

Architectural Policy and Procedures



Spring Valley Lake Association

FORWARD

The Covenants, Conditions and Restrictions (CC&Rs) governing the Spring Valley Lake Association provide that all properties shall be properly maintained and that design of building construction and property improvements of any kind require the prior approval of the Architectural Committee. The CC&Rs grant authority to adopt rules and procedures to accomplish its objectives. Therefore, the Board of Directors and Architectural Committee hereby adopt the Architectural Policies and Procedures set forth herein.

The Architectural Policies and Procedures are established for the protection and enjoyment of all Association members and are strictly enforced.

These Architectural Policies and Procedures supersede and cancel similar Policies adopted prior to March 15, 2001 and February 21, 2002. The Policies and Procedures may be amended or repealed by the Board of Directors as they deem appropriate.

We welcome constructive comments on these Architectural Policies and Procedures and any comments regarding them should be forwarded in writing to the Association Office.

A copy of the Architectural Policies and Procedures and other management documents may be obtained from the Association Office and a modest payment may be required. You can download a copy of all the Governing Documents from our website homepage at www.svla.com.

Board of Directors

Spring Valley Lake Association

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1.0 Architectural Philosophy and Review Criteria

All properties within the Spring Valley Lake Association, including but not limited to commercial, private, common and utility lots, are subject to recorded Covenants, Conditions and Restrictions (CC&Rs) as well as the restrictions of San Bernardino County/Town of Apple Valley as applicable. These restrictions provide that design of building construction or property improvements of any kind require the approval of the Architectural Committee, hereinafter referred to as the Committee. This is in accordance with Article III, Section (a), of the Declaration of Restrictions, recorded December 1969, County of San Bernardino.

The Committee was established to enhance the environmental quality and economic value of all properties within the Spring Valley Lake Association, hereinafter referred to as SVLA. The Committee strives to work in cooperation with the property owners to make our community a desirable place to live, work and play. Article III, Section (e) of the CC&Rs gives the Committee the power to apply architectural policies.

The Committee does not seek to restrict taste or individual preferences. Their primary function is to review all plans so as to ensure that the design submitted is harmonious with other structures in the area. The Committee strives to be completely fair, objective, impartial and understanding of individual goals.

The Committee recognizes that occasionally its policies and the objectives of any individual owner may appear to conflict. The policy has been designed so that the SVLA community as a whole will benefit by relating each and every project, its structures, improvements and amenities to the community.

The Committee evaluates all submissions on the individual merits of the 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 for another.

Decisions made by the Committee are not based on personal opinion or taste. The following criteria, which represent the general standards of the CC&Rs in more specific terms, are used to determine what designs are acceptable.

- 1.1 Conformance with CC&Rs. All applications shall be reviewed to ensure that the project is in conformance with the CC&Rs.
- 1.2 Relation to the Natural Environment. Fencing in particular can have damaging effects on the feeling of open space. Other factors such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off also adversely affects the natural environment.
- 1.3 Design Compatibility. The proposed improvement shall be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity (but without repetition) in architectural style, quality of workmanship, use of materials, color and construction details. Duplicate designs or essentially similar structures shall be separated by a minimum of 20 lots per street travel.
- 1.4 Location and Impact on Neighbors. A proposed home or alteration shall relate favorably to the landscape, existing structures and the neighborhood. The primary concerns are privacy, access, view, sunlight, ventilation and drainage.
- 1.5 Scale. The proposed home or alterations shall relate in scale to adjacent structures and its surroundings.
- 1.6 Exterior Colors. New colors affecting the exterior of a property (roofing, stucco, fencing, landscaping, etc.) shall be considered by the Committee on a case by case basis.
- 1.7 Materials. In the case of additions or outbuildings, continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.
- 1.8 Workmanship. Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor workmanship can be visually objectionable to others. Poor workmanship can also create safety hazards. The SVLA assumes no responsibility for the safety of new construction.

1.9 Time Limits. Projects are subject to specific time periods for completion. Unfinished projects may be visually objectionable and pose actual hazards and may also be subject to disciplinary action and/or fines. Extension(s) may be granted by the Committee for justifiable reasons (see form AC300).

2.0 Architectural Committee Procedures

2.1 Procedures. Committee procedures are governed by the Committee Guidelines and Procedures published separately and approved by the Board of Directors.

2.2 Meetings. The Committee shall meet at least monthly to review proposed projects. All plans to be reviewed shall be submitted to the SVLA Office by the Friday before the next scheduled meeting date. Contact the SVLA Office for specific dates.

2.3 Plan Submissions and Committee Review. This Architectural Policy shall be reviewed by the property owner and/or his representative prior to design and preparation of drawings. This will ensure that the submittal is complete and in conformity with the goals and rules of the SVLA. *Setbacks* shall be discussed with property owners at time of project submission.

2.3.1 All exterior modifications, improvements and/or changes require prior written approval from the Committee. Examples include but are not limited to exterior doors, screen/security doors, windows, shutters, roofs, landscaping, etc. (see forms AC100 and AC101).

2.3.2 All new home construction plans shall be submitted by the owner or the owner's representative and shall include:

- (a) House with garage.
- (b) Any other permanent buildings.
- (c) Front landscape (see form AC100).

2.3.3 The Committee shall review all plans and all approvals shall be in writing. When the term Committee approval is used throughout these Policies and Procedures, it is assumed to be defined as advanced written approval.

- (a) New construction requires two complete sets of professionally drawn plans. These sets shall include a plot plan (showing location of proposed structure as it is to be constructed with *setbacks*), floor and roof plan, electrical plan, exterior elevations, exterior materials and colors.
- (b) All structural additions require one complete set of professionally drawn plans. This set shall include a plot plan (showing location of

proposed structure as it is to be constructed with *setbacks*), floor and roof plan, electrical plan, exterior elevations, exterior materials and colors.

- (c) One complete set of professionally drawn plans is required for sea wall/dock submittals which shall include a plot plan showing proposed project with *setbacks*, rear elevation of project, sections and details pertaining to construction, materials and colors.
- (d) One complete set of professionally drawn plans is required for in-ground swimming pool and/or in-ground spa submittals and shall include location of proposed pool and pool equipment with *setbacks* and fencing. See Section 5.18 for additional information.
- (e) All plans/projects that include any type of exterior house color shall provide a paint or stucco swatch of the requested color and the name and number of that color.
- (f) The items listed on the Architectural Plan Submittal Check Off List shall be indicated with a red circled number on all house and structural addition plans and all projects shall include color and/or design samples where indicated (see form AC200).

2.3.4 The Committee shall be allowed a period of 30 days to review any submitted plan/project. Property owners shall be notified in writing if their plan/project was approved or denied. This notification shall include any required modifications, clarifications or reasons for denial. If new construction plans are approved, the Committee shall return one set with an approved stamp. Denied plans/projects may be resubmitted within 60 days without an additional fee. Failure of the Committee to approve or deny a project within 30 days results in the plans being deemed approved pursuant to Article III (g) of the CC&Rs.

2.4 Variances. Variances are defined, for purposes of this policy, as architectural improvements that are contrary to existing architectural policies or other governing documents or are projects of unusual size, shape, nature, or scope. Property owners may request a variance but shall provide the Committee with the reason for their request. See Article III (k) of the CC&Rs for variance standards. A non-refundable fee is charged for a variance request to cover the additional administrative expense of the request (see form AC300).

2.4.1 Variance Request Procedures. Property owners may request a variance from the architectural provision of the CC&Rs by submitting a written application to the Committee along with the required plans and fees (see form AC400).

- (a) Upon receipt of the completed variance application and all applicable fees, notification letters shall be mailed to the applicant and to the property owners of the lots abutting the lot for which the variance is being sought. For purposes of this policy, a lot directly across the street from the lot seeking the variance is considered an abutting lot. These notification letters shall be mailed to the addresses on record with the SVLA.
- (b) Owners of the abutting lots are given 14 calendar days from the postmark date of the notification letter to respond and to make any written comments regarding the variance application. After the waiting period, no further comments shall be accepted.
- (c) After this two week period, the variance application shall be scheduled for review at the next available Committee meeting. If the applicant or any owner of the abutting lots would like to attend this Committee meeting they shall notify the Architectural Department no later than five (5) days prior to the meeting and make a scheduled appointment.
- (d) Following the meeting, the applicant shall be notified in writing of the Committee's decision.

2.5 Appeals Procedure.

2.5.1 **Committee Appeals.** Property owners or their representatives (contractor or architect) should first request to appear before the Committee to provide additional information or ask questions after a Project Application (Form AC100) or Variance Application (Form AC400) has been denied. This may be accomplished by contacting the SVLA Office to be placed on the next Committee meeting agenda. If the project remains denied, the property owner may appeal to the Board of Directors.

2.5.2 **Board of Directors Appeals.** Property owners or their representatives may contact the SVLA Office in order to request an appearance before the Board of Directors.

2.6 Fees, Deposits, Refunds and Cancellation Notices. To ensure clean-up and compliance with the approved project a deposit is required from the property owner. To offset some of the administrative costs, a portion of this deposit is non-refundable (see form AC300).

2.6.1 The owner or contractor shall notify the SVLA Office upon completion of their project so that a final inspection can be made.

2.6.2 Refunds of an architectural deposit shall be governed as follows:

- (a) The refundable portion of an architectural deposit shall only be refunded when the completed project complies with the approved plans, is completed within the prescribed time period, passes a final inspection and if no other expenses have been incurred by the SVLA in relation to the project. Failure to meet these conditions shall result in forfeiture of all deposits relating to the project.
- (b) Cancelled project refunds shall be returned within 30 days after written request.
- (c) An administrative fee shall be charged for cancelled or denied projects (see form AC300).
- (d) Refundable portion of deposit shall be paid to the current owner of the property only after the SVLA staff has completed a final inspection and approval of the completed project.
- (e) Any forfeited deposit(s) shall be applied to any fine(s) imposed for violation(s) of the SVLA governing documents in connection with the project.
- (f) No refund shall be made until any SVLA citation(s) received during construction has been corrected.

2.6.3 The SVLA Office shall be notified in writing if an approved project is to be cancelled prior to start of construction. An approved project is considered cancelled once the written notification has been submitted and the refundable portion of the deposit has been issued. Once cancelled, resubmission of the original project is considered a new project and is subject to standard deposits and Committee review.

2.7 Inspections. The owner or the owner's representative is responsible for calling the SVLA Office for each phase of construction.

2.7.1 Phase 1 Setback Inspection. Prior to pouring concrete foundation(s) and slab(s), verify correct location of building lines in relation to *setbacks*.

2.7.2 Phase 2 Continuity Inspection. Verify location of windows, doors, and AC units for continuity with approved plans. Verify that no modifications have been made to the approved plans/project.

2.7.3 Phase 3 Final Inspection. Verify that completed project complies with approved plans.

2.8 Deviation or Changes to Plans. Any deviation or changes to approved plans shall be subject to Committee approval prior to implementation. A written application with a complete description of the changes or deviations shall be filed with the SVLA Office (see form AC102).

2.9 Local Governmental Agency Approval. Any approval by the Architectural Committee shall not relieve the owner from obtaining the prior consent and approval, when necessary, of the appropriate department or commission of the County of San Bernardino or Town of Apple Valley (per Article III, Section (i) of the CC&Rs). Additionally, any governmental approvals shall not be binding upon SVLA as to whether or not any project shall be approved by the Committee.

2.10 Starting a Project without Committee Approval. When any kind of construction or changes that are governed by this document are done without prior Committee approval, a citation shall be issued, all work shall stop and a Stop Work Notice may be issued. The property owner may be fined, lose SVLA membership privileges and/or have legal action taken against them. Unapproved construction shall be removed and/or altered as required by the Committee after notice and a hearing.

3.0 Site Preparation and Restrictions

3.1 Setbacks. Information regarding *setbacks*, as dictated by the CC&Rs and listed below, can be obtained at the SVLA Office. The Committee shall verify compliance with all required *setbacks*.

- 3.1.1* No building, or any part thereof, shall be placed, erected, or maintained on any of said lots within twenty-five feet (25') of the front *property line* (per Article IV, Section (d) (1) of the CC&Rs), except for Tract 8032, The Equestrian Estates, which shall be 50 feet (50').
- 3.1.2* An interior side-yard *setback* shall be maintained on one side of each of said lots of at least five feet (5') in depth from the side *property line* to the building line of any structure and an interior side-yard *setback* shall be maintained on the other side of each of said lots of at least ten feet (10') in depth from the side *property line* to the building line of any structure (per Article IV, Section (d) (2) of the CC&Rs).
- 3.1.3* A rear-yard *setback* shall be maintained on each of said lots of at least fifteen feet (15') from the *property line* to the nearest structural projection, save and except that on all lakefront lots a rear-yard *setback* shall be maintained on each of said lakefront lots of at least thirty-two (32') from the *property line* to the nearest structural projection (per Article IV, Section (d) (3) of the CC&Rs). The 32 feet (32') includes a sixteen feet (16') *lake easement*.
- 3.1.4* A variance shall be requested for any permanent or non-permanent structure that intrudes into the *setback* lines established by the CC&Rs

and shall be considered by the Committee on a case by case basis. See Section 2.4 for variance procedures.

3.1.5 For purpose of definition, the *setback* line shall extend from ground level to the eaves and no portion of the structure shall intrude into the *setback* except as follows:

- (a) On the five foot (5') *setback* side a bay or garden window of a maximum width of eight feet (8') may project a maximum of sixteen inches (16") into the *setback* and the bottom of projection shall not be lower than eight feet (8') from ground level.
- (b) On the ten foot (10') *setback* side a bay or garden window of a maximum width of eight feet (8') may project a maximum of sixteen inches (16") into the *setback* and the bottom of projection shall not touch the ground.
- (c) For roof overhang into *setbacks*, see Section 3.12 (a).

3.1.6 For multi-family dwelling *setbacks*, see Section 9.1.1.

3.2 Property Line/Surveys. All property corner markers shall be designated and maintained during construction. The SVLA bears no responsibility for *property lines*.

3.3 Construction/Project Sites. All construction/project sites shall be maintained in a neat and orderly condition at all times. Owner is responsible for contractors, sub-contractors and their employees' actions at the project site.

3.3.1 Porta potties shall be placed on the property at least ten feet (10') from all *property lines* and shall be kept staked down at all times.

3.3.2 Any construction supplies, dirt, debris or other materials shall not be stored at the rear of any lakefront lot.

3.3.3 Adjoining lots shall not be used for passage of construction vehicles, storage of materials or equipment, etc. without the property owner's written permission. This written permission shall be on file with the SVLA Office.

3.3.4 Owner and owner's contractor(s) are to be familiar with all storm drain and waste water discharge regulations and comply with all laws, ordinances and regulations pertaining thereto.

3.3.5 Dumpsters shall be placed on the property at least three feet (3') from the street. Time limits for dumpsters shall run concurrent with the project time limit stated on form AC300.

3.4 Grading. Each structure shall be designed to complement the natural topography of the site. The site shall not be arbitrarily modified simply to conform to the design of the structure. No cutting, filling or excavation shall be initiated before drawings have been approved by the Committee. No depositing of fill shall be allowed without approval from the Committee. Cut or fill shall be replanted with suitable materials that blend with native vegetation.

3.5 Drainage. Special attention shall be given to proper site surface drainage so that surface waters shall not adversely affect neighboring properties or interfere with natural drainage flows. Erosion control shall be provided. Surface drainage direction and velocity shall be controlled and slowed by proper placement of landscape elements, ditches, culverts, diverters and other drainage devices. Drainage cannot be changed substantially without Committee approval.

3.6 Parking/Drives/Concrete pads.

3.6.1 Arrangement of parking areas shall be safe and convenient and shall not detract from the design of the proposed building and neighboring properties.

3.6.2 All off-street parking forward of the front building line (physical structure) shall be on a prepared, approved surface such as brick or concrete. Asphalt is an approved surface for the Equestrian Estates driveway approaches only. Rock is not an approved surface, except for the Equestrian Estates where parking is allowed on gravel adjacent to road structure.

3.6.3 All long-term parking, as defined in the SVLA Rules and Regulations, shall be located behind the front building line and no further back than the rear line of the structure. This area shall be a maintained, approved surface and be kept free of weeds and all debris. All long term parking areas shall be screened from view by a Committee approved wall, fence, or gate. Approved walls/fences/gates shall have a minimum height of five feet (5') and be designed to ensure that the long term parking area is not visible from public/SVLA property.

3.6.4 For new home construction, a parking design (driveway location, other parking areas and material type) shall be identified on the construction documents (plot plan) submitted to the Committee for project approval. Existing homes shall be required to submit plans for Committee approval prior to changing the present parking configuration. All submitted plans shall depict current structures and driveways along with the new proposed parking area(s) and material type and color.

3.6.5 Ribbon-type driveways shall be considered by the Committee on a case by case basis.

3.7 Utilities.

3.7.1 Utility boxes shall be shielded from public view to the extent possible. Electrical services boxes, when located on building walls, shall be painted similarly to the adjacent wall.

3.7.2 A utilities investigation shall be conducted prior to any digging or excavation to determine the location of underground utilities. Contact “Dig Alert”.

3.8 Air Conditioners, Swamp Coolers, etc. No roof-mounted HVAC units, including but not limited to air conditioners, swamp coolers, evaporative coolers, furnaces etc., shall be allowed. HVAC units shall not be allowed in *setbacks* without an approved variance. Noise impact on neighbors shall be taken into consideration in placement of these units.

3.9 Foundations/Exterior Walls/Windows/Skylights. Foundations, exterior walls, windows and skylights shall conform to the current County of San Bernardino or Town of Apple Valley building codes.

3.10 Exterior Shutters. Exterior shutters shall be considered by the Committee on a case by case basis.

3.11 Inappropriate Building Materials. The following materials are prohibited: Three-tab shingles, unfinished gray precision concrete, cinder blocks, concrete block as a total façade, corrugated metal roofing, plexi-glass and real or imitation log siding.

3.12 Roofs.

3.12.1 Roofs may project over *setback* line only as allowed by County of San Bernardino or Town of Apple Valley building codes.

3.12.2 Roof overhang shall be a maximum of twenty-four inches (24”). Steep roofs and their overhangs shall be considered by the Committee on a case by case basis.

3.12.3 Roof color shall be complimentary to house color.

3.12.4 All new homes shall have tile-like roofs. Materials can be made of but are not limited to composite, cement based tile, metallic, terra cotta/clay

etc. as long as the finish and form maintain a tile-like appearance and are approved by the Committee.

- 3.12.5 All metal surfaces on roofs, including flues, vents, exposed flashings, etc., shall be painted to match the roof.
- 3.12.6 Plumbing vents shall be designed to project through the roof in as few places as possible.
- 3.12.7 Wind driven roof vents are prohibited.
- 3.12.8 Replacing less than 50% of the total roof surface area is considered a repair and shall be done with the same material as the current roof.
- 3.12.9 Replacing more than 50% of the total roof surface area of a non-tile roof is considered a new roof and shall comply with materials described in 3.12.4 above.
- 3.12.10 Rock and shake-shingle roofs are prohibited.

3.13 Garages. Each single-family dwelling shall have a minimum two car garage consistent with the design of the rest of the structure. Garage may be attached or freestanding. Variances to enclose a garage are not given.

- 3.13.1 Recreational Vehicle Garages. Recreational garages shall be compatible with the structure and shall be considered by the Committee on a case by case basis.

3.14 Residential Height. Residential roof height shall not exceed twenty-nine and one-half feet (29 ½') above grade.

4.0 Waterfront Related Improvements

Construction of docks, cantilevered decks, vessel lifts and other similar improvements are subject to Committee approval within the following limits:

- 4.0.1 All new docks shall be cantilevered and both docks and cantilevered decks shall have a maximum projection of twelve feet (12') over the lake as measured from the top edge of the *lake coving*.
- 4.0.2 Maximum projection of a dock plus vessel lift or mooring cannot exceed twenty-four feet (24').
- 4.0.3 New floating docks are prohibited.

4.1 License Agreement. Any structure that shall rest, stand or in any way come in contact with the lake bottom or lake side below the designated high water level

mark shall require an Architectural Improvement and License Agreement. The property owner shall contact the SVLA Office to verify the exact high water line.

4.2 Boat Launch Ramps. Boat launching ramps are subject to Committee approval. Permanent locked gates or similar restrictive devices shall be provided simultaneously with the construction of such ramps. See Section 5.0 of the SVLA Rules and Regulations for boat launch usage.

4.3 Docks and Cantilevered Decks. For the purpose of this manual, a dock is defined as a structure onto which boats, personal watercraft, vessels, etc. are moored and a cantilevered deck is defined as any elevated structure or surface extending over the water. Both structures shall comply with the following:

4.3.1 Docks and/or cantilevered decks shall be built in accordance with the engineered plans that are approved and supplied by SVLA and are subject to Committee approval.

4.3.2 All new docks and/or cantilevered decks are subject to SVLA inspection and related fees (see form AC300).

4.3.3 Any deviation from the SVLA approved plans shall require one (1) set of engineered plans provided by the property owner and are subject to Committee approval.

4.3.4 Dock surface materials shall be slip resistant and be maintained in good condition.

4.3.5 All docks, dock surfaces and skirting shall be properly maintained.

4.4 Lake Shoreline Easement. The lake shoreline is a sixteen foot (16') *easement* for maintenance, repair and cleaning of the lake. The SVLA is not responsible for any damage to private property caused as a result of such maintenance activity.

4.5 Lake Water Level. The lake water level may be lowered on occasion to allow for lake maintenance and repair. Written notice shall be provided to owners of lakefront property in advance of these activities. It is the responsibility of individual property owner to ensure that their boats, docks, piers or any other structures in or on the lake are secure from damage caused by lowering the lake water level.

4.6 Vessel Lifts. All vessel lifts shall be subject to Committee approval prior to installation and shall meet established guidelines (see form AC800 and AC801).

4.6.1 Vessel lifts shall only be installed on an improved lot.

- 4.6.2 All vessel lift owners shall complete an Architectural Improvement and License Agreement and obtain an approved variance.
- 4.6.3 All vessel lift owners shall provide written proof of a liability insurance policy as described in the annual Board of Directors insurance resolution. Proof of this insurance policy shall be required annually.
- 4.6.4 The SVLA retains the right to revoke a license and demand removal of a lift if all criteria are not met and maintained.
- 4.6.5 Vessel lifts shall be installed parallel to either the rear or side *property line*.
- 4.6.6 The total width and/or length of a vessel lift and its boat shall not extend more than eight feet (8') beyond the sixteen foot (16') rear *easement*. The total maximum projection of a dock plus vessel lift and boat, from the seawall, shall be twenty-four feet (24').
- 4.6.7 Some requests for vessel lifts may not be approved. Each request shall be considered by the Committee on a case by case basis. A partial list of lots that may not be allowed a vessel lift or the entire twenty-four foot (24') allowance are:
- (a) Lake lots across from the SVLA Marina, as regulated by the CC&Rs (tract 8102, lots 298 through 306).
 - (b) Lots adjacent to fishing areas and any lot which, because of the lake's configuration, does not contain enough lake frontage for the safe passage of boats.
- 4.6.8 When a boat is raised on the lift, the maximum height of the boat bottom shall be no more than three feet (3') above the level of the lake.
- 4.6.9 Installation of a new vessel lift requires a three (3) step inspection by SVLA staff or their designated representative. Owner or installation contractor is responsible for calling the SVLA Office for each phase as follows:
- (a) Phase 1 - Prior to installation: Verify exact location of lift.
 - (b) Phase 2 - Day of installation: Inspect and verify proper foot plates. Property owner shall notify the SVLA Office of this date at least one week in advance.
 - (c) Phase 3 - Final inspection: Verify that lift was installed as specified.
- 4.6.10 It shall be the sole responsibility of the lift owner to repair all damage created to the lake bottom by the vessel lift. Any damage to the lake bottom or seal shall be reported immediately to the SVLA Office. Owner shall bear the cost of all repairs. All repair procedures shall be approved by the SVLA Office, prior to start of work. All required repairs shall be initiated within two (2) weeks of approval. All repairs shall be

completed within sixty (60) days and certified as repaired by SVLA staff or their designated representative.

4.6.11 Removal of debris in and around the vessel lift is the owner's responsibility. See Section 6.3 for aquatic plants and weeds.

4.6.12 Vessel lift construction and installation requirements are listed below (see form AC800 and AC801).

- (a) Lift shall have rigid or steel cable lateral support to the dock.
- (b) Bearing plates shall be designed with beveled or rounded lower edges to avoid damaging the lake bottom or seal.
- (c) Bearing plates shall be of equal size, be a minimum of twelve inches (12") by eighteen inches (18"), and conform to the lake contour.
- (d) All vessel lifts (excluding PWC lifts) are required to have two (2) vertical guides/markers on the lake side (outboard) corner posts of the lift that are visible when the lift is submerged. These markers shall be no more than five feet (5') above the water surface and shall have four inches (4") of red reflective tape placed two inches (2") from the top of the marker.

4.6.13 All vessel lifts shall be properly maintained.

5.0 Other Exterior Improvements

5.1 Satellite Dishes. Installation of a satellite dish shall comply with the following rules as long as such compliance does not (a) unreasonably delay or prevent the use of, (b) unreasonably increase the cost of, or (c) preclude a viewer from receiving an acceptable quality signal:

5.1.1 Installation shall be by a qualified person, knowledgeable about the proper installation of satellite dishes.

5.1.2 Installation shall be in accordance with applicable building, fire, electrical and related codes. A building permit shall be obtained if required by the local jurisdiction.

5.1.3 Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached.

5.1.4 Antennas are prohibited per Section IV (1) of the CC&Rs unless the antenna is allowed under the provisions of the Federal Telecommunications Act.

5.2 Basketball Goals. Basketball goals may be permanently installed under the following conditions:

5.2.1 Shall not be installed within side *easements*.

- 5.2.2 Basketball backboard shall be surface mounted onto the house or garage wall provided it does not extend above the roofline, and is regulation size and height.
- 5.2.3 The materials shall be of high quality, painted to blend with the adjacent area and mounted in a professional manner.
- 5.2.4 Backboard hoop, net and adjacent walls, garage doors, and windows shall be maintained in good condition. If backboard is removed, holes shall be patched and the area painted.
- 5.2.5 Portable basketball hoops (free-standing) cannot be left unattended on the street and shall adhere to the following guidelines:
- (a) The backboard size shall not exceed 35” high by 54” wide.
 - (b) The location shall be such that encroachment of stray balls into neighbor’s property shall be minimized.
 - (c) It shall be maintained in good condition at all times.
 - (d) The home owner shall remove said basketball backboard at such time that the activity becomes a nuisance to any neighbor as determined by the Citation Committee. The Committee retains the right to revoke approval and demand removal of free-standing basketball goal should the above criteria not be met.
- 5.2.6 In ground basketball goals are subject to Committee approval and follow the listed guidelines.

5.3 Carports. Carports are prohibited.

5.4 Clotheslines. Clotheslines and clothes drying racks shall be positioned in a way to minimize their impact on neighbors and on their appearance to passersby and shall be allowed only in backyards. All clotheslines are subject to Committee approval.

5.5 Dog Houses. Dog houses not on a concrete pad or attached to the ground do not need Committee approval. Dog houses shall be painted to match the main structure. See Section 7.2.1 for dog run guidelines.

5.6 Exterior Lighting. Two decorative lights are required on the exterior of the garage; one on each side of the garage door facing front. Overhead lights, such as spot/flood lights, shall not exceed ten feet (10’) above ground level and shall be installed so that direct light rays are confined within their own *property line(s)*.

5.6.1 Lamp posts and outside street lamps are subject to Committee approval and shall meet the following conditions:

- (a) Shall not exceed nine feet (9') in overall height.
- (b) Shall be placed in and illuminate the front yard.
- (c) Shall use low intensity bulbs.

5.6.2 All-season miniature clear lights may be used for decorative purposes subject to Committee approval. The cord shall not be visible.

5.6.3 Lights in the Equestrian Estates may be installed on a freestanding pole in the rear yard of residences. The pole shall not exceed the highest point of the roof on the residence or twenty feet (20'), whichever is less. It shall be installed near the center of the lot and not more than forty feet (40') back from the residence so that it cannot be easily seen from the street in front of the residence. Direct light rays shall be confined within the *property lines*.

5.7 Exterior Painting. All exterior color and finish changes are subject to Committee approval. Trim and garage door color shall generally be complimentary to house color. Re painting the same color and maintenance painting do not require Committee approval. Painted or stained surfaces shall be properly maintained.

5.8 Flagpoles. Flagpoles shall be properly installed in accordance with the County of San Bernardino or the Town of Apple Valley building codes and/or industry standards. Removable flagpoles (sleeve or hinge type) shall be allowed. All flagpoles shall be maintained in good condition.

5.9 Gazebos. All Gazebos shall be considered by the Committee on a case by case basis. Gazebos shall not exceed nine feet (9') in overall height. See Section 5.16.1 if using a gazebo as a spa privacy enclosure.

5.10 Greenhouses. Greenhouses shall be considered by the Committee on a case-by-case basis.

5.11 House Numbers. House numbers shall be posted on the front of all residences and shall be a minimum of four inches (4") high. In addition, Lake, Equestrian and golf course residences shall have house numbers posted in the back of the property clearly visible and of a contrasting color.

5.12 Mail Boxes. Mailboxes and newspaper tubes are prohibited on all properties except Equestrian Estates. Number and placement shall be in accordance with U.S. Postal Service requirements. All colors and/or designs shall be considered by the Committee on a case by case basis.

5.13 Patios. Awnings, sun shade devices and temporary structures shall be considered by the Committee on a case by case basis.

5.13.1 Temporary Sun Shades/Covers. Temporary sun shades such as canopy covers, party tents, etc. are allowed from April 1 through November 1. They are prohibited on docks and off-season is limited to 72 hours. All sun shades/covers shall be properly maintained. Maximum overall height shall be nine feet (9').

5.14 Outdoor Kitchens or Permanent Barbeques. Outdoor kitchens and barbeques that are not portable are subject to Committee review and approval.

5.15 Solar Panels, Solar Heaters. All plans shall be considered by the Committee on a case by case basis.

5.15.1 Roof mounted collectors shall be installed as close to the parallel plane of the roof as possible.

5.15.2 Storage or heat tank shall be placed within a structure.

5.15.3 Non-roof mounted collectors shall be considered by the Committee on a case by case basis.

5.16 Above Ground Spas. All spas shall be considered by the Committee on a case by case basis. Above ground spas shall not be allowed in *setbacks* without an approved variance. Filter, heaters, and other associated equipment shall be concealed from view.

5.16.1 Spa Privacy Enclosures. All spa covers should blend with existing structure and not exceed nine feet (9') in height. See Section 5.9 for Gazebos. Awning or canvas spa privacy enclosures are prohibited.

5.17 Storage sheds. Storage sheds, utility buildings and other out-buildings are subject to Committee review and approval on a case-by-case basis.

5.17.1 A maximum of two sheds on Equestrian Estate properties and one shed on all other properties are allowed. Conditions for approval include aesthetics, design, and impact on surrounding structures/properties.

Maximum heights shall be eight feet (8'). Metal storage sheds are prohibited.

5.18 In-Ground Swimming Pools, In-Ground Spas. All pools shall meet County of San Bernardino and/or Town of Apple Valley regulations and shall also be subject to Committee approval. Pools/Spas shall have a filter system and all associated equipment shall be concealed from view. Any in-ground pool or spa inside a *setback* area shall require an approved variance. See Section 2.4 for variances.

5.18.1 Above-ground swimming pools are prohibited with the exception of small “kiddy” pools that have a volume capacity of 15 gallons or less..

5.19 Play Equipment and Playhouses. Play equipment shall be positioned in a way to minimize its impact on neighbors and on its appearance to a passerby and are allowed only in backyards. All play equipment and play houses shall be subject to Committee approval.

5.20 Decks. Decks are defined by the 2007 California Building Code as an exterior floor supported on at least two opposing sides by an adjacent structure, and/or posts, piers or other independent supports. All decks require Committee approval and shall comply with the County of San Bernardino or Town of Apple Valley Building Codes. See section 4.3 for Cantilevered Decks.

5.21 Corals and Horse Shelters. This section refers only to lots within the Equestrian Estates (Tract 8032).

5.21.1 Corrals and shelters are mandatory if horses are maintained on the property.

5.21.2 Private corrals (unroofed enclosures) shall be constructed of standard pipe corral materials. Corrals shall observe the five foot (5') side *setback* and may encroach into the fifteen foot (15') rear *setback* but shall be no less than five feet (5') from the rear *property line* and *easement*, if any. There shall be a minimum distance of seventy feet (70') between the corral and any existing off-site human habitation or public assembly, in accordance with the Town of Apple Valley *setback* requirements (see form AC601).

5.21.3 Minimum corral size for one (1) horse is 576 square feet. Minimum corral size for two (2) horses is 864 square feet (see form AC601).

5.21.4 A roofed shelter within the corral, and a minimum of twenty-five feet (25') from the *property line*, shall be constructed of standard pipe materials. Shelters should be a minimum of twelve feet by eight feet (12' X 8') for one (1) horse and twelve feet by twelve feet (12' X 12') for two (2) horses. The shelter should be no less than seven feet (7') at one side and no more than eight feet (8') in height at the opposing end. Shelters should have a slanted roof and have at least two covered sides. The sides should face the prevailing wind so that the horses may seek protection from the elements. Shelters may use two sides of the corral as shelter sides but shall not violate *setback* requirements. Covered sides shall be constructed of sheet metal and erected so as to allow one foot (1') ventilation at the bottom and extend upward for six feet (6'). Roofs shall be of sheet metal of matching material of the residence. Roofs constructed of material other than sheet metal require an approved variance (see form AC602).

5.21.5 Horse shelters and corrals shall be subject to Committee approval. Placement of such shall also conform to the Town of Apple Valley ordinances.

5.22 Water Feature Maintenance. All water features, including but not limited to pools, spas, fountains, ponds, etc., shall be properly maintained.

6.0 Landscaping

6.1 New Home Landscaping. Approved landscaping shall be installed prior to final inspection on new homes. Landscape plans shall be submitted with new home plans.

6.2 Existing Home Landscaping. All changes in landscaping shall be complimentary to the home and are subject to Committee review and approval.

6.2.1 Landscaping for the entire lot, including *easement* areas, shall be maintained at all times. Property owners are responsible for front yard extending to the street. Equestrian Estates only may use sand or dirt in the front *easement* area. Landscaping shall be maintained so as not to create a safety hazard.

6.2.2 Sand or dirt shall not be used as landscaping except as described in Section 6.2.1.

6.3 Lake Front Property Landscaping. Lake front properties have a thirty-two (32') *easement*; sixteen feet (16') of which projects into the lake. Weed control

and aquatic plant growth for this sixteen foot (16') *easement* area is the responsibility of the SVLA. **WARNING:** Property Owners shall not apply herbicides, pesticides or any other chemicals within this *lake easement* area.

6.3.1 Landscaping shall be installed so that irrigation waters will not run into the lake. Approved sea wall is required between landscaping and the lake water.

6.3.2 Trees are not allowed at the shoreline to protect the *lake seal* and minimize visual obstructions. Trees and shrubs shall not be planted in such a manner that roots will intrude into or damage the *lake seal*.

6.4 Holiday Decorations. Outside seasonal, festive or holiday decorations and lights shall be installed no more than 30 calendar days prior to the event date and shall be removed no later than 30 calendar days after the event date. See Section 5.6.2 for all-season miniature clear lights.

6.5 Unimproved Lots. Weeds, plant growth, and tall grass shall be controlled either by cutting or by using a professional chemical weed service. Weed growth may not exceed a maximum height of four inches (4"). All trimmings shall be removed.

6.6 Trees and Shrubs. Trees shall be planted so as not to cause damage to utilities, sewer lines or another person's property (i.e.; invasive root systems that can also undermine walls, driveways or the *lake seal*).

6.6.1 Certain types of trees are prohibited due to their destructive nature. These are Cottonwood, Willow and Modesto Ash. In addition, certain types of trees and shrubs are prohibited on Equestrian Estate lots due to their danger to horses if ingested. These are Japanese Maple, Oleander, Yew, Ground Ivy, Chokecherry, Wild Cherry and Black Locust.

6.6.2 Trees, shrubs and other landscaping materials shall be contained within the property boundaries to ensure growth does not overhang or infringe on another person's property, public streets or walkways and common areas.

6.6.3 Trees, shrubs and other landscape materials shall not be placed or allowed to grow to such a height or thickness as to substantially interfere with the view of neighboring properties.

6.6.4 Tree removal. All tree removals require Committee approval and all stumps and their exposed root systems shall be removed. Dead trees shall be removed. Additionally, living tree removal shall include the killing of its root system.

7.0 Walls/Fences

Wherever walls and fences are referenced in this section, the term includes hedges and living walls. All fences and walls shall be considered by the Committee on a case by case basis. Gates, if included, shall compliment the fence involved and be finished in a color approved by the Committee.

7.1 Height. Contiguous trees or hedges taller than six feet (6') are allowed on the side property boundaries but not beyond the front or rear projections of the residence. See Section 6.0 for additional landscaping information.

7.1.2 No fence or wall shall be higher than six feet (6') from grade level.

7.1.3 No fence or wall shall be higher than four feet (4') from grade level beyond the front projection of the residence to within ten feet (10') of the street.

7.1.4 Fences/walls on corner lots shall be confined within the *property line* and shall comply with the same fence rules as non-corner lots.

7.2 Wood/Chain Link. Wood or chain link fences/gates are prohibited with the exception of wood rail and chain link fencing on Equestrian Estates and temporary construction chain link fences/gates. Existing wood and chain link fences shall be maintained in good condition. Replacing more than 50% of a wood or chain link fence is considered a new fence and shall be completely replaced with Committee approved material.

7.2.1 A dog run may be made of chain link as long as it is inside a fenced or walled area and shall not exceed five feet (5') in height.

7.2.2 A temporary chain link construction fence with gates shall comply with all applicable San Bernardino County or Town of Apple Valley municipal codes. Such fence/gate shall not interfere with pedestrian or vehicle traffic on adjoining property or adjacent to or along the roadway. It shall be maintained in good condition throughout the construction project and shall be completely removed prior to a final project inspection. Gates shall remain properly secured when not in use.

7.3 Additional Requirements

7.3.1 *Golf Course and Greenbelt/Bluff Properties.*

- (a) Golf Course Lots. Masonry walls across the rear or along the sides extending the length of the rear *setback* shall not exceed twenty-four inches (24") above grade. Decorative walls with pilasters and wrought iron shall not exceed forty-eight inches (48") above grade, with a twenty-four inch (24") maximum of solid masonry walls. Masonry

pilasters, if used in conjunction with the above fence, shall not exceed four feet (4') in height and sixteen inches (16") in width and shall be of the same materials as the adjoining masonry. Vertical components within the wrought iron portion of a fence shall be spaced between four inches (4") and six inches (6") on center and not to exceed one inch (1") in width or diameter. Overall height shall not exceed four feet (4') above grade. Fence shall be finished with a color approved by the Committee.

- (b) Greenbelt/Bluff Lots. Masonry walls across the rear or along the sides extending to the rear *setback* shall not exceed twenty-four inches (24") above grade. Decorative walls with pilasters and wrought iron shall not exceed forty-eight inches (48") above grade at the top of the bluff, with a twenty-four inch (24") maximum of solid masonry walls. Masonry above fence, shall not exceed four feet (4') in height and sixteen inches (16") in width and shall be of the same materials as the adjoining masonry. The vertical components within the wrought iron portion of the fence shall be spaced between four inches (4") and six inches (6") on center and not to exceed one inch (1") in width or diameter. Fence shall be finished with a color approved by the Committee.

7.3.2 Equestrian Estates (Tract 8032). The owner of each lot abutting an open space *easement* within the Equestrian Estates as set forth and described in the recorded tract map shall, at or prior to the commencement of construction of any structure on such lot, construct and maintain a three-rail fence (see form AC600).

- (a) Chain link fencing shall be allowed in the Equestrian Estates. Height shall not exceed six feet (6') in the side and rear *setbacks*. No chain link fence is allowed in the front *setback*.
- (b) Wood fences, other than those required by Section 7.3.2 above, are prohibited.

7.3.3 Lake Front Lots. Lake front policy is to minimize visual obstruction and to assure proper maintenance of the lake. Notwithstanding Section 7.3.3.c regarding the maximum height of sea walls, masonry walls across the rear and along the sides extending to the rear sixteen foot (16') *setback* shall not exceed twenty-four inches (24") above grade and be of the same material as the sea wall.

- (a) Fences/Guards. All rear fences/guards of lake front lots shall correspond to California Building Code and shall be adequate in strength and attachment to protect *life safety*. Fences/Guards shall form a protective barrier with a minimum height of forty-two inches (42") and a maximum height of forty-eight inches (48").

Configuration, material(s) and color are subject to Committee approval.

- (1) Open fences/guards shall have vertical baluster, made of wrought iron, vinyl, or fiberglass. These vertical components shall be spaced to allow a maximum net opening of less than four inches (4”).
 - (2) Glass fences/guards shall be made of fully tempered, laminated fully tempered or laminated heat-strengthened glass. Minimum thickness shall be one-quarter inch (1/4”) and shall comply with *CPSC 16 CFR 1201*. Glass may be anti-reflective and have a color and/or tinting which is subject to Committee approval.
- (b) Masonry pilasters. If used in conjunction with the above fence, masonry pilasters shall not exceed four feet (4’) in height and sixteen inches (16”) in width and shall be of the same materials as the sea wall. Uprights to be a minimum of four by four inch (4” X 4”) material with a maximum of four feet (4’) height above grade or sea wall. Spacing of these pilasters shall not to be less than eight feet (8’) on center.
- (c) Sea walls. All lake front lots shall construct a seawall prior to commencement of construction of any structures or any modification to an existing structure affecting the shoreline (see form AC501). Note: Sea wall requirements do not pertain to approved shoreline boat launching ramps as described in Section 4.2. Sea walls within the *shoreline easement* shall not exceed eighteen inches (18”) above lot grade or eight inches (8”) above the finished floor at the rear of the house, whichever is the least. Masonry walls shall not exceed thirty-six inches (36”) height at water’s edge. Only approved masonry materials shall be allowed for sea wall construction. All sea wall construction shall include a continuous wave breaker that measures a minimum of twenty-four inches (24”) to a maximum of thirty inches (30”) in width. Wave breaker should extend four inches (4”) to six inches (6”) above high water mark (see form AC500).
- (1) Vertical walls, fences, etc., in excess of heights described in the previous paragraph shall not encroach into the *lake easement* unless approved by the Committee.
 - (2) Penetration of the *lake coving* or *lake seal* shall be saw cut and be one foot (1’) above the high water line. Inspection of the penetration and excavation by SVLA staff is required prior to seawall construction. Any damage to the *lake coving* or *lake seal* shall be

repaired immediately under the direct supervision of SVLA staff.
All repair costs shall be the property owner's responsibility.

8.0 Signs

8.1 General Signs

- 8.1.1* All sign panel materials shall be of wood, metal, masonite or plastic with lettering of professional quality. All signs shall be kept in good repair once posted.
- 8.1.2* No sign except those posted by the SVLA and/or governing agencies, shall be attached to any tree, fence post, utility pole, street sign or placed in the Spring Valley Parkway median strip.
- 8.1.3* Signs may only be placed or erected upon property with the permission of the property owner or tenant.
- 8.1.4* No sign shall be allowed on unimproved or unoccupied property without written permission of the property owner on file with the SVLA Office.
- 8.1.5* Signs placed without proper authorization shall be removed by SVLA personnel.
 - (a) Removed signs shall be held by the Public Safety Department for a period of two (2) weeks for first time offenders. Signs may be retrieved by the owner during this period.
 - (b) Signs placed without proper authorization shall be removed and immediately destroyed by the Public Safety Department for repeat offenders. Repeat offenders shall also be cited.

8.2 Commercial Signs

- 8.2.1* All display signs for commercial buildings shall receive Committee approval. The Committee may review and approve or disapprove existing commercial signs at any time.
- 8.2.2* No interior or exterior lighted signs shall be allowed, except for properly zoned commercial areas.
- 8.2.3* No banners, ribbons, or balloons are allowed on any commercial building without Committee approval.
- 8.2.4* A construction and/or contractors sign is allowed on a vacant lot and/or lot under construction and size shall be no larger than 32 square feet, and shall be considered by the Committee on a case by case basis.
- 8.2.5* All signs shall be removed upon completion of the building or occupancy.

8.2.6 Signs advertising products, activities, and/or services, other than those pertaining to construction, shall not be allowed.

8.3 Garage/Yard Sale Signs

8.3.1 A garage/yard sale sign may be temporarily erected on the resident's property. Signs shall not exceed eighteen inches (18") by thirty-two inches (32") and can be displayed during actual sale hours only. Sales shall be approved in accordance with Section 9.5.

8.3.2 All garage/yard sale signs shall be removed at the end of each sale day.

8.4 Political/Civic Signs

8.4.1 Temporary political signs are allowed on private property subject to County of San Bernardino or Town of Apple Valley codes and the following:

- (a) Signs shall have a maximum size of nine (9) square feet, with a maximum height of five feet (5') from the top to the ground level.

8.5 Real Estate Signs

8.5.1 Two standard real estate type "For Sale", "For Lease", or "For Rent" signs per lot are allowed. Lots bordering two or more streets may display a standard sign facing each street. Additionally, a sign of professional quality not exceeding fifteen inches (15") by eighteen inches (18") may be placed in a front window.

8.5.2 For Sale", "For Lease" and "For Rent" signs shall not exceed twenty-four inches (24") by thirty-two inches (32") except in commercial areas or R-3 lots.

8.5.3 Height of sign shall not exceed six feet (6') from the top to the ground level.

8.5.4 Add-on devices, i.e. "Ask for Bob, VA financing, etc.", are to be placed on the existing columnar arm on either side.

8.5.5 Wording on the sign shall coincide with activity, i.e., for sale, open house, contractor identification, model home, etc.

8.5.6 A model home sign shall not be allowed until entire project is completed per approved plan, including landscaping.

8.5.7 Open house signs shall be allowed only when sales personnel are in attendance. A maximum of three (3) directional signs, not to exceed one foot (1') by two feet (2') may be placed on appropriate corner lots with the owner's permission during the open house period and shall be removed at the end of each day.

8.5.8 Temporary flags, banners, balloons, streamers, propellers or other similar apparatus placed and intended to attract the attention of the general public are allowed on the property of the open house.

8.5.9 All signs shall be removed at the close of escrow or occupancy.

9.0 Special Uses

9.1 Condominiums. Multiple dwelling projects shall be designed to be attractive from all directions. The site design, architecture and landscaping shall be developed to work as a unit with the architectural theme carried throughout the project.

9.1.1 Each multiple-family residential dwelling lot shall be subject to the following set back provisions per CC&Rs Article IV, Section (e):

- (a) No building, or any part thereof, shall be placed, erected or maintained on any of said lots within twenty-five feet (25') of the front property line.
- (b) An interior side-yard shall be maintained on each of said lots of at least five feet (5') in depth from all side *property lines* to the building line of any structure.
- (c) A rear-yard shall be maintained on each of said lots of at least ten feet (10') from the *property line* to the nearest structural projection.

9.2 Commercial Property. New construction on commercially zoned property shall be considered by the Committee on case by case basis. While the Architectural philosophy contained in Section 1.0 is generally followed on approval of commercial designs, it is recognized that commercial property is different than residential property.

9.3 Model Homes. New construction of model homes shall be considered by the Committee on a case by case basis and shall conform to all new home requirements.

9.4 Home-based Businesses. Article VIII of the Covenants, Conditions and Restrictions (CC&Rs) governing Spring Valley Lake prohibits businesses on residential lots in this community. This restriction does not prohibit home offices and they are allowed only when their business activity cannot be seen, heard or smelled outside the dwelling.

9.5 Garage/Yard Sales. Garage/yard sales are limited to four a year, each limited to three days in duration, and a maximum of one in a thirty (30) day period. Any garage/yard sale exceeding the aforementioned restrictions shall be considered to be a business on residential property in violation of the CC&Rs.

9.5.1 Garage/yard sale permits are required and shall be obtained from the Public Safety office prior to the planned garage sale.

10.0 General Maintenance

10.1 Graffiti. Graffiti shall be removed immediately.

10.2 Houses/Other Structures. Paint, wood trims and stucco shall be maintained in good condition. Broken glass and any missing roof tiles or shingles shall be replaced in a timely manner. Grease and oil stains shall be removed from driveways in a timely manner.

10.3 Trash Receptacles, Tools, Equipment, etc. Large items including but not limited to trash receptacles, tools, equipment, etc. shall be screened or removed from view. Trash receptacles shall not be put at the curb more than one (1) day prior to trash collection day. All trash receptacles shall be removed from the curb by the next day, following trash pick-up.

10.4 Storage of Recreational and Commercial Vehicles.

10.4.1 Vehicles parked in excess of 72 hours, which are visible from public/SVLA Property, shall be moved to an approved long term parking area. See Section 3.6 for more information.

10.4.2 Storage of commercial equipment/vehicles is prohibited on residential lots.

10.5 Unsightly Objects. Trash, debris, appliances and other unsightly objects are prohibited.

11.0 Limitation of Liability

The Committee, SVLA and/or related parties shall not accept nor assume responsibility or liability for:

- (a) Soil erosion.
- (b) Compliance with laws and governmental regulations.
- (c) Lot, *setback* or *property lines*.

- (d) Engineering or construction defects.

12.0 Conflicts

The Committee does not have the lawful authority to consent to any modification that violates the CC&Rs. Owners are cautioned to review all legal requirements carefully before submitting their applications. Any owner whose modification violates any provision of the CC&Rs, whether or not it is inadvertently approved by the Committee, shall be required to remove the unlawful modification.

13.0 Enforcement

The SVLA, its Board of Directors, and Architectural Committee shall enforce the policies contained herein to the greatest reasonable and legal extent possible. Violations of these policies may be dealt with by one or more of the following:

13.1 Fines and/or Suspension. Fines and/or suspension of membership privileges may be imposed on property owners by means of the citation process. A complete listing of possible penalties and citation procedures are published separately.

13.2 Deposit Forfeiture. Deposit refunds may be forfeited or reduced in accordance with procedures contained herein. See Section 2.6.

13.3 Legal Proceedings. Proceedings at law may be instituted against property owners. It should be noted that the SVLA CC&Rs provide that the prevailing party in any such litigation shall be entitled to attorney's fees from the other party.

14.0 Records

Property owners shall be responsible for maintaining all records regarding approved projects and variances for each property. These records shall be passed from owner to owner.

Glossary

C.P.S.C. - Abbreviation for Consumer Product Safety Commission, Section 16 CFR (Code of Federal Regulations) Section 1201, as referred to in Section 7.3.3 (a).

Easement - An interest in land owned by another that entitles its holder to a specific limited use or enjoyment. Put simply, an easement grants access to property that is not owned by the easement holder.

Lake coving - The concrete curbing installed on the shoreline that runs above the waterline to meet the grade of the lot and below the waterline to create the sides of the lake basin.

Lake easement - The 16 feet (16') from the *lake coving* extending out into the lake waters where lot owners are entitled to specific limited use and/or enjoyment.

Lake seal - The compacted layers of Bentonite Clays that form the bottom of the lake basin and creates the barrier that retains the lake waters.

Life Safety - A code or regulation created for the purpose of reducing the potential for injury or harm to a person.

Property line – Any recorded boundary of a lot. Please review your lot survey for actual property/lot lines.

Setback – The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline (see San Bernardino County Development Code). All setbacks within SVLA are outlined and controlled by the CC&Rs. See Article IV, Section (d). See Figure 1 below.

Shoreline easement - The 16 feet (16') of property on all lake front lots that extends from the rear edge of the buildable area to the *lake coving*. This easement is granted to SVLA for the purpose of performing *lake seal* repairs, maintenance, and/or inspections. Within SVLA, this easement runs concurrent with all lake lot rear setbacks as outlined in the CC&Rs.

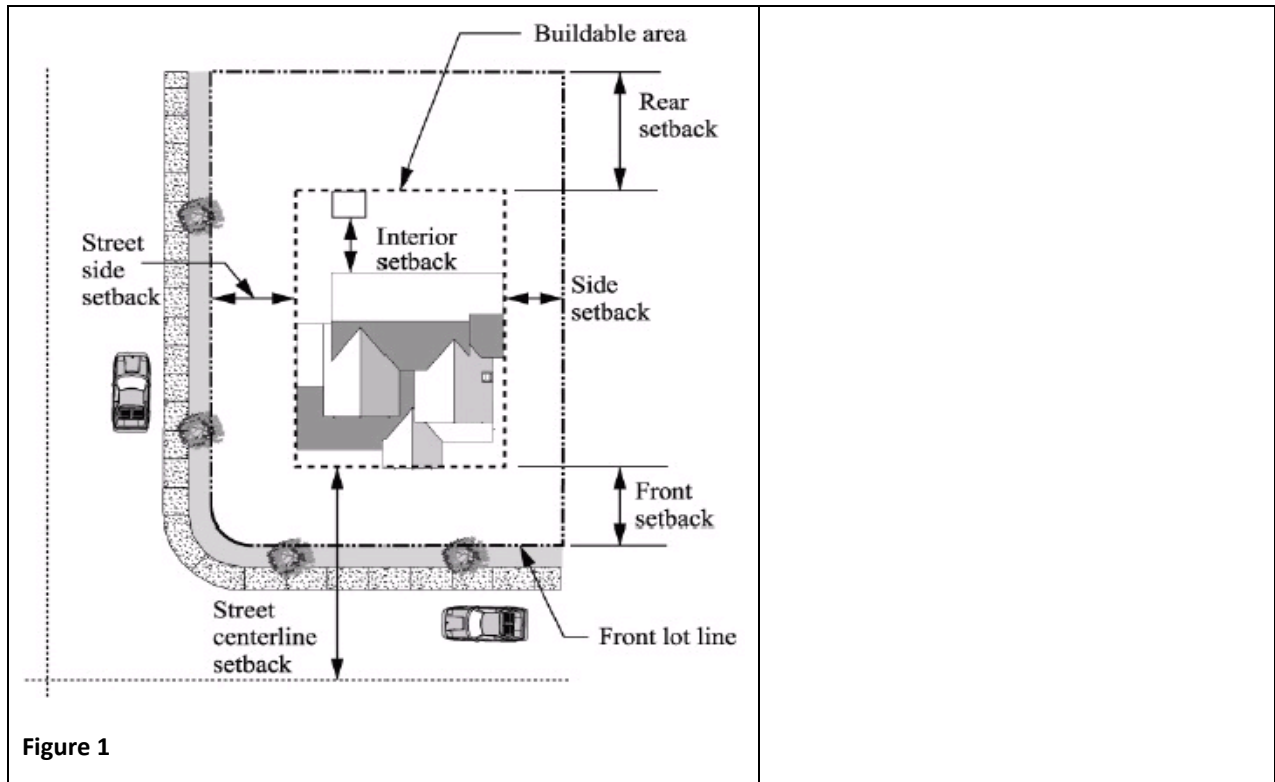


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