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## ARCHITECTURAL & ENVIRONMENTAL CONTROL COMMITTEE

### NEW HOME CONSTRUCTION APPROVAL APPLICATION Procedures and Instruction Guide

**RE:** Rules relative to the construction process at Heritage Ranch, and the specific procedures to follow for approval.

1. HERITAGE RANCH Covenants, Conditions & Restrictions ("CC&Rs"): Prior to the commencement of any construction, placement of structures, change of drainage, landscaping, grading or other improvements on property within Heritage Ranch, it is required that the owner obtain an approval from the Architectural and Environmental Control ("AEC") Committee, and obtain required permits from the San Luis Obispo ("SLO") County Planning Department. (See Master CC&Rs, Article VIII, Section 1, and Section 4 thereof.)
2. CONSTRUCTION APPROVAL: Any request for construction approval for a new home must be submitted to the AEC Committee on the AEC Committee New Construction Approval Application form ("Application"). Information requested on that Application must be submitted with the application fee and construction compliance deposit required hereunder.
3. PLANS: Plot plans, building plans and landscape plans must be submitted in **triplicate** with the Application, and must include the following:
  - a. **Plot plans (also include a reduced 8 ½" X 11" plot plan)** showing dimensions of lot lines, setback lines, placement and size of proposed home, carport and/or garage, location of patios, location and type of fencing, surface flows (drainage), parking space, driveway, walkways, storage sheds, screened propane tank location. (See attached instructions for drawing plot plans).
  - b. **Building plans** of the home showing the floor plan, foundation, carport, roofing, decking, slabs and walks, fences, walls, porch, exterior lighting, driveway and approach, barn, storage buildings, animal shelters, propane gas storage, and grading plans showing finish grade, elevations, drainage, slopes, structure cut and fill quantities in areas. All exterior construction materials, siding, posts, veneers, etc. must be called out on building plans.
  - c. **Landscaping plans** must show the location of indigenous trees on the property; the location of the proposed planting of the required three (3) trees of a size no less than five (5) gallons (tract 1990 three (3) trees of a size no less than fifteen (15) gallons); the type of ground cover; the type and location of irrigation or sprinkler system; the location of flower beds, shrubbery, decorative plants; and the construction and location of walkways. A sufficient amount of shrubs, bushes, vines, plants, gravel or ground cover is required to provide the

appearance of a fully landscaped area around any residential structure. Bare ground must be reduced to an absolute minimum. Any plastic or other weed-barrier product must be fully concealed. The portion of the road easement between the edge of the asphalt and your property boundary is the responsibility of the owner of the property to maintain in a neat and orderly manner. All bare dirt must be covered with gravel or ground cover in these areas. No trees, bushes or other plantings, fencing, walls or other structures are allowed in the road easement without the prior consent of the AEC Committee. (In no case shall any tree be placed within six (6) feet of any asphalt roadway.)

**NOTE: The owner must submit three (3) copies of construction plans, each containing three (3) AEC Committee signatures of approval to the SLO County Planning Department to authorize a release of the SLO County building permit.**

4. **APPLICATION FEE AND COMPLIANCE DEPOSIT:** The applicant property owner must submit with their Application a non-refundable application fee of one thousand dollars (\$1000), and a refundable compliance deposit of three thousand dollars (\$3,000), as security for the owner's faithful performance of his/her obligations hereunder. At that time, the Association will issue a written receipt to the owner. The applicant property owner will not be entitled to interest on said deposited funds. The compliance deposit shall be released back to the applicant property owner only when it has been shown that the owner has complied with all the requirements of the HROA CC&Rs, Bylaws, this Procedures and Instruction Guide and Application, and any special conditions imposed by the AEC Committee in their approving the applicant's construction plans.

All construction must be completed within **twelve (12) months** for "on-site built" houses and **six (6) months** for manufactured homes. This time period will start at the time construction begins, however, if construction has not started within one (1) year after approval is given by the AEC Committee, a new application will have to be submitted and approved. If circumstances exist beyond the owner's control that would extend beyond the time periods provided for, an extension must be approved by the AEC Committee. Only one extension is allowed from the AEC Committee which shall not exceed ninety (90) days and is subject to a deduction from the compliance deposit (not to exceed \$100.00).

If the owner has accumulated unpaid fines or other costs related to construction activities, the required monies may be forfeited from the construction compliance deposit. Additionally, the owner must clean up any damage done to the adjoining properties, lots and/or Common Area to the satisfaction of the HROA Inspector prior to the release of the compliance deposit. Should any damage occur to Association Common Area and the owner is found responsible for such damage and fails to correct the problem, the cost of repairs to the Common Area shall be deducted from the compliance deposit, and the owner will only receive a portion of the original deposit as so adjusted.

**NOTE: The application fee check and the compliance deposit check MUST be written by the individual on the grant deed or a "Consent of Landowner Form" (attached) must be signed at the time of Application. Also, the application fee check of \$1000, and the compliance deposit check of \$3,000 must be presented at the time the Application is submitted.**

#### **IMPORTANT NOTICE**

***Failure to comply with the construction project requirements, the HROA CC&Rs/Bylaws or the requirements of this Procedures & Instruction Guide and Application within the time periods allotted shall result in forfeiture of all or part of the compliance deposit.***

Owner's initials as read \_\_\_\_\_ Date \_\_\_\_\_

5. **SUBMISSION OF COMPLETE APPLICATION:** Applications must be submitted on **Friday, by 4:00 p.m. prior** to the AEC Committee meeting. Upon receipt by the AEC Committee of an owner's complete Application packet, which includes all information required hereunder, the AEC Committee shall approve or disapprove the project within thirty (30) days. However, the AEC Committee may, if needed, withhold its decision for an additional fifteen (15) day period upon written notice to the owner. Projects not approved or disapproved within these time limits shall be deemed approved as submitted. Incomplete applications may be rejected for re-submittal. (See HROA Master CC&Rs Article VIII, Section 4)

Please notify the AEC Planner at the HROA Office as to when you will be picking up any plans.

6. **NO WARRANTY WITH APPROVED PLANS:** AEC Committee approval shall not constitute any representation of guarantee by the AEC Committee, the HROA or their successors or assigns as to the structural sufficiency of any buildings and/or construction proposed, nor shall any such approval relieve the owner from complying with any requirements of any public authority having jurisdiction in the matter.

7. **NO WAIVER:** The approval of any construction application by the AEC Committee or its approval with conditions shall not be construed as a waiver of the AEC Committee's right to review the same or similar construction applications subsequently submitted, nor render it an unnecessary requirement for an owner to submit an application for approval for any subsequent or similar project.

8. **COUNTY BUILDING PERMITS:** In addition to the approval of the AEC Committee, building permits must be obtained from the SLO County Building Department, Courthouse Annex, San Luis Obispo, CA 93401. Their phone is (805) 781-5602.

9. **UTILITY INFORMATION:** Information and application for utility installations may be obtained as follows:

Water & Sewer: Heritage Ranch Community Service District (HRCSD), 4870 Heritage Road, Paso Robles, CA 93446

Ph. (805)227-6230

Electricity: Pacific Gas & Electric (PG&E), 406 Higuera St. San Luis Obispo, CA Ph. (805) 743- 5000

Telephone: AT&T(Service 1-800-310-2355) (Repair 611, Information 411).

Propane: Refer to the Yellow Pages.

10. **APPEAL TO BOARD OF DIRECTORS:** AEC Committee decisions on Applications shall be binding. However, an owner who desires to appeal the decision of the AEC Committee may do so by filing a written request for review with the HROA Board of Directors specifying each and every reason for any dissatisfaction of the AEC Committee decision. The Board of Directors, at its discretion, may consider the factors specified, the request for review and any additional information related to such factors. The Board of Directors decision on such appeal shall be made within thirty (30) days from submission of the request for review and shall be binding and conclusive. (See HROA Master CC&Rs, Article VIII, Section 4)

11. **PROPERTY SALES DURING CONSTRUCTION:** If the applicant property owner of record, whose signature is on the approved Application, sells the underlying property prior to completion of the AEC Committee requirements, it shall be necessary (through escrow), in accordance with the CC&Rs that the buyer accept responsibility by (1) signing the AEC Committee application and (2) placing a

compliance deposit with the Association. The new owner will have to abide by the original construction completion time frame (including landscaping) (see item #4). After this has been done, the deposit by the original applicant property owner shall be released, less any monies owed the HROA.

12. **NEW HOME CONSTRUCTION RULES & REGULATIONS (THESE RULES MUST BE OBSERVED DURING CONSTRUCTION):**

A. Prior to the commencement of any construction, placement of structures, changes of drainage or grading on this property, it is required that:

1. A copy of your building and (if applicable) grading permit must be submitted to the HROA AEC Planner.
2. A portable toilet must be on your lot before construction begins. The toilet may be removed once the HROA Inspector has verified that plumbing is hooked up and working at the site.
3. A dumpster must be at the job site at all times during construction. A dumpster may be a bin with a lid, a roll-off, or a work trailer with a cover.
4. Proper erosion and sediment control measures must be installed on your lot. It is a violation of HROA Rules & Regulations, as well as County Ordinances, to allow dirt and/or mud to flow off of your lot and onto adjacent lots, or onto the street. ALL construction activity, including materials, tools, supplies, equipment, trailers, portable toilets and refuse collection containers must be contained within the lot (except during loading and unloading) and the lot must be maintained at all times in a neat and orderly manner. Do not store anything in the Common Area. Construction debris must be picked up on a daily basis and secured in a covered refuse collection container. Dust shall be controlled during excavation and construction, and dirt and debris must not be allowed to migrate from the job site. The owner of the lot is responsible for any delivery trucks that cause damage to Association roads. The owner of the lot is responsible for the actions of concrete trucks delivering concrete to the property, including but not limited to, concrete spills, discoloration of roads and the driver's cleanup procedures following pour operations. Do not empty concrete trucks in the Common Area.

**B. The HROA Office must be notified when construction is going to start, so the lot can be inspected for a portable toilet, dumpster, and erosion control measures.** Also, note that trash must be put in the dumpster daily (as per the CC&Rs).

C. As construction progresses, the key rules, regulations, and CC&Rs that affect your project are:

1. **Construction Hours:** Construction curfews correspond with those issued by the SLO County for noise abatement. Construction is allowed during the following hours, only: Monday through Friday, 7:00 a.m. to 9:00 p.m., and Saturday and Sunday, 8:00 a.m. to 5:00 p.m.
2. **Storage in Common Area:** It is a violation of the CC&Rs (Article 11, Section 14), and therefore a citation can be issued, if anything is stored or placed (dirt, vehicles, construction materials, etc.) in the Common Area.
3. **Dogs:** Owners are responsible for ensuring that any contractors or laborers present on the Ranch at their invitation do not bring any dogs onto the Ranch.
4. **Disturbing the Peace:** No amplified music on the Ranch is permitted between the hours of 10:00 p.m. and 6:00 a.m. Any conduct, including playing loud music, operating loud motorized vehicles, boisterous or unruly behavior, or the use of profane, offensive, or threatening language or gestures, including conduct which occurs on privately owned property but can be seen or heard on other Ranch property, is considered disturbing the peace.

5. **Completion:** From the onset of construction, all construction must be completed within twelve (12) months for stick-built homes, and six (6) months for manufactured houses, unless circumstances are beyond the owner's control, in which case the delay must be approved by the AEC Committee or Board of Directors.
6. **Concrete Trucks:** Do not empty concrete trucks in the Common Area. A fine plus cleanup cost will be charged to the owner who contracted the work. Also, do not empty concrete trucks on any vacant lot without the owner's permission.

D. Required inspections by AEC Committee:

**NOTE: 48 hours advance notice is required for inspections**

1. House foundation setback inspection.
2. Garage set back inspection (if the garage foundation is not part of the house foundation [i.e. manufactured homes]).
3. Driveway approach inspection.
4. Final inspection of the total project (a copy of the inspection sheet is included).

**\*\*\*\* 48 HOURS NOTICE IS REQUIRED FOR REQUIRED INSPECTIONS\*\*\*\***

- THE **GARAGE** FOUNDATION MUST BE INSPECTED BEFORE CONCRETE IS POURED (If poured separate from the house foundation).
- For a manufactured **home** that will be set on a **foundation** or block wall, a setback inspection must be called for by the owner or contractor, after forms are set, but before concrete is poured.
- For a manufactured home that will be set on permanent **jacks/piers** (versus a foundation or block wall), a setback inspection must be called for by the owner or contractor, as soon as the house has been set in place, before further work can be done.
- For an "**On-Site**" built home that will be set on a foundation or block wall, a setback inspection must be called for by the owner or contractor, after forms are set, but before concrete is poured.

**NOTE: It is the responsibility of the owner or their contractor to locate property monuments (stakes) and run property string lines, before asking for the setback inspection.**

E. If the adjacent lot is going to be used for delivery and/or storage of materials, you must have written consent of the owner. A copy of that document needs to be given to the HROA. Also, the adjacent lot must be returned to its original condition when construction is completed.

F. Contractors and owners will see that the ac dike (berm) is protected at all times and it is required that the dike be returned to its original condition.

G. The propane tank is considered part of the construction and it must be completely screened.

H. Please note that a FINAL INSPECTION by the HROA representative must be completed before your compliance deposit is returned.

I. Before you occupy your house, a certificate permitting occupancy from SLO County Code Enforcement must be in your HROA file.

BY SUBMITTING THIS APPLICATION, THE APPLICANT ACKNOWLEDGES THAT THEY HAVE READ AND UNDERSTANDS THE AEC COMMITTEE'S PROCEDURES & INSTRUCTION GUIDE AND APPLICATION AND WILL COMPLY THEREWITH.

Signature of the Property Owner: \_\_\_\_\_ Lot: \_\_\_\_\_ Tract: \_\_\_\_\_ Date: \_\_\_\_\_  
ADOPTED May 15, 2009

**HERITAGE RANCH OWNERS ASSOCIATION  
AEC Committee New Construction Approval Application**

**SITE INFORMATION:** (be sure you have read the CC&Rs for your particular tract)

Project  
Address \_\_\_\_\_

Lot/Tract \_\_\_\_\_ Lot Size \_\_\_\_\_ Assessors Parcel  
Number(s) \_\_\_\_\_

Date of Application \_\_\_\_\_

**APPLICANT INFORMATION:**

Owner  
Name(s) \_\_\_\_\_ Address: \_\_\_\_\_

Business Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Contractor \_\_\_\_\_ Address:  
\_\_\_\_\_

Business Phone \_\_\_\_\_ License number \_\_\_\_\_

Architect, Engineer or designer \_\_\_\_\_ Address:  
\_\_\_\_\_

Business Phone \_\_\_\_\_ License number \_\_\_\_\_

**SCHEDULE (ESTIMATES)**

Construction Starting Date: \_\_\_\_\_ Construction Completion  
Date: \_\_\_\_\_

**PROJECT DESCRIPTION**

Type:  All New  Addition  Alteration  Repair  Demolish  Moved Building  
 Other  
\_\_\_\_\_

Of:  On-Site Built Dwelling  Manufactured Home  Other \_\_\_\_\_

Maximum height of the structure from the main floor level to highest point of the roof (**NOTE-**  
**each tract's CC&Rs show the maximum height limit:** \_\_\_\_\_)

**AREA AND SIZES PROPOSED**

Total Habitable Floor Area \_\_\_\_\_ Garage Area \_\_\_\_\_ Barn \_\_\_\_\_ Storage  
Area \_\_\_\_\_

Deck Area & Height (Above Finish Grade) \_\_\_\_\_ Carport Area & Height \_\_\_\_\_

Covered Porch & Height \_\_\_\_\_

No. of Bedrooms \_\_\_\_\_ No. of Bathrooms \_\_\_\_\_ No. of Stories \_\_\_\_\_

Retaining/Garden Wall Area \_\_\_\_\_ Height \_\_\_\_\_ Length \_\_\_\_\_

**MANUFACTURED HOUSING**

Manufacturer \_\_\_\_\_ No. of Bedrooms \_\_\_\_\_ Size \_\_\_\_\_  
Year \_\_\_\_\_

**GRADING**

Depth of Cuts (min. and max.) \_\_\_\_\_ Depth of Fills (min. and max.) \_\_\_\_\_

Cu. Yds. Cut \_\_\_\_\_ Fill \_\_\_\_\_ Total Cu. Yds. of Material \_\_\_\_\_  
Area of Site Disturbance \_\_\_\_\_

**TYPE OF CONSTRUCTION**

Foundation: ( ) Slab, ( ) Perimeter & Piers. ( ) Pole, Specify Color \_\_\_\_\_  
( ) Sample Submitted

Framework: ( ) Wood Stud, ( ) Masonry, ( ) Metal, ( ) Timber

Exterior Siding: ( ) Stucco, ( ) Plywood, ( ) Board, ( ) Stone Veneer, ( ) Brick Veneer,  
( ) Metal, ( ) Concrete Tilt-up, Specify Color \_\_\_\_\_  
( ) Sample Submitted

Roofing: ( ) Tile, ( ) Built-up Comp, ( ) Comp Shingles, ( ) Metal, ( ) Sample Submitted  
Specify Color \_\_\_\_\_

**CONSTRUCTION PLAN**

Must submit three (3) copies of Building Plans, Plot Plans and Landscaping Plans with this application.

**COMPLIANCE DEPOSIT**

A \$3,000 compliance deposit must be submitted with the application. This deposit is refundable on the terms and condition set forth in the Procedures and Instruction Guide. Application issued by the AEC Committee (hereafter referred to as the AProcedures and Instruction Guide@).

**APPLICATION/FILING FEE**

Must submit appropriate (\$1,000) non-refundable application fee with this application.

**ACKNOWLEDGMENTS**

By submitting this application, applicant acknowledges that he/she has read and understands the AEC Committee Procedures and Information Guide and will comply therewith.

INITIALS ( )

**INSPECTIONS**

This authorizes the AEC Committee or their agents or inspectors, to conduct periodic inspections (including a final inspection) of the Project at all reasonable times during construction and prior to occupancy or use by applicant.

INITIALS (     )

**FAILURE TO COMPLY**

Applicant hereby acknowledges that if he/she fails to comply with approved construction Project requirements, the HROA CC&Rs, Bylaws, Rules and Regulations, the AEC Committee Procedures and Instruction Guide, the AEC Committee special conditions imposed on approval of this application within the time periods allowed therein, such failure shall result in a forfeiture of part or all of the compliance deposit.

INITIALS (     )

**WAIVER OF APPROPRIATE ARCHITECTURAL & ENVIRONMENTAL CONTROL COMMITTEE**

Applicant hereby generally and specifically waives Article VIII, Section 2 and Section 3 of the Master Declaration setting forth separate architectural and environmental control committees and agrees that the standing Architectural Environmental Control Committee of the Association may receive the application. Applicant further understands that applicant does not waive any appeal rights to the Board of Directors that applicant may have by this waiver.

INITIALS (     )

**APPLICANTS**

(All property owners must sign)

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**APPROVED BY AEC COMMITTEE WITH THE FOLLOWING CONDITIONS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE**

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Rev 02/2015 10/13/15 05/10/21