In no event shall any preliminary approval be deemed to constitute, final approval authorizing construction of the subject Improvements. The purpose of the preliminary review procedure is to give the Owner a measure of security in proceeding with the proposed Improvement project and committing funds thereto. Final approval shall be based on a complete submittal conforming to the requirements of subparagraphs (b) and (c), below; provided however, that the Committee may, in its preliminary approval, waive any requirements of subparagraph (c), below, which do not pertain to the proposed Improvement project.

(b) Application for Final Approval. All Owners who desire to undertake any work of Improvement must apply to the Committee and receive its prior approval. The application shall be in writing and shall contain all information that is necessary to reasonably evaluate the nature, design, location and extent of the proposed Improvement, including, at a minimum, two complete sets of plans and specifications for the Improvement project (satisfying the requirements set forth in subparagraphs (c) and (e) below) and such additional information as the Committee may reasonably request, either by Architectural Rule or while the project is under review.

(c) Content of Plans and Specifications. In order to be complete, the plans and specifications shall include:

(i) A plot plan drawn to scale (minimum scale: 1" = 20') which indicates: (A) the size and shape of the Lot; (B) the precise location, size and shape of all existing and proposed Improvements; (C) setbacks from the Lot lines of all existing and proposed Improvements; (D) the location of all trees, and the identification of those trees exceeding 3" diameter at 48" above ground level which are to be removed as part of the construction plan; (E) the proposed drainage plan for the Lot, as improved; (F) the location of all proposed utility installations; (G) location and plans for screening fuel tanks, garbage cans, and identify all easements; and (H) documentation from certified surveyor/engineer verifying accuracy of pin location.

(ii) A set of detailed plans drawn to scale (minimum scale: 3/16" = 1' where possible; other detailed drawings at larger scales where appropriate) showing all: (A) elevations (including foundation); (B) floor plans; (C) location of all heating and/or cooling equipment; (D) decking; (E) screening devices; (F) retaining walls; (G) roof slopes; and (H) roof overhang to eaves - Uniform Building Code shall be met.

(iii) Description of exterior materials (if not included with above plans), and samples of roofing and siding materials and exterior base and trim colors. The manufacturers' descriptive literature can suffice for this requirement, unless additional information is needed.

(iv) The Owner's proposed construction schedule.

If the contemplated work is of a nature that does not merit extensive plans and specifications, the Committee may (but shall not be obligated to) waive or modify any of the above plan and specification requirements upon receipt of a written request from the Applicant to do so. The request can be made as part of a preliminary approval submittal pursuant to subparagraph (a), above.

(d) Inspection Fee and Deposits. The Architectural Rules will require that the submission of plans and specifications be accompanied by a stated non-refundable fee. The Architectural Rules also will provide for a partial refundable deposit: (i) to assure full compliance with POA Construction Guidelines, (ii) to assure proper and timely completion of the works of Improvement in accordance with approved plans and specifications, and (iii) to reimburse the Association for any damage to roadways and other Common Facilities resulting from the construction project.

(e) Delivery of Plans and Specifications. A minimum of two sets of plans and specifications shall be submitted to the Committee by personal delivery or first-class mail addressed to the secretary of the Association or the Chairman of the Committee at the Association's principal office.

Section 5.7. Time Limits for Approval or Rejection. Within 45 days after the Committee's receipt of plans and specifications satisfying the requirements of Section 5.6 of this Declaration, the Committee shall return one set of such plans to the Applicant, with either written notice of approval or disapproval or with written suggestions of changes required for approval accompanying the returned set of plans. If the Committee recommends that the plans and specifications be modified, the Applicant may implement such changes to the plans and resubmit plans incorporating such changes for approval to the Committee, which shall not unreasonably withhold its approval so long as the Applicant has complied in all material respects with the requested changes. If no written notice of approval or disapproval is sent to the Applicant within 45 days after the Owner's plans and specifications (or revisions thereto) are received by the Committee, the plans shall be deemed to have been approved as submitted if receipt of the plans and specifications by the Committee was evidenced by a writing signed by or on behalf of the Committee; otherwise, the plans shall be deemed to have been disapproved.

Section 5.8. Proceeding With Work. The contractor or builder shall not remove brush or trees from the Lot as needed for construction and shall not commence construction until approval for the project has been received from the Environmental Control Committee. The contractor or builder for new-home construction shall erect a commercial patented-type chemical toilet at the site within two working days from the start of construction. Trailers of any kind may not be placed on the site and used for any purpose unless specifically approved in writing by the Committee.

Section 5.9. Failure to Complete Work. Unless the Owner has been granted an extension of time to complete the project by the Committee, construction, reconstruction, refinishing or alteration of any such Improvement must be complete within one year after construction has commenced, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner because of strikes, fires, national emergencies, natural calamities or other supervening forces beyond the control of the Owner or his or her agents. The requirements of this section shall be deemed to have been met if, within the one-year construction period, the Owner has completed construction of the building's foundation and all exterior surfaces (including the roof, exterior walls, windows, doors, exterior siding and trim and exterior painting). The Owner must apply to the Committee for 6-month incremental time extensions of the construction period if it will extend beyond one year. A reasonable, non-refundable fee will be charged for each 6-month period of extension needed to complete construction.

If the Owner fails to comply with this section, the Committee shall notify the Board of such failure, and the Board shall proceed in accordance with the provisions of Section 5.10(c) and (d) of this Declaration as though the failure to complete the Improvement was a noncompliance with approved plans.

Section 5.10. Inspection of Work by Committee. Inspection of the work relating to any approved Improvement and correction of defects therein shall proceed as follows:

(a) Prior to the start of construction, representatives of the Committee shall inspect the site to verify that the size, shape and location of all existing and proposed structures, trees to be removed and slopes and drainage are in accordance with those shown on the approved plot plan. All survey pins that define the Lot perimeter must be in place and clearly marked by stakes, flags, or ties. Written approval to proceed with construction shall be given if the Committee representatives are satisfied that the site inspection is in full compliance with the approved plans.

(b) During the course of construction, representatives of the Committee shall have the right to inspect the job site to confirm that the Improvement project is proceeding in accordance with the approved plans and specifications.

(c) Upon the completion of any work of Improvement for which Committee approval is required under this article, the Owner shall give the Committee a written notice of completion.

(d) Within 30 days thereafter, the Committee, or its duly authorized representative, shall inspect the Improvement to determine whether it was constructed, reconstructed, altered or refinished in substantial compliance with the approved plans. If the Committee finds that the Improvement was not erected, constructed or installed in substantial compliance with the Owner's approved plans, then within the 30-day inspection period the Committee shall give the Owner a written notice of noncompliance detailing those aspects of the Improvement project that must be modified, completed or corrected. If the violation or nonconforming work is not corrected, the Association and the Committee shall have the enforcement rights and remedies set forth in Section 5.11 of this Declaration.

(e) If for any reason the Committee fails to notify the Owner of any noncompliance within 30 days after actual receipt by the Committee of the Owner's notice of completion (which actual receipt shall be evidenced by a writing signed by or on behalf of the Committee), the Improvement shall be deemed to have been constructed in accordance with the approved plans for the project, unless it can be demonstrated that the Owner knew of the noncompliance and intentionally misled the Committee with respect thereto.

The ECC meets on the first and third Wednesday of the month, agenda deadlines are noon on the Wednesday prior to each meeting, to be eligible for agenda consideration, staff and all effected departments must have reviewed applicant's plans and applicant must include any changes that may be necessary or requested on those plans. Estimate of checking process is at least **fifteen workdays. Plans will be checked in the order received; quality and quantity of plans will determine time schedules. There are some exceptions to ECC meeting schedules during winter and holidays.

ARTICLE VI

Minimum Construction Standards

Unless a variance is requested from, and granted by, the Environmental Control Committee in accordance with Section 5.12 of this Declaration, Improvements constructed on any Lot shall conform to the following minimum construction standards:

Section 6.1. Types of Permitted Residential Structures.

(a) Single Family Lots. On all Lots (other than Multi-Family Lots, as defined below), no structures shall be erected, placed or permitted to remain other than one detached single family residence dwelling and such outbuildings as are usually accessory to a single family residence dwelling, including a private garage and, in the case of a Lot contiguous to the Lake Shastina shoreline, a boat launch, pier, or other similar structure approved as herein provided.

(b) Multi-Family Lots. Those Lots which are zoned "R-2", "R-3" or "R-4" shall hereafter be referred to collectively as the "Multi-Family Lots".

(i) Duplexes. On those Multi-Family lots which are zoned "R-2", no structures shall be erected, placed or permitted to remain other than one single family or one duplex residence dwelling, and such outbuildings as are usually accessory to a single family or duplex residence dwelling.

(ii) Triplexes. On those Multi-Family lots which are zoned "R-3", no structures shall be erected, placed or permitted to remain other than one single family or one duplex or one triplex residence

dwelling, and such outbuildings as are usually accessory to a single family, duplex or triplex residence dwelling.

(iii) Fourplexes. On those Multi-Family lots which are zoned "R-4", no structures shall be erected, placed or permitted to remain other than one single family or one duplex or one triplex or one fourplex residence dwelling, and such outbuildings as are usually accessory to a single family, duplex, triplex or fourplex residence dwelling.

Section 6.2. Minimum Square Footage Requirements.

(a) Single Family Lots. Each Residence constructed on any Lot (other than a Multi-Family Lot) shall have a fully enclosed floor area (exclusive of roofed or unroofed porches, decks, terraces, garages, carports or other outbuildings) of not less than 1,200 square feet. Each garage constructed on any Lot shall have a floor area of not less than 400 square feet, with dimensions of 20' x 20' or greater.

(b) Multi-Family Lots. Each separate Residence constructed on any Multi-Family Lot shall have a fully enclosed floor area (exclusive of roofed or unroofed porches, decks, terraces, garages, carports, parking spaces, storage area or other outbuildings) of not less than 750 square feet. Each parking space constructed on any Multi-Family Lot shall have an area of not less than 150 square feet.

Section 6.3. Setback and Location of Structure. Setbacks for any Residence or other permanent structure shall depend on the shape and location of the Lot, as follows:

(a) Rectangular Lots Fronting on One Street.

- (i) 20 feet from the front Lot line (abutting a street);
- (ii) 20 feet from the rear Lot line; provided, however, that on any lakefront Lot there may be constructed and maintained, at or adjacent to the shoreline, any boat launch, pier or similar structure in respect to the size, design, construction or replacement for which the Committee has issued a permit or license; and
- (iii) 5 feet from the side Lot lines.

(b) Rectangular Lots Fronting on Two Streets (Corner Lots).

- (i) 20 feet from the front Lot line abutting that street which is the street of address for the home;
- (ii) 10 feet from the front Lot line abutting the second street;
- (iii) 20 feet from the rear Lot line which is directly opposite the front Lot line abutting the street of address; and
- (iv) 5 feet from the side Lot line which is directly opposite the front Lot line abutting the second street.

(c) Triangular Lots. The setback from the Lot line which is now a point (apex of the triangle) shall be measured along a line that joins the apex to the center of the opposite Lot line.

(d) Lots with More than Four Corners or with Curved Lot Lines. All setbacks shall be measured inward to a line running parallel to each segment or curve for front, side or rear setbacks. Setbacks shall be the same as those for rectangular Lots. The Committee shall have final setback authority.

(e) Measurement of Setbacks.

(i) From Residence to Lot Line. Where the Residence itself is the structure closest to the relevant Lot line, then (A) with respect to Residences approved by the Environmental Control Committee after the date this Declaration is Recorded, the setback shall be measured to the end of the eaves, not to the Residence foundation or the wall line of the exterior wall, and (B) with respect to Residences approved by the Environmental Control Committee prior to the date this Declaration is Recorded, the setback shall be measured to the Residence foundation or the wall line of the exterior wall.

(ii) From Other Permanent Structure to Lot Line. Where some other permanent structure (such as, but not limited to, a deck, or a staircase) is the structure closest to the relevant Lot line, the setback shall be measured to the portion of such structure closest to the Lot line.

Section 6.4. No Temporary Structures. No temporary house, trailer, tent, garage or other outbuilding shall be placed or erected on any Lot; provided, however, that upon written exception the Committee may grant permission for such temporary structure for storage of materials during construction or only until notice completion from the County has been received. No such temporary structures as may be approved shall be used at any time as a dwelling place or temporary dwelling by Owner/builders unless approved by the Committee and then only during periods of ongoing construction. In no case may a trailer or a motor home be used as a toilet facility for construction workers unless it is connected to a sewer.

Section 6.5. Outside Toilets and Wells. No outside toilet or individual water well shall be constructed on any Lot. All plumbing fixtures, dishwashers, toilets or sewage disposal systems shall be connected to a sewage system approved by the Siskiyou County Health Department and, if required, by the CSD.

Section 6.6. Occupancy. No Residence shall be occupied until the same has been completed in accordance with its plans and specifications and final approval received from the Committee.

Section 6.7. New Materials. All structures constructed or placed on any Lot shall be constructed with a substantial quantity of new material and no used structures shall be relocated or placed on any such Lot.

Section 6.8. Fuel Storage Tanks; Trash Receptacles. Every tank for the storage of fuel installed outside any building in the Properties shall be screened by solid fencing or other material to the satisfaction of the Committee. Every outdoor receptacle for ashes, trash, rubbish or garbage shall be screened or so placed and kept as not to be visible from any street or park within the Properties or from the Lake at any time except during refuse collections.

Section 6.9. Model Homes. No Owner of any Lot shall build or permit the building thereon of any dwelling house that is to be used as a model house or exhibit without the prior written permission of the Committee.

Section 6.10. Trees. No tree with a trunk in excess of three inches (3") in diameter (when measured forty eight inches (48") above grade) shall be removed from any Lot without first obtaining the written consent of the Committee.

Section 6.11. Roofs and Roofing Materials. All roofs shall be constructed with (a) Environmental Control Committee-approved baked, glazed or concrete tiles; (b) Committee-approved metal/aluminum, copper or steel roofing; or (c) Architectural grade, Class A composition shingles with a minimum of 240 pounds per square. Roofing material must meet aesthetic standards for non-glare, color compatibility with building scheme, substantiality of thickness and similar factors. Other roof materials will be taken into consideration for Committee approval in accordance with all applicable provisions of this Declaration. Wood shakes or shingles may not be used as roof materials. No flat top roofs will be allowed, unless the

Committee determines it is architecturally pleasing and in harmony with surrounding homes, e.g., nautical design. A pitch at a rise of 4½ inches in 12 inches or greater shall be required.

Section 6.12. Eaves. Eaves shall be a minimum of eighteen inches (18") in width as measured from finished siding.

Section 6.13. Drainage. No Owner or Owner's representative shall do any work, construct any Improvement, place any landscaping or suffer the existence of any condition whatsoever which shall alter or interfere with the drainage pattern for the Owner's or any adjacent Lots or parcels or Common Area. Plans and specifications submitted by an Owner to the Committee in connection with the construction of a Residence or other major structural Improvement shall include a detailed drainage plan in sufficient detail to permit the Public Works Department to assess the impacts, if any, of the Improvement on natural drainage courses and adjoining property.

Section 6.14. Garages.

(a) Single Family Lots. Each Residence (other than those on Multi-Family Lots) shall have at least a two-car (400 s.f., 20' x 20' minimum) garage which may be either of an attached or detached design. The garage must be of the same design and material as the Residence. Detached garages must be constructed at the same time as, or previous to, the Residence.

(b) Multi-Family Lots. Each Residence constructed on a Multi-Family Lot shall have at least two (2) covered parking spaces and one (1) enclosed storage area.

Section 6.15. Fences. It is the desire of the Association that all property lines be kept free and open, one to another, from a visual but not necessarily from a physical point of view. Fences, therefore are permitted to be erected along property lines or within the bounded area of a Lot under the following conditions:

(a) Application to erect a fence shall be submitted to the Committee for review and approval. The application shall include a plot plan showing location of the proposed fence relative to other existing structures and property Lot lines and a complete description of the proposed fence including type, size and height, color, and materials of construction. The Committee shall have 45 days to review and approve or deny the application. A fence or enclosure of any kind may not be erected on any Lot without prior written approval from the Committee.

(b) Fences may be constructed of rock, masonry, wood, or metal or a combination thereof. The fence, however must be open in construction and must not unduly block views across the Lot lines. Solid fences are not permitted with the exception that a solid privacy fence may be erected around the perimeter of a patio or deck. Chain link and stock wire fences with mesh openings of 2-1/2 inches maximum are permitted provided that earth tone colored (brown, green) or natural finish (unpainted) metal fencing and posts are used. Hog or chicken wire fences and white-tipped steel posts are not permitted to be erected on any Lot for perimeter fences or garden enclosures.

(c) Fencing or other enclosures erected in the rear yard (behind the front corners of the home) must be less than five feet (5') in height. Fencing or other enclosures erected in the front yard (forward of the front corners of the house) must be less than thirty six inches (36") in height.

(d) Fences may be placed on Lot lines or within utility easement areas provided that the Owner executes an agreement with the Association stating that Owner will be responsible for removing and re-erecting the fence or will pay for the same in the event that the area has to be accessed for installation or repair of sewer, water, power, or telephone underground utilities.

Section 6.16. Other Requirements.

(a) All Residences must meet zone 16 energy requirements and zone 3 seismic requirements, and must meet the applicable provisions of Title 24, section 25-00-00 of the California Building Standards (entitled "Housing Community Development").

(b) All driveways should exit to the secondary roads whenever a choice exists. No driveway shall exit on any street designated non-entry by the subdivision plans unless a waiver is received from the Board.

(c) No Residence may exceed thirty five feet (35') in height, as measured at the highest point of the ridge.

Section 6.17. Recitation of Unamended Provisions. The following two existing and unamended provisions are recited here verbatim solely for the convenience of the reader, and remain unchanged and in full force and effect, notwithstanding any contrary provision hereof:

"Paragraph 8(b): No temporary house, trailer, tent, garage, or other outbuilding shall be placed or erected on any lot; provided, however, that the Committee may grant permission for any such temporary structure for storage of materials during construction. No such temporary structures as may be approved shall be used at any time as a dwelling place."

"Paragraph 8(g): No motor vehicle, boat, boat trailer, camper, mobilehome, travel trailer, or other vehicle, trailer or conveyance shall be parked for a continuous period of more than ten (10) days, on any street in the Subdivision nor on any lot thereof in such manner or location as to be visible to the occupant of other lots within the Subdivision or to the users of any street or park or to the users of the Lake."

**ARTICLE VIII
Use of Properties and Restrictions**

Section 8.3. Prohibition of Noxious Activities. No illegal, noxious or offensive activities shall be carried out or conducted upon any Lot or Common Area nor shall anything be done within the Properties which is or could become an unreasonable annoyance or nuisance to neighboring property Owners. Without limiting the foregoing, no Owner shall permit noise, including, but not limited to barking dogs, the operation of excessive noisy air conditioners, stereo amplifier systems, television systems, motor vehicles or power tools, to emanate from an Owner's Lot or from activities within the Common Area, which would unreasonably disturb any other Owner's or tenant's enjoyment of his or her Lot or the Common Area.

**ARTICLE IX
Easements**

Section 9.4. Slope Control and Drainage. There are easements for the maintenance and permanent stabilization and control of slopes in the slope-control areas designated on the Subdivision Maps as "Slope Easement" and easements for the use and maintenance of drainage courses of all kinds in the areas designated on the Maps as "Drainage Easement". Within the areas subject to these easements, no structure, planting or other material shall be placed or permitted to remain, and no activity shall be undertaken which may damage or interfere with established slope ratios or drainage courses, create erosion or sliding problems, or obstruct, retard or change the direction of the flow of water over such slope-control areas or through such drainage courses; provided, however, that the Association shall have the right to landscape

and beautify the areas subject to such easements and to improve the slope ratio of, and water flow over, such areas.

SITE IDENTIFICATION ISSUES

All **property pins** are to be located by owner and be visible prior to ECC inspection of the property. Pins are to be maintained during construction and thereafter by owner. Proposed improvements **shall be staked on the property prior ECC inspection**; at minimum, all corners and any other appropriate areas shall be staked. **THIS INCLUDES DECK ADDITIONS AND OUTBUILDINGS.** All trees that are proposed for **removal shall be tied with a ribbon.**

All deposits are interdependent and will be held until project meets final plan compliance and property complies with CC&R.

All work must be completed including clean up of any construction debris, clutter, litter and removal of chemical toilets, trash containers, construction material, location of all property pins and equipment before any consideration of final inspection and return of deposit can be made.

SOME ITEMS THAT SHOULD BE INCLUDED AS PART OF YOUR APPLICATION AND WILL BE ADDRESSED DURING PLAN REVIEW BUT NOT LIMITED TO:

- * **Location of trees** (all trees 3" diameter or greater measured 48" above grade). Plot trees with proposed trees to be removed clearly marked.
- * **Fuel tank locations and type, tank screening location, size, type, material, color.**
(Recommended that tank screening be same material and color of house).
- * **Location of heating and cooling equipment** (outside of home).
- * **Sidewalks/Decking/Stoops/Stairs** (location, size, type, and shape).
- * **Screening devices/Fences** (location, size, type, and shape).
- * **Retaining walls and *any grading* that change the existing grade of lot** (recommend SEPARATE PLAN FOR GRADING unless minor in nature that is within the foundation).
- * **Driveway show dimensions of drive and apron details. Exact location on plot map from property lines** (if corner lot driveway should be on secondary road and needs to be min 50' from primary road edge of asphalt).
- * **Driveway apron:** Apron width (12' min. needs to be increased to 16' min. at asphalt, 2' on each side or all 16' min.). Please see Driveway Use Permit for specifics.
- * **Drainage plan showing direction of water flow** (drainage should flow into streets where possible, **drainage onto adjacent lots is not permitted.** If drainage not possible to streets show alternative plan including structures in detail). Please include rain gutters and downspouts if any and how they relate to drainage plan.
- * **Easements noted and locations plotted or noted on plot plan.**

* **Water** (Connection location on plans, show water line from house to meter). **Waterhouse shut off and pressure regulator.**

Sewer (Connection location on plans, show sewer line from house to main).

Sewer Low Pressure (Pump and Tank location). **Sewer low-pressure system controls.**

Sewer Septic (Tank & Field location).

* Fences must show location, size, material, color and height of fence, posts, and gates. Please see fence standards for specifics. Fences may be placed along lot lines within some easements provided owner executes an **Agreement** that owner is responsible for removing and re-erecting fence if easement needs to be used. **Please see Easement Use Agreement for specifics.**

* **Location of all heating and/or cooling equipment.**

* **Decking, sidewalks, stoops and stairs** (material and color).

* **Screening devices and Fences** (material and color).

* **Elevations including foundation** (four – front, back and both sides clearly marked).

* **Roof slopes (min 4.5'/12')** please indicate on elevations and show on all roof sides.

* **Roof overhang (min 18" in width)** please indicate on elevations and show on all elevation sides. Shed overhang min 12". (all measured from finished siding).

* **Rain gutters and down spouts** (indicating point of disposal). Must match drainage plan.

* **Full description of exterior materials** (or samples of roofing and siding materials).

* **Full description of exterior, accent and trim colors.** (the manufacturer's descriptive literature with color sample can suffice, unless not descriptive enough).

I have read the above and I am aware of the information it contains. I will incorporate these guidelines into my application and construction process.

Print Owner's Name: _____

Owner's Signature: _____ **Date:** _____

If contractor is acting as owner's agent and on behalf of owner, please sign below. Notices to be sent to owner.

Print Contractor's Name: _____

Contractor's Signature: _____ **Date:** _____