

SANDIA RANCHOS PROPERTY  
OWNERS ASSOCIATION

ARCHITECTURAL CONTROL  
COMMITTEE (ACC)

RULES AND REGULATIONS

Adopted November 9, 2019

**Sandia Ranchos**  
**Property Owners Association**  
**Architectural Control Committee**  
**Rules and Regulations**  
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## Mission

It is the mission of the Architectural Control Committee (ACC) to maintain the peaceful serenity and beauty that exists in the Association consistent with public health and safety. The ACC is specifically authorized by the Declaration of Covenants, Conditions, And Restrictions Of The Association (CC&Rs). The ACC is empowered to review and rule upon applications for Improvements to the Property (Proposed Change).

## ACC

### 1. Composition of ACC.

There shall be established a five (5) member ACC, the members of which are to be elected by majority vote of a quorum of Members. The chairman of the ACC shall be a member of the Board of Directors of the Association (Board). In the event of death or resignation of any member of the ACC, the Board shall have full authority to appoint a successor including but not limited to a Board member. The Board shall take an active interest in the activities of the ACC. The ACC shall keep the Board informed of its activities. The ACC may designate a representative to act for it. Neither the members of the ACC nor its designated representative shall be entitled to any compensation for services performed pursuant to the CC&Rs. The business address shall be the same as that of the Association.

### 2. ACC Approval.

No Improvement shall be erected, placed or altered on any Property until the construction plans and specifications and a plan showing the location of the Improvement on the Property have been approved by the ACC.

Prior to the preparation of working drawings, a preliminary site plan, preliminary building plans and preliminary landscaping plans shall be submitted to the ACC or its designee for preliminary approval.

Prior to commencement of any construction, a final site plan shall be submitted to and approved by the ACC showing the location of the Improvements.

Landscaping plans shall also be submitted for approval by the ACC prior to commencement of any construction; such plans shall be the same scale as the site plan and shall show both the size and type of materials to be used.

After the construction plans, specifications or other data has been approved or been deemed approved (the Approved Plans), any agent of the ACC may, after reasonable notice, enter upon the Parcel to inspect progress of the improvement and determine if construction is proceeding according to the Approved Plans. If construction is proceeding contrary to the Approved Plans, then such action shall constitute a violation or breach of the CC&Rs.

If construction is not commenced in accordance with the Approved Plans within one hundred eighty (180) days of the date upon which the plans were approved or deemed approved, then the ACC may withdraw its approval of the plans and specifications, provided that there has been a change of circumstances so that the ACC would not have granted approval if the plans and specifications had been then submitted.

3. Approval or Disapproval.

The ACC's approval or disapproval of the Proposed Change shall be in writing. The ACC shall approve or disapprove plans and specifications within thirty (30) days from the receipt thereof unless the ACC notifies the Member submitting them within thirty (30) days that an additional period of time, not to exceed thirty (30) days, is required for such approval or disapproval. In that case, the ACC shall approve or disapprove such plans and specifications in the extended period of time. The plans and specifications not approved or disapproved within the time limits provided herein shall be deemed approved, as submitted.

### Definitions

1. Association is the Sandia Ranchos Property Owners Association, its successors and assigns.

2. Member is as defined in the Articles of Incorporation of the Association and the By-Laws of the Association. Member and Owner are synonymous and used interchangeably.
3. Property is the real property located in the Association, in the County of Riverside, State of California, subject to the CC&Rs.
4. Improvements include but are not limited to all actions on the Property such as grading, excavation, ditches, culverts, wells, commercial plantings, landscaping, construction of buildings, drives, walks, swimming pools, decking, patios, barns, silos, cages, houses, outbuildings, sheds, parking areas, fences, walls, poles, signs, streets, alleys, bridges, tanks, and any other structures of any type or kind except normal maintenance or alterations or improvements to the interior of any existing or other structure which is not visible from the neighboring property(s) or from any public street and normal maintenance and operation of commercial plantings (but see Agricultural Plants Section).

### **Regulation of Improvements, Procedures and Appeals**

1. A decision on a Proposed Change shall be made in good faith and may not be unreasonable, arbitrary, or capricious.
2. A decision on a Proposed Change shall be consistent with any governing provision of law.
3. A decision on a Proposed Change shall be in writing. If a Proposed Change is disapproved, the written decision shall include both an explanation of why the Proposed Change is disapproved and a description of the procedure for reconsideration of the disapproval of the Proposed Change by the Board if such reconsideration is required.
4. If a Proposed Change is disapproved, the Member is entitled to resubmit the Proposed Change to the ACC with any additional

information and/or changes requested by the ACC or the Member is entitled to reconsideration by the Board at an open meeting of the Board. This paragraph does not require reconsideration of a decision that is made by the Board or a body that has the same membership as the Board at a meeting that satisfies the requirements of Civil Code Section 1363.05. Reconsideration by the Board does not constitute dispute resolution within the meaning of Civil Code Section 1363.820.

5. Nothing in these Rules and Regulations authorizes a physical change to the common area in a manner that is inconsistent with the Association's governing documents or governing law.
6. An Application for a Proposed Change shall include, but not be limited to:
  - a. Member name, address (current resident and site / parcel number), contact phone number and email address, if applicable;
  - b. Plans / drawings by a registered Architect, Landscape Architect, Engineer and/or Contractor.
  - c. Plot layout and all exterior elevations with grading, earthwork quantities, storm drain, drainage courses, any retaining walls and other erosion protection, utilities, leach field / backflow, dust control, traffic and tracking control, waste management, and fire department access. The site plan shall be in sufficient detail to show a proposed method of treatment of possible drainage problems and that adequate drainage facilities for storm and surface water have been provided for each parcel. Final building plans shall show all exterior elevations, indicating the materials to be used and designating the exterior colors to be used by means of actual color samples
  - d. Specifications – materials and colors, dimensions, locations for all structural designs, signs, landscaping and vegetation;
  - e. Plan for grading/constructing a well pad, drilling a well, groundwater treatment, wellhead equipping (turbine/pump, reservoir tank, electrical panel, lights, etc.);

- f. All required county permits.
7. All plans/drawings shall be provided digitally, and hard copy in triplicate. The minimum scale of all plans shall be 1" equals 20'.

### **Nonliability**

1. Neither the members of the ACC, the ACC, or its representative, nor the Association, its successors or assigns, shall be liable in damages or otherwise to anyone submitting a Proposed Change, or to any Owner, Member, or lessee of any Parcel affected by the CC&Rs, by reason of mistake in judgment, negligence or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve or disapprove any such Proposed Change.
2. Every person who submits a Proposed Change agrees by submission of the Proposed Change, and every Owner or lessee of any Parcel affected by the CC&Rs agrees, by acquiring title thereto or interest therein, that they will not bring any action or suit against the members of the ACC, the ACC, or its representative or the Association to recover any such damages.
3. No approval shall be considered a determination that such Proposed Change is suitable to meet building, environmental or engineering design standards or that the improvements have been built in accordance with such Proposed Change.

### **Governmental Regulations**

1. Nothing herein contained shall be deemed to constitute approval of any Improvement or of any use which is inconsistent with any applicable governmental rules, requirements, codes, regulations, restrictions or ordinances, including, without limitation, any use in violation of zoning, subdivision or similar regulations or in violations of any air pollution, water pollution, hazardous waste, toxic waste and/or other environmental laws. Nothing herein contained shall be constructed to limit the members' rights under the Davis-Sterling Act.

2. The Member shall have the sole responsibility for obtaining and/or renewing any and all permits, licenses, certificates and other approval as may be required by the County or any other applicable governmental entity with respect to such Member's Improvement and/or use of such Member's Property.
3. Each Member hereby agrees to indemnify, hold harmless and defend, with counsel satisfactory to the Association from any and all liability, cost or expense which either may incur in connection with or as a result of such Member's failure to comply with any such rules, codes, requirements, regulations, restrictions or ordinances, or with any of the CC&Rs.

### **Minimum Setback Line**

1. General.  
No Improvement of any kind, and no part thereof, shall be placed on any Property closer to a property line than herein provided. The following Improvements are specifically excluded from these setback provisions:
  - a. Pole lines;
  - b. Underground pipelines;
  - c. Conduits;
  - d. Ditches;
  - e. Water works facilities for the production and distribution of water primarily for irrigation purposes;
  - f. Fences;
  - g. Streets and alleys;
  - h. Approved street signs;



- i. Sandia Ranchos entryways.
2. Front Yard Setback.

The setback line is established fifty (50) feet from the front property line; provided, however, if the ACC shall determine that extenuating circumstances exist with respect to any Property that would cause conformance to the setback minimums to result in undue hardship on the Member, the ACC may approve such setback as may be reasonable.
3. Side Yard Setback.
  - a. The setback line for the main residence is established at a minimum of fifty (50) feet from the said property line.
  - b. The setback line for all accessory buildings is established at a minimum of twenty (20) feet from the said property line.
4. Rear Yard Setback.

The setback line is established at a minimum of twenty (20) feet from the rear property line.
5. Change in Setback.

Anything contained in these Rules or Regulations to the contrary notwithstanding, in the event the zoning of the Property allows different setbacks, the setbacks required shall be those which are the more restrictive.

### **Completion of Construction**

After commencement of construction of any Improvements, the work thereof shall be diligently prosecuted, to the end that the Improvements shall not remain in a partly finished condition any longer than reasonably necessary for completion thereof.

### **Occupancy**

No structure shall be occupied in any manner prior to completion thereof in accordance with the Approved Plans and receipt of a Certificate of Occupancy from the appropriate governmental authority.

### **Fencing**

1. All Property on which animals are present shall be adequately fenced so as to keep said animals on that Property and protect the agriculture and property on other Property.
2. Chain link fencing is permitted, either as perimeter fencing or for other purposes, provided it is planted so as to be visually screened from common areas. Metal pipe fencing (such as Horse Corrals), if within one hundred (100) feet from the front property line, must also be planted in such a manner as to provide a visual screen.
3. Fencing shall be well maintained, straight and upright. If painted, the paint shall be kept up to provide a uniform and attractive appearance

### **Landscaping**

Within six (6) months of the completion of the residential structure on any Property, the landscaping of the Property shall be completed pursuant to the landscaping plans approved by the ACC. In the event such landscaping is not completed within such six (6) months, the ACC may enter upon said Property and carry out the landscaping plans approved by the ACC at the expense of the Owner of such Property.

### **Excavation**

Exposed openings resulting from any excavation made in connection with Improvements shall be backfilled and disturbed ground shall be leveled. All excavation shall be done in compliance with the Riverside County Grading Ordinance and shall be certified by a California licensed soils engineer.

### **Signs**

1. No sign shall be permitted, other than the following:

- a. Those identifying the name, business and products of the person or firm occupying the premises; provided all signs shall only be of such size, design, color and location as are specifically approved in writing by the ACC.

In the event the ACC adopts standards for signs or standard form signs, all signs must conform to such standards or standard forms. All existing signs which do not conform to such standards or standard forms shall no longer be permitted and shall be promptly removed;

- b. Those offering the premises for sale or lease, provided all such signs shall be of a customary and reasonable dimension.
  - c. Standardized Sandia Ranchos Street Signs.
  - d. Instructional signs as are clearly in the best interests of the community and specifically approved by the ACC.
2. Standardized Sandia Ranchos street signs as adopted by the ACC shall, as a condition to the approval of streets, alleys and roadways, be installed at the sole cost of the Owner of the Property upon which such streets, alleys and roadways are to be located.

### **Building Regulations**

1. Type.  
Any building or structure of whatever type shall be properly maintained. No building or other structure shall be built or erected unless the building or other structure is of a quality usual and customary for that type of building or structure and of good quality and design. No used buildings, including buildings previously constructed on any other real property, shall be moved onto any Property. No mobile homes or lean-tos shall be permitted on any Property. However, a travel trailer may be brought to the subject Property for use over the weekend and holidays, but must not be left parked on the Property during the week. The buildings that may be constructed on

any Property shall be a single family residence, a guest cottage without cooking facilities, accessory buildings and a garage.

2. Size.

The single family residence shall contain a minimum of fifteen hundred (1500) square feet, excluding the garage and overhangs. The garage shall contain at least four hundred forty (440) square feet and shall be fully enclosed. Any accessory building or garage, but not living quarters, may be constructed prior to the main residence, and shall conform in architectural design to the residential structure to be constructed on the Property. Roofing material shall be the same as required for the main residence, as set forth in paragraph 4 below.

3. Height.

No building structure shall be more than two (2) stories in height above the graded pad, except that residential buildings constructed on hillsides may use the area under the main floor for additional living area.

4. Roofs.

Roofs must be rated UL Class A Fire Resistant and be constructed only of either mission or concrete tile, slate, mineral fiber (except roll roofing), copper, or fiberglass shingles. Except as herein expressly provided, no projection of any type shall be placed or permitted above the roof of any building structure with the exception of one or more chimneys, one or more vent stacks, one television antenna of a shape, size, and location as approved by the ACC, and one or more solar collector, plus the necessary plumbing.

### Utilities

All telephone and power utility services are to be run underground from all Improvements to the street.

### Maintenance and Storage

1. All Property shall be properly maintained and in good condition and repair. Rubbish and debris shall be promptly removed.

2. No materials, supplies, trailers or equipment, including inoperable motor vehicles, shall be stored in any area on a Property except inside a closed building. Storage for trash and debris shall be within a visual barrier screened area of a maximum of fifty (50) square feet and surrounded by a wood fence at least six (6) feet high. Outdoor clothes lines shall be surrounded by a fence at least six (6) feet high and of a size and location approved by the ACC.
3. Landscaping shall be neatly trimmed, weeded, and properly cultivated.
4. A Member who has an existing permanent residence on the Property may keep their own recreational vehicle (including trailered boat) on the Property. However, such vehicle must be stored where it is not visible from adjacent Property or the street, and it is not used in any manner as living quarters while on the Property.

#### Preservation of Trees

1. No living native oak (*Quercus agrifolia* or *Quercus englemannii*) and no native California sycamore (*Platanus racemose*) with a trunk diameter of seven (7) or more inches at a point two (2) feet above the ground shall be removed without permission of the ACC.
2. No permission shall be required for removal of shrubs and/or dead trees as a fire prevention measure.

#### Agricultural Plants

1. Prior to any planting, storage, or transportation of avocado trees or grape vines on the Property, the person or persons undertaking such shall secure certificates as stated below for all such trees and vines and deliver certificates to the ACC.
2. In the case of grape vines, the certificate is to be obtained from the University of California Agricultural Extension Service. In the case of avocado trees, the trees shall be certified (i.e. grown under root rot free conditions in accordance with the Department of Food and

Agriculture regulations summarized in University of California Bulletin FR-AVO CP-296-700-11/26 ba) and purchased from a nursery certified by the State of California, Department of Agriculture. The trees must be moved directly from nursery to the Property and must be covered by a tag attesting to their certification and signed by a State Inspector. If not so moved, data will be required as to manner and condition of storage and the ACC may require root rot testing be conducted as specified below.

3. In lieu of tree certificates Members may, in coordination with the ACC and under the direction of a California licensed entomologist, conduct *P. Cinnamomi* (root rot fungus) testing at the nursery to establish reasonable confidence that the trees are root rot free. All questionable trees or 15 trees per planting lot (defined as all trees of a single variety from a single nursery), whichever is greater, must be tested. If the planting lot is less than 15 trees, each tree must be tested, but only once. If any test is positive, the trees should not be bought for use in Sandia Ranchos. The results of the tests must be delivered to the ACC. The ACC shall not approve any planting lot that has any positive test.
4. The ACC shall not approve the planting of any avocado trees or grape vines that do not meet the above requirements.
5. The Association or the ACC or their agents shall have the right to enter upon any Property and, at the expense of the owner of the Property, remove *P. Cinnamomi* infected or diseased avocado trees and/or spray the same and/or take measures as either may reasonably be deemed necessary to protect the subject Property, and surrounding Property, from the spread of such infection.
6. Dead trees shall be promptly removed.

### **High Fire Hazard Plants**

1. All plants, whether for landscaping or agriculture, must be irrigated and well maintained and pruned. Proper maintenance of landscaping is crucial. Plants allowed to grow unchecked can be a liability in the event

of wildfire. All plants will burn under the right conditions. It is best to plant 'good' plants and avoid 'bad' plants.

2. All proposed landscaping plants will be evaluated on a case by case basis for suitability and location in order to reduce the risk of wildfire.
3. The following high fire hazard plants, however, will not be approved for landscaping no matter where located on the Property.
  - a. Acacia (shrub),
  - b. Eucalyptus,
  - c. Juniper,
  - d. Palm,
  - e. Pine (i.e. Fir, Douglas-fir, Spruce),
  - f. Pampas Grass

## Adoption and Certification

The foregoing Architectural Control Committee Rules and Regulations on pages 1 through 17 of this document were adopted by the Sandia Ranchos Property Owners Association Board of Directors on the 9<sup>th</sup> day of November in the year 2019.

Sandia Ranchos Property Owners Association

By: Bill McElhaney, Board President

By: Jackie Neff, Board Secretary

## Certificate of Secretary

I certify that I am the duly qualified Secretary of the Sandia Ranchos Property Owners Association. The foregoing is a true and correct copy of the Architectural Control Committee Rules and Regulations adopted by the Board of Directors at the meeting held on November 9, 2019, and entered in the minutes as such meeting in the Minute Book of the Corporation. The Board of Directors has the power to adopt these Rules and Regulations as authorized in the governing documents of this Corporation.

Dated: 11/9/19

Sandia Ranchos Property Owners Association

By: Jackie Neff, Board Secretary