

## **ARCHITECTURAL GUIDELINES**

Amended 2023

### **Covenants, Conditions and Restrictions (CC&Rs):**

The CC&Rs establish the Architectural Review Committee (ARC). The ARC ensures that proposed exterior alterations comply with the standards established for the community. This involves the regular review of all applications for exterior alterations submitted by residents.

- A. Every member of the Sierra Highlands Community Association has received a copy of the CC&Rs with the purchase of their home. It is the responsibility of homeowners to ensure that any tenants receive a copy of the CC&Rs and Rules & Regulations of the community. The CC&Rs and Rules & Regulations are binding on all homeowners/residents and every homeowner /resident is encouraged to read them thoroughly for complete understanding of the responsibilities of the Sierra Highlands Community Association and its' members.

### **Objectives:**

This document is to serve as a guide for the members of the Sierra Highlands Community Association Architectural Review Committee, hereinafter known as the ARC, and the homeowners, who are members of the Association. The goal of distributing this information is to increase the homeowners' awareness of the ways in which the integrity of the Community Plan is preserved and the responsibilities the homeowners must assume in this process. These Guidelines address exterior improvements for which homeowners most commonly submit applications and are not intended to be all inclusive.

The specific objectives of the Guidelines are:

- A. To provide uniform guidelines to be used by the ARC in reviewing applications in conformance to the standards set forth in the legal documents of Sierra Highlands Community Association.
- B. To assist residents in preparing an application to the ARC.
- C. To increase the awareness and understanding of the governing documents including the CC&Rs, Bylaws, and Articles of Incorporation.
- D. To maintain and improve the quality of the living environment in Sierra Highlands Community Association.
- E. To illustrate basic design principles that will aid residents in developing exterior improvements that is in harmony with the immediate neighborhood and the community as a whole.

The intent of these Guidelines is not to inhibit individuality and creativity, but to assure residents of continuity of design that will help preserve or improve the appearance, protect property values, and enhance the overall environment of the Sierra Highlands Community Association. These Guidelines are directed only to exterior alteration, including landscaping, made by homeowners to their property.

### **Amendments:**

- A. These Guidelines may be amended from time to time by the Sierra Highlands Community Association Board of Directors.
- B. The ARC may conduct evaluations of the Guidelines as deemed necessary to determine if amendments are required. Recommendations can be made to the Board of Directors.

### **Items that Require Approval:**

- A. Homeowners are reminded that approval from the ARC is required for any additions or alterations that

meet **any** of the following:

- (i) All exterior structures, alterations, and landscaping (other than seasonal landscape color changes), of front, side, rear yards and front court yards, including fences and walls.
- (ii) Any change to the exterior appearance of one's property must be approved by the ARC. Further, once a plan is approved, any further modification must be approved by the ARC prior to installation.
- (iii) Each Homeowner is required to install their initial ground cover and appropriate landscaping within four (4) months after the date of close of escrow. Landscape improvement plans are to be submitted within two (2) months after the date of close of escrow.
- (iv) It is important to understand that ARC approval is not limited to major alterations such as adding a room or deck to a house, but includes such items as changes in building and hardscape color and material, etc. Approval is also required when an existing item is to be removed.

## **REVIEW PROCESS**

### **General Information:**

- A. Each application is reviewed on an individual basis. There are no "automatic" approvals, even for replacement of existing improvements. A homeowner who wishes to construct a deck, for example, identical to one that has already been approved by the ARC, will be required to submit an application and may or may not receive ARC approval.
- B. **In every case**, an application must be submitted and reviewed in order to consider specific implications of location and impact on surroundings.
- C. The ARC evaluates on the individual merits of each application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance, may not be acceptable for another.
  - a. The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
  - b. Beyond compatibility, there are other concerns such as access and sunlight.
- D. The review or approval from the ARC is not to be considered as approval of the means or the method of construction, the installation and guarantee to the owner, or compliance with City codes or ordinances. This is the sole responsibility of the owner and/or his or her contractor or landscape contractor.

## **PROCEDURE FOR OBTAINING APPROVAL TO COMMENCE WORK**

### **Submit ARC Application for Review:**

- A. All requests are to be made to the Sierra Highlands Community Association to the attention of the ARC on the standard **Association Architectural and Landscape Improvement Application Form** at the end of this information. Additional copies may be obtained on the community website at [www.SierraHighlandsHOA.com](http://www.SierraHighlandsHOA.com). All ARC submittal packages to include the items listed on the attached **Application Procedures** form are included in this information. If construction is anticipated to take longer than 60 days from the date of approval, a construction phasing plan and schedule must also be submitted for approval.

Please include the following information, as applicable on your plans:

1. Location of residence on lot and the dimensions from lot lines.
2. Complete dimensions of proposed improvement. Provide a dimensioned plot plan utilizing one inch equals ten feet or more detailed as necessary to adequately depict the improvement.
3. Description of all materials, fixtures, and color scheme. Indicate the color of stain or paint by manufacturer's number respective to building parts or surfaces. Color samples must be provided if they deviate from the original color used. Note accordingly if color is intended to match existing surface. Samples of materials having inherent colors such as in masonry, will be required if they are to be used in their natural finish.
4. Show affected elevations.
5. Plant inventory (type, size and location).
6. Photographs of front and rear of house.
7. Detail of any and all slopes on property.

B. Neighborhood Notification:

Your neighbors who own property adjacent to your lot and would be affected by the proposed work must be notified of your ARC application. Obtain signatures of neighbor(s) on the application form.

**NO APPLICATION WILL BE CONSIDERED COMPLETE UNTIL THE NEIGHBOR NOTIFICATION CONDITION HAS BEEN SATISFIED.**

C. Right of Entry:

If construction work requires the use of common area, or access from property not owned by the applicant for purposes of transporting labor and materials, or for the temporary storage of materials for the work, **the applicant shall obtain written permission from the Sierra Highlands Community Association and the owner** for the right to enter during construction. A copy of the letter granting permission shall be submitted to the ARC prior to commencement of construction. An additional security deposit or bond, as deemed necessary by the ARC, may be required from the owner. Unused deposits will be refunded after completion of work and final acceptance by ARC. Payment will be refunded by US Mail within 30 days after ARC 's final acceptance.

- D. No submission fee is required; however, if the application is such that it requires review by a professional consultant, you will be contacted to submit a non-refundable fee of \$325.00 for the front and backyard landscaping, \$225.00 for the front or backyard landscaping, or \$150.00 for a minor review as deemed by the Board . Additional fees may be charged to the owner if plans are altered or resubmitted, based on a professional consultants fee of \$150 per resubmittal. All submittal packages must also include a security deposit check made payable to Sierra Highlands Community Association in the amount of \$500.00. If approved work is not completed within the timeframe approved, the Association will use the security deposit for costs associated with delays and additional inspections. Additional fines may also be applied per the Association's fine policy if work is not completed to the approved specifications and within the approved timeframe.

Unused deposits will be refunded after completion of work and final acceptance by the ARC. If work has not commenced within twelve (12) months from the date of approval, approvals will be rescinded and unused deposits will be returned. Payment will be refunded by US Mail within 30 days after the ARC's final acceptance.

- E. Please attach three (3) copies of drawings/plans with your application.

- F. The ARC application with all required enclosures must be submitted to the Management Company. The

management company will review the application for submission of all materials and then forward to the ARC. The address for the management company for the Sierra Highlands Community Association is:

Avalon Management Group  
3618 Ocean Ranch Blvd  
Oceanside, Ca 92056

**Submittal packages will be returned if deemed incomplete. The ARC reserves the right to request additional information.**

### **ARCHITECTURAL REVIEW COMMITTEE CRITERIA**

The ARC evaluates all submissions on the individual merits of the application. In addition to evaluation of the particular design proposal, consideration of the characteristics of the housing type and the individual site will be considered. Please be aware that an acceptable design of an exterior in one instance may not be acceptable in another.

- A. The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
- B. The ARC will consider, but not guarantee, the potential effect of the proposed improvements on views, access, sunlight, ventilation, and privacy of adjoining houses and the neighborhood.
- C. Each neighborhood has individual characteristics and the proposed alteration should be a complement to existing structures and improvements.
- D. The ARC has sole authority and reasonable discretion, subject to the rules and governing documents, over acceptability of any submittal.
- E. The approval, conditional approval, or disapproval, by the ARC of any proposals, plans, specifications or drawings will not bind the ARC to approve or disapprove the same or similar improvement or matter in the future. The ARC specifically reserves the right to reject the same or similar plans, specifications, or proposals subsequently submitted by the same or any other person.
- G. The goal is to provide a decision within 15 days of the ARC 's receipt of a complete application either approving or disapproving the application. If no decision is made within 15 days, the Owner may submit a written notice to the Board advising the Board of its failure to act. If the Board still fails to approve or disapprove the application within 15 days of this written notice, the application will be deemed approved, provided that any improvements conform to all conditions and restrictions in Article 9 of the CC&Rs, and are in harmony with similar structures within the community.
- H. Applicants are prohibited from commencing construction prior to obtaining a written response acknowledging approval of the application by the ARC.

### **City Permits**

Approval by the ARC for any improvement does not waive the necessity of obtaining required city permits or complying with applicable zoning ordinances. Obtaining city permits does not waive the need for ARC approvals. Approval must be obtained prior to commencing construction.

### **Construction Phase**

Time Period: Work shall commence within thirty (30) days from the approval of plans and be completed within sixty (60) days from the approval of plans. If applicant is requesting a longer construction period, a construction phasing plan and schedule shall have been previously submitted by the applicant for ARC review and approval prior to the commencement of construction.

### **Maintenance/Construction Hours**

Construction and maintenance on any lot is limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday.

### **Emergency Situations Related to Construction**

In the event of a major emergency effecting life-safety or property, please always call the appropriate local authorities.

### **Management Company Notification**

There is someone available 24 hours a day for emergency service. The phone number for emergency service is: 760-481-7444. For issues related to the common areas and during regular business hours for non-emergency service, the property manager and/or his/her assistant can be reached via phone at 760-481-7444.

### **Disruption of or Damage to Community Common Area**

Owners shall be responsible for any damage caused to the streetscape or open space areas or other Sierra Highlands Community Association maintained areas as a result of construction improvements. This includes construction debris and other materials used in making said improvements. All refuse and debris must be removed from the premises to a regulated disposal area.

Association Common Area which is damaged or disrupted due to installation/construction of an individual owner's improvement must be restored to its original state at the owner's expense. The repair work will be done by the Association and the costs of the repair will be billed to the owner. Any improvement plan requiring placement of electrical lines, sewer lines or gas lines over or under the Association Common Area must fully detail the exact location of such lines in relation to owner's lot or unit. Proper authorization for work on adjacent property must be obtained from the owner of said property.

## **FINAL REVIEW AND APPROVAL**

### **A. Notice of Completion**

Upon completion of the work as indicated on "Approved" copy of the drawings and specifications, the applicant shall forward the Notice of Completion, (of the approved improvements) to the Sierra Highlands Community Association's Management Company. The notice of completion shall include photographs of the completed project, with the exception to solar panel installations.

IF APPLICANT FAILS TO COMPLETE THE WORK WITHIN THE APPROVED TIMEFRAME, OR IF APPLICANT FAILS TO FORWARD A "NOTICE OF COMPLETION" TO THE MANAGEMENT COMPANY, THE ASSOCIATION MAY PERFORM A FINAL INSPECTION OF ITS OWN ACCORD, CHARGING THE HOMEOWNER FOR ANY ADDITIONAL INSPECTIONS AND DELAYS, AND/OR THE ASSOCIATION MAY TAKE ACTION AS DETAILED IN THE ASSOCIATION'S VIOLATION AND FINE POLICIES. THIS ACTION MAY INCLUDE A HEARING AND THE IMPOSITION OF FINES FOR UNAUTHORIZED IMPROVEMENTS TO PROPERTY. THESE FINES CAN BE TAKEN INITIALLY FROM THE APPLICANT'S DEPOSIT. IF THE DEPOSIT BALANCE IS INSUFFICIENT, CONTINUED FINES CAN BE ASSESSED TO THE HOMEOWNER'S ACCOUNT.

B. Final Review/Inspection

The ARC, at its discretion, will perform a final review and/or inspection of the project. A conformance report which will constitute final approval of the project will then be forwarded to the homeowner. The review and conformance report may be commenced within thirty (30) days from receipt of the notice of completion.

C. Refund of Any Deposits

Any unused construction deposit(s) collected will be refunded only after the Notice of Completion has been submitted to the management company. Refunds will be sent by first class mail within thirty (30) days of written notification by the ARC that the improvement has been completed per plan.

**Sierra Highlands Community Association**

HOME AND LANDSCAPE IMPROVEMENT ARC APPLICATION

MAIL TO: Sierra Highlands Community Association  
Avalon Management Group  
3618 Ocean Ranch Blvd  
Oceanside, Ca 92056

EMAIL TO: [SierraHighlands@AvalonWeb.com](mailto:SierraHighlands@AvalonWeb.com)

HOMEOWNER: \_\_\_\_\_ DATE: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ LOT#: \_\_\_\_\_  
SUBDIVISION NAME: \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

ORIGINAL APPLICATION: \_\_\_\_\_ MODIFICATION TO ORIGINAL PLAN: \_\_\_\_\_

DESCRIPTION OF IMPROVEMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF ANY LANDSCAPING INSTALLED BY THE BUILDER OR PREVIOUS OWNER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROPOSED STARTING DATE: \_\_\_\_\_ PROPOSED COMPLETION DATE: \_\_\_\_\_

**PLEASE NOTIFY MANAGEMENT COMPANY OF ACTUAL DATE COMPLETED BY SUBMITTING THE NOTICE OF COMPLETION FORM.**

\*\*\*\*\*NEIGHBOR NOTIFICATION\*\*\*\*\*

THE INTENT IS TO ADVISE YOUR ADJACENT NEIGHBORS OF YOUR PROPOSED IMPROVEMENTS. THIS WOULD INCLUDE NOT ONLY SIDE, FRONT AND REAR YARD NEIGHBORS BUT ALSO ANY NEIGHBORS WHO MAY REASONABLY BE AFFECTED BY THE IMPROVEMENT. THE ARCHITECTURAL REVIEW COMMITTEE (ARC ) SHALL CONVENE TO DISCUSS PROPOSED IMPROVEMENTS. **THIS SECTION MUST BE COMPLETED.**

NAME & ADDRESS	SIGNATURE	DAY PHONE
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

**(FOR ARC USE ONLY)**

APPROVED BY ARC

APPROVED SUBJECT TO CONDITIONS OUTLINED BELOW

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DENIAL FOR REASON LISTED BELOW

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Association Architectural Committee Member \_\_\_\_\_ Date \_\_\_\_\_

Association Architectural Committee Member \_\_\_\_\_ Date \_\_\_\_\_

**(To be completed by homeowner upon completion of project and submitted to the ARC.)**



NOTICE OF COMPLETION

Notice is hereby given that the undersigned is the Owner of the property located at:

Address: \_\_\_\_\_ LOT # \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

The work of Improvement on the described property was COMPLETED on:

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in accordance with the Architectural Committee's written approval through the above owners plans and submitted package.

***Please submit photographs of the completed project, with the exception of installation of solar panels, as part of the notice of completion.***

OWNER'S SIGNATURE

\_\_\_\_\_ Date: \_\_\_\_\_