

Kelseyville Riviera Community Association

DEVELOPMENT GUIDELINES

Listed here are the restrictions and guidelines that apply to building any type of structure or making any exterior improvements to a structure or property in the Clear Lake Riviera Subdivision, Units 1 through 13, filed with the Lake County Recorder. As a lot owner, by acceptance of a deed conveying title to your property, you have accepted the requirements of the Amended and Restated Restrictions, Conditions, Covenants, Agreements, and Charges.

Any member delinquent in their annual assessments or fines will be denied processing of an application until all monies are paid in full and the member is in good standing.

Major Construction or Addition

Deposits and Fees

Plan Check Fee: A three hundred dollar (\$300) plan check fee is charged each time a set of plans are submitted for ACP Committee approval. This fee is non-refundable, even if the plans are disapproved or not used. The fee covers plan approval for a period not to exceed twelve (12) months. If construction has not begun during that period, and the owner/builder has not requested an extension, the approval will be voided. A new plan submission and performance review fee will be required.

Performance Deposit: A money order or cashier's check in the amount of two thousand dollars (\$2,000) made payable to Kelseyville Riviera Community Association (KRCA) shall be tendered with plans as a guarantee of prompt completion. The deposit is forfeited if construction is not completed within the allotted time frame, which is normally twelve (12) months. Refund of this deposit is contingent upon the following requirements:

- (1) The builder or owner must supply the Association with a copy of the inspection record card with an inspector's signoff on the final block and the certificate of occupancy.
- (2) The ACP Committee must first inspect the property to make sure that all construction materials have been removed, and that the property is clean before they give their final approval.

The ACP Committee's final approval shall be completed within thirty (30) days of receiving a copy of the inspection record card. Performance deposits will be refunded within thirty (30) days of the ACP Committee's final approval.

The Process

Plan Submission: Please submit a completed application for major construction and three (3) sets of building plans. Applications must be filled out completely and must include paint chips and roofing samples. Approval will be issued within thirty (30) working days if all requirements are met and all information required has been provided. Upon approval you will be notified. One set of building plans will remain on file with the Association, and two sets will be given back to the property owner to bring to the Lake County Community Development Department.

If additional information is needed, a new 30 working day period will begin upon receipt of the requested information. Plans not approved within thirty (30) working days will be deemed to have been disapproved.

Start of Construction: Start of construction must commence within twelve (12) months of ACP Committee approval, otherwise, a new application will need to be submitted. The date the footings and forms are signed off by the Lake County Community Development Department is considered the start date of construction. You must provide the ACP Committee with a copy of the inspection record card after the building inspector signs off the footings and forms.

Prompt Completion: Construction, altering, or remodeling any building shall proceed steadily from start until completion. All structures must be completed within twelve (12) months after the footings are poured.

Time Extensions: If at any time you realize you will not be able to complete construction within twelve (12) months of the start of construction, please contact the ACP Committee in writing requesting an extension of time, stating the reason for the extension and the additional time needed. Extensions longer than six months are considered under extreme circumstances and may require an additional performance bond.

Completion of Construction: Submission of the Lake County inspection record card and certificate of occupancy (copies) must be provided within twelve (12) months of the construction start date. Once the inspection card is submitted, the final inspection is conducted by the ACP Committee. If all requirements have been met and the construction complies with the approved plans, the performance bond will be refunded.

Requirements for New Construction or Major Addition

Inspections: As a part of the application approval process, construction follow up, and the final sign-off for the bond refund, the ACP Committee may complete one or more inspections to ensure that the construction complies with the KRCA guidelines. By submitting a construction application, the owner gives permission to the Kelseyville Riviera Community Association to complete these inspections.

Health Department Approval: Applications for new construction or major addition must include a site plan approved by the Lake County Health Services Department. Additionally, projects that may encroach on an existing septic system, leach field, or replacement leach field, such as decks, patios, or gazebos also need Health Services Department approval prior to submission.

Lake County Building Code: After the ACP Committee approves your construction plans, they must be submitted to the Lake County Community Development Department for their approval and the issuance of the appropriate permits.

Lot Clearing: Lots are required to be maintained at all times according to the fire prevention standards of Cal Fire, the Kelseyville Fire Protection District, and the KRCA. Prior to submission of plans the property must be cleared so that the Committee can make a thorough and accurate inspection before approving new construction.

Type of Structures Permitted: Except in areas designated for commercial or duplex development in Exhibits “A” and “B” of the CC&Rs, only single-family dwellings with garage facilities and other residential accessory structures, such as sheds, decks, fences, or gazebos, may be constructed.

Minimum Size: Each single-family home or duplex unit shall have not less than one thousand (1,000) square feet of fully enclosed living area (excluding exterior walls). This must be exclusive of porches, terraces, garages, or other non-living purpose areas, in or adjacent to the structure.

Parking Accommodations: A two-car garage that is a minimum of twenty (20) feet x twenty (20) feet is required.

Foundation and Siding: Buildings are required to have a permanent continuous perimeter foundation and siding in conformance with the County Building Code.

Roofing: A conventional roof of asphalt, composition, tile, or metal with a minimum pitch of five (5) inches of rise to one (1) foot of horizontal distance and a roof overhang of no less than eighteen (18) inches is required. Gutters and down spouts must be provided so that water drains without damage to your or your neighbors’ lots and improvements. Due to the potential fire hazard, the use of shake shingles is not acceptable. Roofing of decks, porches, and patios must be of the same color and material as the main roof, unless a specific variance is granted. Metal roofing must have factory-applied color coating or other non-reflective paint.

Design and Color: Both the design of the structure(s) and its exterior color schemes must be in harmony with the general surroundings of the lot, and adjacent buildings, or structures. Construction plans, submitted to the ACP Committee for approval, must detail design of the structure as well as its exterior color scheme (paint, trim and roof). Color chips must be submitted for repainting and reroofing, even if they will be the same or similar color.

Structure Height: Maximum roof height must not exceed seventeen (17) feet above street level or control point for that lot. The main floor elevation and maximum roof height will be indicated on the plans, in relation to the control point.

Setbacks and Survey Markers: The side setbacks (setbacks from the side property lines of the lot) shall be no less than five (5) feet. The front and rear setbacks shall be a minimum of twenty (20) feet from the front and rear property lines of the lot. Setbacks for lots with unusual shapes or orientations should be determined through consultation with the ACP Committee. The builder or owner will identify all lot corners or have them replaced by a licensed surveyor. The ACP Committee, if deemed necessary, may require the use of a string or other similar material to outline the perimeter of the lot for inspection.

Corner Lots:

Definition of corner lot: A lot abutting two or more streets at their intersection, or abutting two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

Building setbacks for corner lots shall be determined by the Architectural Control and Planning Committee or Board of Directors.

Propane Tanks: The location of proposed propane tanks must be reviewed and approved by the ACP Committee prior to placement. The following information must be included with the application, subject to review and approval of the ACP Committee:

- Propane tanks must be screened from public view. Please provide a description and size of proposed screening materials. Typical examples are fencing or lattice. Screening materials must be anchored in the ground and adequately supported.
- The dimensions, volume, and color of the tank(s).
- A site plan depicting the property lines, all existing structures, and the proposed location of the tank(s) with distances between each.
- Materials that will be used for the pad on which the propane tank(s) will be placed.

Easements: Easements for utilities, water distribution, drainage, and sewerage are reserved on lots in the Clear Lake Riviera Subdivision, Units 1 through 13, filed with the Lake County Recorder. Easements are typically five feet wide on side and rear property lines, except those lots adjoining the outer boundary of the subdivision where a ten-foot wide easement is reserved.

- Utility, water distribution, and sewerage easements: Property owners should be aware that there are utility easements that may be used to extend utility lines. If

improvements, such as fencing or landscaping, are placed within a utility easement, those improvements may need to be removed, at the property owner's expense, if they hinder access to, or maintenance of, the easement.

- Drainage Easements: Some drainage easements are maintained by the Lake County Public Works Department. Easements not maintained by the County must be maintained by the property owner on which the easement is located. No structure, planting, or other material, which may obstruct or alter the flow of water, shall be placed within drainage easements.

Temporary Buildings: Temporary buildings or shelters of any kind (RV, trailer, tent, or garage) for the purpose of residence during construction are not permitted. Temporary facilities for the storage of tools and materials may be erected if first approved by the ACP Committee. Such structures must present a neat appearance in keeping with the goals of the subdivision. Such structures will be dismantled and removed on completion and before final inspection.

Portable Restrooms: During construction, the owner is responsible for ensuring that a portable restroom is on-site and off the road, whenever physically possible. A portable restroom must be placed on-site when the foundation is poured, and must remain on-site until the County issues a certificate of occupancy. Upon approval of completion of construction, the portable restroom must be removed.

Construction Sites Must Be Kept Clean: Construction sites must be kept in a clean, orderly, and tidy condition that is free of rubbish and debris. Piles of dirt and rock must be covered and held in place with straw wattles, construction tarps, or other appropriate item(s) approved by the ACP Committee. Tarps must be anchored to what they are covering to ensure they stay in place.

Disposal Container/Dumpster/Covered Trailer: The property owner is responsible for ensuring that the contractor provides a disposal container on-site at all times during construction. The container used can be a construction dumpster, covered trailer, or any other appropriate container for maintaining a clean and safe job site. The disposal container must remain on-site when the foundation has been started and remain on-site until the inspector has signed the final approval section of the Lake County inspection record card.

Variances: The ACP Committee and/or Board of Directors may grant reasonable variances or adjustments of the basic restrictions and conditions, provided such variance is not materially detrimental or injurious to other property or improvements in the neighborhood. The ACP Committee and/or Board of Directors may also determine and allow additional uses, which are similar in character to surrounding uses.

Properties that May Be Hazardous: Temporary construction fencing, consisting of chain link or plastic construction fencing, and *No Trespassing* signs, are required on

properties that may present a health or safety hazard, subject to review and approval of the ACP Committee or Board of Directors. Temporary fencing must be removed when the ACP Committee or Board of Directors determines the property no longer presents a health or safety hazard.

Accessory Dwelling Units:

Definition of accessory dwelling unit (ADU): Pursuant to California Civil Code Section 4751, a residence that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. The dwelling must include permanent provisions for living, sleeping, eating, cooking, and sanitation. An ADU may be either attached to the primary dwelling or a detached, separate unit. The total floor area of an attached unit cannot exceed 50 percent of the existing primary dwelling. If it is detached, it cannot exceed 1,200 square feet. The unit must have at least 150 square feet of living area. A junior accessory dwelling unit (JADU) is a unit that is no more than 500 square feet in size and is contained entirely within a single-family residence.

Attached or detached accessory and junior accessory dwelling units are permitted on a lot with a proposed or existing primary residence. The roof pitch, roof overhang, color scheme, and materials shall match those of the primary residence, subject to review and approval of the Architectural Control and Planning Committee or Board of Directors. Exceptions may be approved for materials or design features that enhance fire safety or energy efficiency. Covered parking is encouraged, but not required. Units shall also be consistent with the requirements of the *Development Guidelines* related to:

- Structure height,
- Setbacks from property lines,
- Gutters and water drains,
- Permanent continuous perimeter foundation,
- Subject to a performance deposit and plan check fee,
- The plan submission process, and
- Prompt completion.

Requirements for Other Construction and Uses

Any installation or construction that will change the outside appearance of your property or home such as repainting, reroofing, solar panels, removal of large trees, landscaping, garden enclosures, fences, or enclosing a deck, needs to follow the approved guidelines and have prior approval from the ACP Committee.

An \$85 non-refundable plan check fee is due for minor construction projects that require a County building permit, such as porches, stairs, or retaining walls. Fees are

not charged for projects that do not require a County building permit, such as fences and small storage sheds.

Fences, Dog Runs, Decorative Walls, and Hedges: Fences must be of approved wood fencing, wood-framed wire, metal, metal-framed wood, or chain link fencing, subject to review and approval of the Architectural Control and Planning Committee. A top and bottom rail is required on any type of fence. While a top rail is required on chain-link fencing, a bottom tension wire will qualify as a bottom rail on a chain-link fence. Chain link and wire fencing must be attached to the top rail. No T-Post and wire fencing is allowed. Posts must be no more than 10 feet apart and anchored in the ground a minimum of 18 inches deep. If posts are wood, they must be a minimum of four (4)-inch x four (4)-inch. Fence must not exceed four (4) feet in height in the front setback area of the lot and must not exceed six (6) feet in height on the rest of the lot. Height limits for fences on corner lots shall be determined by the Architectural Control and Planning Committee or Board of Directors. Decorative walls and hedges are subject to the same height limits and approval process.

Retaining Walls: Must meet height restrictions stated above for fences. A plot plan also needs to be submitted with a materials list for approval before construction is started. Retaining walls over four (4) feet in height from the bottom of the footing, or any height holding a surcharge, must be approved by the Lake County Community Development Department prior to submitting for ACP Committee approval.

Signs:

- One sign of customary and reasonable dimensions—eighteen (18)-inch x twenty-four (24)-inch maximum, are permitted to be displayed on any lot advertising the same for sale.
- Temporary signs announcing or supporting political candidates or issues in connection with any national, state, or local election are permitted and do not require approval of the Association. These signs must be removed within 48 hours following the election for which the signs are promoting.
- All other signs, billboards, or advertising structures of any kind are prohibited, with the exception of application to and written permission of the ACP Committee or Board of Directors.

Accessory Structures and Uses on Vacant Lots:

Definition of consecutive lots: Two or more adjacent lots under the same ownership that are not merged (a voluntary merger has not been recorded with the Lake County Recorder).

Consecutive lots on which at least one is developed with a residence may be developed with nonpermanent residential accessory structures, such as sheds, parking areas, and above ground swimming pools (not in ground swimming pools), subject to review and approval of the Architectural Control and Planning Committee

or Board of Directors. No items or vehicles related to a business or commercial operation may be stored. Driveways and parking areas must be improved with a dust-free surface, such as gravel. Parking areas shall be accessed via the driveway to the principal residence. No separate driveway encroachment will be permitted. Structures on permanent foundations are not allowed.

Vehicles that are parked or stored openly (not in a garage) must be registered with the Department of Motor Vehicles, whether operational or not. Vehicles must be screened by a solid fence, wall, or hedge, subject to review and approval, prior to placement of anything on the lot. Alternatively, a car cover may be approved. The number of vehicles parked or stored on a lot shall be no more than such number as is reasonably determined by the Architectural Control and Planning Committee or Board of Directors. Pursuant to CC&Rs Section XII, lots shall be kept in a clean, sightly, and wholesome condition, and no rubbish, unsightly brush, or unsafe materials shall be on any lot.

If the lots are to be sold separately, all accessory structures and uses shall be removed from the vacant lot(s), with the exception of a fence, wall, or hedge, which are permitted on vacant lots.

Cannabis Cultivation:

Definitions:

“Cultivation” means the planting, growing, harvesting, drying, or processing of one or more cannabis plants or any part thereof indoors and outdoors.

“Cannabis plant” means any mature or immature cannabis plant, or any cannabis seedling.

Standards:

1. A total of no more than six cannabis plants per lot may be cultivated, harvested, dried, or processed on lots or in residences that are designated by the CC&Rs as residential and that are developed with an occupied residence, subject to the following standards.
 - a. Indoor cannabis cultivation is allowed without approval from the KRCA.
 - b. Whether indoors, outdoors, or a combination of the two, the total number of cannabis plants cultivated may not exceed six per lot.

- c. Outdoor cannabis cultivation may only occur in an enclosed rear yard, which is defined as any portion of a yard or area in the rear one half of the lot which extends from the rear wall of the principal building to the rear lot line.
- d. Approval of outdoor cannabis cultivation shall expire on November 30 of the year in which the approval was issued.
- e. Cannabis may only be cultivated for personal use or donation. The sale of cannabis in any form is not allowed.
- f. Cannabis plants must be screened from public view and neighboring properties by a six-foot high solid fence, wall, or hedge, subject to review and approval of an Application for Minor Construction by the KRCA prior to planting.
- g. Prior to placement of cannabis plant(s) on any property, an Application for Minor Construction shall be reviewed and approved by the Architectural Control and Planning Committee or Board of Directors. The application must include:
 - 1. A site plan depicting the property lines, all existing structures, the area proposed to be cultivated, and the solid fence, wall, or hedge proposed for screening.
 - 2. Details on any proposed gates demonstrating that the cultivation area will not be accessible by anyone other than the property owner(s).
 - 3. Proof that at least one property owner is at least 21 years of age. A copy of a California-issued driver's license, passport, birth certificate, or other government-issued identification is acceptable.
 - 4. The signature of at least one property owner.

Waste Removal: All residences and businesses must have weekly garbage, recycling, and organics collection by a licensed refuse collection company. Garbage, green waste, and recycling containers must be removed from the street, preferably out of public view, within 24 hours following pick up by the refuse company.

Noncompliance with any of these provisions may lead to a fine, pursuant to the KRCA Due Process Policy, Enforcement Policy, and Schedule of Fines.

Water Service: Water, for both domestic use and fire protection, is supplied by the Mt. Konocti Mutual Water Company. The water company is to be notified prior to beginning construction. They can be reached at (707) 277-7466 and are located at 9733 State Highway 281, Kelseyville.

Thank you for helping make Kelseyville Riviera a great place to live!

For more information or questions, please call the office at (707) 277-7281 or email acp@krca.biz.