

THE VILLAGES OF RANCHO DEL ORO HOMEOWNERS ASSOCIATION, INC.

MODEL ARC PROCEDURES

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ARTICLE I: GENERAL PROVISIONS

1.1 ARC Responsibilities

The Architectural Review Committee (“ARC”) is granted the power to promulgate, administer and enforce these architectural review procedures by Article VI of the Rancho Del Oro Village- level declaration of covenants, conditions and restrictions (“Supplementary Declaration”) recorded in Official Records of San Diego County, California. These procedures are also subject to the Master Declaration of Covenants, Conditions and Restrictions for the Villages of Rancho Del Oro (“Master Declaration”), recorded on September 4, 1986 at File Page 86-388367 of Official Records of San Diego County. The definitions contained in the Supplementary Declaration and the Master Declaration applies to the capitalized terms used in these procedures.

1.2 Enforcement and Violations

Failure to submit the required report of pre-approved Improvements or to obtain ARC approval of any other construction activities may result in the ARC or the Master Association Board requiring a modification or removal of the work (regardless of whether it has been completed) at the expense of the owner. All residents have the right and the responsibility to bring to the attention of the ARC any violations of any provision or standard which the Board or the ARC has adopted.

1.3 Amendments

Any items or issues not addressed in the governing documents for this Village are matters left to the discretion of the ARC acting in good faith on behalf of the best interest of the community as a whole. The ARC may at its discretion amend these procedures from time to time for the purpose of more fully describing their original intent; provided that any such amendment must be approved by the Master Association Board as provided in the Master Rules. The Board also may amend the ARC’s procedures as provided in Section 7.2 of the Master Association’s Supplementary Rules (“Master Rules”), to which these Procedures are subject.

1.4 Developer Exemption

None of the procedures or limitations contained herein are applicable to the Developer’s or any Builder’s construction activities or other activities related to the construction, marketing, sale, resale, financing or leasing of real property and Improvements within the Properties. A more complete statement of the Developer’s and Builder’s exemptions is contained in the Master Declaration at Article XIII, and in the Supplementary Declaration at Article VII.

## ARTICLE II: EXTENT OF ARC REVIEW

The ARC's review of plans and specifications for any construction activities will be limited as follows, subject to requirements for subsequent submittal of plans and specifications to the Master Association Board.

### 2.1 Pre-Approved Improvements

The ARC hereby delegates to the Master Association's Manager the duty to review any report by an Owner of his or her intent to install any Pre-Approved Improvement listed in Exhibit "E" (see pre-approved application). The purpose of the Manager's review of the Pre-Approved Improvement Report will be to ensure that the form is properly completed and the each item listed is in fact included in Exhibit "E" as of the date of the Report. The Manager may require submission of such additional information as is needed to determine whether the Report fulfills the requirements of Article III of these procedures.

### 2.2 Regular Improvements

The ARC will review plans and specifications for all construction activities related to Improvements which are not Pre-Approved Improvements ("Regular Improvements"). The plans and specifications for Regular Improvements must be completed and submitted to the ARC as required by Article IV of these procedures. The ARC may condition its approval on changes which it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to tentatively approving or disapproving proposed Improvements.

### 2.3 Distribution of Submittals

Upon approval or disapproval or in the event the ARC or the Manager requests clarification or additional information, all Reports and all plans and specifications will be distributed as follows:

(a) Incomplete Submittals. One copy of any incomplete submittal will be retained by the ARC or the Manager as its working copy.

(b) Approved Submittals. One copy of each approved submittal will be placed in the ARC's files and one copy will be returned to the Owner to be kept at the work site during the course of construction, until a final inspection of the construction has been made on behalf of the ARC.

(c) Other Submittals. Disapproved submittals will be returned to the Owner. A copy of any such submittal will be included with subsequent submissions.

### 2.4 Inspections

The ARC or its designated representatives may inspect any Improvement at any reasonable times while construction activities are being carried out. Inspections of completed Improvements may be made by the ARC or its designated representatives once the Owner has notified the ARC that the Improvements have been completed. This notification should be made promptly after the Improvement's completion, and any subsequent inspection must be conducted as provided in Section 6.6 of the Supplementary Declaration. See "Notice of Completion", Exhibit "C".

### 2.5 Limited Purpose Review

The ARC's review of plans and specifications is for the limited purpose of determining conformity with the governing documents of Rancho Del Oro, i.e. the Master Declaration, the Supplementary Declaration, the Master Rules and these procedures. By approving plans and specifications, none of the ARC, the Master Association, the Board of Directors, the Members, the Manager, the Developer, any Builder, or any agent, employee or contractor of any of these, assumes liability or responsibility for the architectural or engineering design or for any defect in any improvement installed, repaired, modified, constructed or reconstructed from the Owner's plans and specifications. Obtaining approval from the ARC, the Master Association Board or both does not affect any duty the Owner may have to obtain all necessary building permits and other approvals and adhere to all regulations of the City of Oceanside. In the event of a conflict between these procedures and any public ordinance or regulation, the more restrictive requirements will prevail.

## ARTICLE III: PRE-APPROVED IMPROVEMENT PROCEDURE

### 3.1 Address for Submittal

All reports to the Manager by an Owner planning to make any Pre-Approved Improvement listed in Exhibit "E" must be submitted on the standard form provided by the ARC and must be emailed to [info@myrdo.com](mailto:info@myrdo.com), or mailed or delivered to the Manager at the following address: Avalon Management, 4055 Oceanside Blvd., Suite J Oceanside, CA 92056. Phone (760) 310-0012.

### 3.2 Time for Review

The Manager will have 15 days after receipt of the Pre-Approved Improvement Report to notify the Owner of any required ARC approvals or of required changes or additions to the Report. Absent such notice within the 15-day period, the Owner may proceed to make any Pre-Approved Improvement included in the Report. Each such Improvement will be subject to ARC inspection as described in Section 2.4 of these procedures.

### 3.3 Contents

All Pre-Approved Improvement Reports submitted to the Manager must be submitted by a Rancho Del Oro property owner or a person who has received final loan approval from a lending institution for purchase of a Unit, and must contain the following items:

(a) Completed Report form (see sample in Exhibit "D");

(b) Submission Fee set by the Master Association Board from time to time, as authorized under Section 3.4 below; and

(c) ~~Three~~ One complete sets of preliminary plans prepared according to the "Submission Standards" contained in Article IV of the Master Rules, to the extent the Manager determines they are required or relevant.

### 3.4 Submission Fee

The Master Association Board may establish and revise at its sole discretion a reasonable fee ("Submission Fee") to accompany each Pre-Approved Improvement Report. The Submission Fee must be made payable to the Master Association to defray its expenses for review and to provide a deposit securing proper completion of the Improvement. The balance of a Submission Fee not used for either of these purposes must be refunded to the Owner after Notice of Completion from the Owner and inspection by the ARC as provided in Section 2.4 of these procedures.

## ARTICLE IV: REGULAR IMPROVEMENT PROCEDURE

### 4.1 Address for Submittal.

All requests for ARC approval of Regular Improvements must be made on the standard form provided by the ARC (see Exhibit "A") and must be emailed, mailed or delivered to the ARC through the Manager at the following address: The Villages of Rancho Del Oro, 4055 Oceanside Blvd., Suite J Oceanside, CA 92056.

### 4.2 Time for Review

After ARC receipt of all materials requested relating to an Owner's proposed Regular Improvement, the ARC must either (a) within 45 days after receipt ("Notice Period") disapprove the Regular Improvement and notify the Master Association Board and the Owner in writing of the disapproval, or (b) within 30 days after receipt tentatively approve the Regular Improvement (with or without conditions) and notify the Master Association Board in writing of the tentative approval and any proposed conditions. If, within 10 days after the ARC notifies the Master Association Board of tentative approval the ARC has not received notice that the Master Association Board will reconsider the proposed Regular Improvement as provided in Section 6.4 of the Master Rules, the ARC will notify the Owner of its approval or conditional approval within the Notice Period. However, if the ARC receives timely notice that the Board will reconsider the ARC's tentative approval, the ARC must disapprove the proposed Regular Improvement and so notify the Owner within the Notice Period.

No construction may begin until after (a) receipt of the ARC approval or the end of the Notice Period, whichever occurs first, and (b) receipt of approval by the Master Association Board of any proposed Regular Improvement which is also a "Material Change" as defined in Section 6.1 of the Master Rules.

### 4.3 Preliminary Plan Submittal

At the Owner's option, preliminary plans may be submitted to the ARC for work involving major home additions, rebuilding of dwelling units, demolition or work requiring variances, to allow the ARC's comments and conditions for preliminary approval (and, in the case of a Material Change, those of the Board) to be incorporated in the final drawings. Final drawings must be submitted to the ARC for review and approval whether or not preliminary plans were submitted.

### 4.4 Contents

All submittals to the ARC must be submitted by a Rancho Del Oro property owner or a person who has received final loan approval from a lending institution for purchase of a Unit, and must contain the following items:

- (a) Completed Application for Approval of Home Improvement (see Exhibit "A");
- (b) Completed Facing and Adjacent Neighbor Statement (see Exhibit "B") from Each Owner (or current resident, if not the Owner) of a Unit which either (i) has a common boundary with the Unit on which the Regular Improvement is to be installed ("Adjacent Neighbor") or (ii) would have a common boundary if not for an intervening street ("Facing Neighbor");
- (c) Submission Fee set by the Master Association Board from time to time, as authorized under Section 4.5 below;
- (d) Three complete sets of preliminary or final plans and specifications prepared according to the Submission Standards contained in Article IV of the Master Rules; and
- (e) A copy of a deed to the Unit or of written loan approval for purchase of the Unit or other proof that the person submitting the Improvement plans is authorized to do so.

Incomplete submissions will not be reviewed by the ARC, but will be returned to the applicant for completion

### 4.5 Submission Fee

The Master Association Board may establish and revise at its sole discretion a reasonable Submission Fee to be submitted with each request for ARC approval. The Submission Fee must be made payable to the Master Association to defray its expenses for review of the plans and to provide a deposit securing proper completion of the Improvement. The balance of any Submission Fee not used for either of these purposes must be refunded to the Owner after Notice of Completion from the Owner and inspection by the ARC as provided in Section 2.4 of these procedures.

## ARTICLE V: CONDITIONS OF APPROVAL

### 5.1 Incorporation of Use Restrictions.

Unless a variance is specifically authorized by the ARC pursuant to Section 6.8 of the Supplementary Declaration, (a) all of the use restrictions contained in the Master Declaration, the Supplementary Declaration and the Master Rules shall control the construction activities of each Owner, and (b) all of the use restrictions shall be deemed incorporated in any approval of construction activities granted by the ARC under Article III or Article IV of these procedures, whether or not any use restriction is expressly referenced in the ARC approval.

### 5.2 Permission to Enter Properties

If construction activity requires the use of any Master Common Area for purposes of transporting labor and materials or for the temporary storage of materials, the applicant must obtain written permission from the Master Association Board for "Right of Entry" during the course of construction. A copy of the letter granting permission must be filed with the ARC prior to the commencement of any construction activity.

### 5.3 Security

In addition to any Submission Fees permitted to be charged under Sections 3.4 and 4.5 of these procedures, after obtaining authorization from the Master Association Board the ARC may require an additional security deposit or an indemnity or restoration agreement as a condition for approval of any construction activity. Any such security deposit will be made payable to the Master Association and will be returned to the Owner who posted it upon completion of the related Improvement to the ARC's satisfaction without expense to the ARC or the Board. Any expense incurred by the ARC or the Board to ensure such satisfactory completion may be deducted from the security deposit before the return of the balance to the Owner.

### 5.4 Completion of Improvements Required

Once approval of the improvements is obtained from the ARC, construction must commence within six (6) months of the approval, or the ARC approval will lapse. All improvements must be completed within one (1) year from the date of approval, unless otherwise specified by the ARC or Board. If not so completed, the ARC or Board may void the approval and require a new submission for review.

**The Villages of Rancho Del Oro Homeowners Association, Inc.**  
**Homeowner Improvement Form**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Proposed Start Date: \_\_\_\_\_ Proposed End Date: \_\_\_\_\_

Project(s) Being Submitted: (Please Check Appropriate Item(s))

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Awnings                                    | <input type="checkbox"/> Drains                                      | <input type="checkbox"/> Air Conditioner      |
| <input type="checkbox"/> Deck                                       | <input type="checkbox"/> Fence(s) / <input type="checkbox"/> Wall(s) | <input type="checkbox"/> Basketball Backboard |
| <input type="checkbox"/> Gazebo                                     | <input type="checkbox"/> Front                                       | <input type="checkbox"/> Playhouse            |
| <input type="checkbox"/> Patio <input type="checkbox"/> Patio Cover | <input type="checkbox"/> Side  | <input type="checkbox"/> Pool & Equipment     |
| <input type="checkbox"/> Painting                                   | <input type="checkbox"/> Rear  | <input type="checkbox"/> Spa & Equipment      |
| <input type="checkbox"/> Rain Gutters                               | <input type="checkbox"/> Retaining                                   | <input type="checkbox"/> Swing Set            |
| <input type="checkbox"/> Room Addition                              | <input type="checkbox"/> Relocation                                  | <input type="checkbox"/> Lighting             |
| <input type="checkbox"/> Landscape                                  | <input type="checkbox"/> Hardscape                                   | <input type="checkbox"/> Storage Pod          |
| <input type="checkbox"/> Front                                      | <input type="checkbox"/> Roof  | <input type="checkbox"/> Portable Toilet      |
| <input type="checkbox"/> Rear                                       | <input type="checkbox"/> Dumpster                                    | <input type="checkbox"/> Artificial Turf      |

Other: \_\_\_\_\_

**Homeowner Check List**

- Completed Home Improvement Form
- Completed Neighbor Notification Form
- Plat Map Reflecting Property Lines
- One Copy of Plan (Unless electronically submitted)
- Names, Locations, and Quantity of Plants (Listed on Plan)
- Types of Materials or Hardscape to be Used (Listed on Plan)
- Height of Improvements (Listed on Plan)
- Color Scheme (Listed on Plan)

**The Following Apply to All Plans Approved by the Architectural Committee**

- Do Not Pour Concrete Against Existing Fences
- Do Not Backfill Against Existing Fences
- Maintain Existing Drainage Patterns or Provide Alternative Draining Method
- All State, County and City of Oceanside Codes and Permit Requirement must be adhered to

In accordance with the Supplementary Rules & Regulations, Section 3.19, "All improvements must be completed within one (1) year after the date of approval, unless otherwise specified in writing by the ARC or the Board. If not so completed the Board or the ARC may void the approval and require a new submission for review.

X \_\_\_\_\_  
 Homeowner Signature

\_\_\_\_\_  
 Date

The Villages of Rancho Del Oro Homeowners Association, Inc.  
Neighbor Notification Form

**Every neighboring homeowner who will see the improvement(s) of the following property owner will need to sign this form.**

**Property Owner Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Property Owner Address:** \_\_\_\_\_

I have been provided, for my review, plans that are being submitted to the Homeowners Association for the above applicant's address.

Circle one: Facing    Adjacent    Other (explain) \_\_\_\_\_

**Homeowner Name & RDO Address:** \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

=====  
Circle one: Facing    Adjacent    Other (explain) \_\_\_\_\_

**Homeowner Name & RDO Address:** \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

=====  
Circle one: Facing    Adjacent    Other (explain) \_\_\_\_\_

**Homeowner Name & RDO Address:** \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

=====  
Circle one: Facing    Adjacent    Other (explain) \_\_\_\_\_

**Homeowner Name & RDO Address:** \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

The Villages of Rancho Del Oro Homeowners Association, Inc.

**Homeowner Notice of Completion Form**  
*(Please submit once the project is complete)*

Homeowner is hereby providing notice that the undersigned is the owner of the property located at:

Address: \_\_\_\_\_  
                    Number                    Street                    \_\_\_\_\_Oceanside                    Zip Code

Certification: The improvement on the above property, which was APPROVED by the Board and/or ARC, was COMPLETED on: \_\_\_\_\_,

in accordance with the written approval of the Homeowner's plans and specifications. The completed improvement is briefly described as follows:

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

\_\_\_\_\_  
Homeowner's Name

\_\_\_\_\_  
Homeowner's Signature

\_\_\_\_\_  
Date Signed