

Forest Meadows

Architectural Guidelines

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Table of Contents

1. Introduction and Purpose of the Guidelines	3
a. Architectural Review Committee (ARC)	
b. Enforcement of Guidelines	
2. Lot Considerations	4
a. Setbacks and Lot Coverage	
b. Grading and Slopes	
c. Tree Removal	
3. Building Considerations	5
a. Exterior Appearance	
b. Driveways, Parking and Garages	
c. Building Height and Minimum Size	
d. Roofs and Materials of Construction	
e. Colors	
f. Miscellaneous – Solar, Antenna, Satellite Dishes, HVAC, Exterior Lighting	
4. Service Yard – Propane Tank, Garbage	8
5. Landscape Considerations	8
a. Plant Materials	
b. Mailboxes, Fences, Dog Runs, Storage Sheds	
c. Miscellaneous – Arbors, Trellises, Walkways, Walls	
6. ARC Approval Process	9
a. ARC Meetings, Timelines and Required Documentation	
b. Construction Process and Procedures	
c. Application Forms and Fees	
d. Disclaimer	
7. Appendix	15
a. Construction Site Rules	
b. Memorandum of Understanding	
c. Notice of Completion	
d. Fees and Fines Schedule, Application Forms	

Introduction and Purpose of the Guidelines

Forest Meadows is situated in the Sierra Nevada Mountains at approximately 3400 feet in elevation. The natural beauty of the community lies in the pine forests, mixed hardwoods, and meadows of the mountain forest that occurs naturally at this elevation. As you plan the construction of your new home or improvement, keep in mind that Forest Meadows is a Planned Community. These Architectural Design Guidelines have been prepared (as a supplement to the Declaration of Covenants, Conditions and Restrictions (CC&R's) to aid homeowners, architects, designers and homebuilders in the preparation of their plans, and to ensure that their homes reflect the surrounding beauty that makes Forest Meadows such a unique community.

The Architectural Review Committee (ARC) is vested with the responsibility to enforce the CC&R's and Architectural Guidelines. The ARC carries out their responsibility by reviewing plans, and approving or disapproving plans, and monitoring the construction of any residence or improvement within the subdivision. The ARC's goal is to achieve harmony between the proposed improvement and existing buildings, improvements on neighboring parcels, and the homeowner's personal goals.

The ARC is empowered by the CC&R's for Forest Meadows to establish rules and enforce the rules and regulations adopted by the Board and the ARC. The ARC's discharges its duties with a view towards assuring conformance to land use restrictions and controls contained in the CC&R's, which is the overriding and controlling document in the event of a conflict. Prior to undertaking any work of improvement on any parcel within the subdivision, the owner must submit detailed plans and specifications to the ARC for review and approval. No work can begin until the owner / applicant has received the ARC's written approval.

The ARC consists of three to nine members of the Forest Meadows Owners Association (FMOA) appointed by the Board. In selecting members for the committee, the Board of Directors endeavor to select individuals whose occupation or education will provide technical knowledge and expertise relevant to matters before the committee. Committee members serve one-year terms, and the Board will designate one of the committee members as the chairman.

All property located within Forest Meadows is subject to the recorded CC&R's for Forest Meadows. Each property owner is legally obligated to abide by the CC&R's as well as the policies adopted by the ARC and approved by the Board of Directors of the FMOA.

Lot Considerations

Setbacks and Lot Coverage

Each lot has setbacks that define where a home can be built on the lot. No structure may be erected on any lot nearer than 20 feet from the front street lot line. No structure may be erected on any lot nearer than 10 feet from any side or rear lot line. Check the legal description on your Grant Deed for reference to any easements or encumbrances on your property. The ARC may grant variances to these setback rules under certain conditions, and recommend approval to the Board of directors, who have final approval.

The total coverage of the land by all building(s), paved parking, driveways, walkways and decks shall not exceed 40% coverage. (Board Resolution #2003-1). A variance for lot coverage of 41% or more may be applied for to the ARC for consideration, as outlined in the CC&R.'s. An approved ARC variance, must also be approved by the FMOA Board of Directors.

The area between the paved Association road edge and the lot boundary generally is FMOA common area. The owner must get ARC approval for any work in this area.

Grading and Slopes

Grading for construction should be limited and should minimize any cut and fill on the lot. All areas to be graded must be indicated on the site plan and must be approved by the ARC prior to any grading taking place.

Dust from grading activities must be controlled or mitigated. Erosion control must be installed prior to October 15th, as established by the California Regional Water Quality Control Board.

Drainage water from roofs, paving and natural drainage courses should be routed to existing storm drainage systems. It is the owner's responsibility to provide adequate drainage control so as to not adversely affect any neighboring parcel. No grading or construction can interfere with or alter any existing drainage pattern established by the approval of the final subdivision map and parcel maps of the development by the County of Calaveras.

Tree Removal

No tree in excess of 6" in diameter (measured 4 feet above ground level) shall be removed or topped without prior approval of the ARC. Trees should be clearly shown on the site plan when the application for construction is submitted. The ARC may require the owner to replace a removed tree(s) with another tree(s).

Building Considerations

Exterior Appearances

The Forest Meadows Owners Association Architectural Review Committee has adopted certain aesthetic standards concerning the appearance of structures in the subdivision. Underlying these standards is a basic concept that buildings should blend with the natural environment by using materials and colors in harmony with the surrounding community.

Building Height and Minimum Size

Forest Meadows homeowners prize their views from their homes. Because of this, we stress the spirit of a good neighbor by giving due consideration to view corridors when designing your home.

In general, no building can be more than two stories, and higher than 30 feet to the primary roof ridge if constructed on relatively level ground. For steep down sloping lots, homes may exceed the general two-story thirty-foot limit. A pole must be inserted in the ground vertically at the point of the highest roofline of the proposed building. The pole must be installed 7 days prior to the ARC meeting for the subject property, for inspection and review by neighbors and the ARC.

Screening the underpinning on a down sloping lot is required.

No primary residence shall be constructed with less than 1,500 total square feet of living area. Minimum area on at least one level shall be 1,000 square feet. One level may include split level construction. The living area shall not include roofed or unroofed porches, terraces, a garage or other outbuildings.

For duplex units where the unit is of two stories, each unit shall have a minimum of 600 square feet on a single level, and the total area of each unit shall not be less than 1,200 square feet.

No residence will be constructed which utilizes an "A-frame" or "geodesic dome" design.

Driveways, Parking, and Garages

All driveways must be paved with asphalt, concrete, paving stones or other hard surface. A minimum of a two-car garage is required, and each lot must provide at least an additional 400 square feet of onsite parking. Consideration should be given to inside storage of trash and recycle containers, golf carts, and other recreational vehicles.

Roofs and Materials of Construction

Concrete roof tiles are strongly encouraged due to the potential fire hazard that exists within the forested community. Composition shingles must be fire retardant and of architectural grade. Wood shake or shingle roofing and rolled roofing products are prohibited. A chimney chase is required to enclose flue pipes.

No exterior finishes can be used without approval of the ARC, this includes but is not limited to: colors, siding, windows, window grids, stone veneers, roofing, trim, exterior lighting, concrete finish, and landscaping.

No reflective finishes (other than glass) can be used on exterior surfaces, including but not limited to any roof, any projection above the roof, window frames, trim or flashings, pipes, gutters, and equipment. Window frames must be non-glare materials. All window frame colors must be approved by the ARC. Reflective coatings cannot be applied to glass.

House numbers must be installed and readable from the street. The minimum number size is four (4) inches. California Code of Regulations, Title 14 also stipulates that house addresses must be permanently posted at the entry to each driveway visible from both directions of travel. The driveway entry numbers must be a minimum of 3" height and 3/8 "stroke, reflectorized, with contrasting background color of sign.

Colors

The choice for exterior colors will be considered by the ARC on an individual basis. Color will be approved based on a mix of environmental factors influencing how the home appears on the lot and next to the surrounding properties. In all cases however, earth tones will be preferred to house colors that exhibit high contrast with each other and / or with the environment. A color palette showing some of the acceptable colors and their combinations are available in the FMOA office. Note that not all acceptable colors are necessarily visually compatible with each other. Only muted colors will be acceptable.

Accessory Dwelling Units (ADUs)

California law, effective January 1, 2020, regarding the creation of ADUs build upon recent changes to ADU law (Government Code Section 65852.2, 65852.22 and Health & Safety Code Section 17980.120, and further address barriers to the development of ADUs.

- SB 229 NS V 494 promote the development of ADUs, also known as granny flats, in-law units, backyard cottages, and secondary units. An ADU is a second unit on a lot, either detached or contained within the walls of the house on the lot, up to 1,200 square feet, and including cooking, sleeping, and bathroom facilities. A primary residence with a minimum of 1,500 square feet is required on any lot prior to considering ADUs. ADUs may also have relaxed setback and parking requirements. ADUs are subject to the FMOA CC&Rs Section 20.4

CC&R Section 2.04. Delegation of Use.

(a) Delegation of Use and Leasing Residences. Any Owner may delegate, in accordance with the Governing Documents, his or her right to use and enjoy the Common Area and Common Facilities to the members of the Owner's Family or to the Owner's tenants or contract purchasers who reside in the Owners' Residence or Unit; provided that any rental or lease of the Owners' Residence or Unit may only be to a single family for Single Family Residential Use. Residences and Units shall not be converted to a time-share property as defined in California Business and Professions Code section 11212(aa), or comparable superseding statute. The restrictions on multiple family occupancy and transient use imposed by the immediately preceding paragraph are intended to protect, enhance and maintain the single family residential atmosphere which exists within the Development and to avoid the occupancy of Residences or Units for short periods of time or by an unreasonable number of unrelated individuals. In the case of Multiple Family Residential Lots, the restrictions contained in this Section 2.04 shall be applied on a Unit basis.

Miscellaneous

Solar panels must be as unobtrusive as possible and located in an area least visible from roads or neighboring lot that has an acceptable solar exposure. Solar panels must be made of non-reflective materials. Solar water storage containers may not be stored on any roof.

Satellite dish antennas must be installed in the least visually obstructive location possible to obtain an acceptable signal. Preferred locations include ground or porch mounting, behind a chimney chase, in rear or side yards, or on the portion of the roof or building surface that faces away from streets, common areas or neighboring lots. No tree may be topped or its branches cut to accommodate the installation of an antenna without prior written approval of the ARC. Any other antenna must be approved by the ARC.

Furnaces, air conditioning units and heat pumps cannot extend into the setbacks unless a variance is approved in advance by the ARC. Units should be screened from neighboring views.

All exterior lighting must be indirect and not shine on neighboring lots. Light fixtures should be used that obscure the sight of the bulb. Area lighting for walkways, driveways and gardens should be limited to 15 inches in height, shaded to light only the ground and have a maximum output of 450 lumens; approximately 40 watts – incandescent, 9-13 watts compact florescent, 4-5 watts Light Emitting Diode (LED).

Service Yards

Propane tanks must be screened so that they are not offensive or visible from neighboring lots or common areas. Preferred screening should conform to the material and colors used in the body of the home and blend with the surrounding area. The screen must be big enough to adequately conceal the tank. Propane tanks and their screening must not extend into the setback unless a variance is approved in advance.

Garbage cans must be stored out of sight (except on collection days), preferably within the garage. Garbage cans stored outside must be in an enclosed area in the same manner as propane tanks outlined above.

Landscape Considerations

Plant Materials

All new landscape projects and redesigns must be approved by the ARC. Landscape designs should build upon the natural forested surroundings, encourage growth of native species, prevent erosion and be consistent with a fire safe community. Browsing deer and other animals are prevalent in Forest Meadows, urban type landscapes are often damaged or destroyed. Drought tolerant landscapes with native plant materials is encouraged, lawns and extensive underground irrigation systems are discouraged.

Mailboxes, Fences, Dog Runs, Storage Sheds

Mail service is available if desired by an owner. Mailboxes must use an FMOA furnished mailbox and concrete base. See Fee schedule for current cost. Arrangement and location of the mailbox must be made through the FMOA office.

No property may be fenced in its entirety. No fences may be constructed without the previous approval of the ARC. Requests for fences that sit within 20 feet of the front street lot line, or 10 feet of any lot line, may not exceed a height of 30 inches.

Dog runs must be approved by the ARC. They shall not be more than 250 square feet in total area and must be 6 feet maximum or less in height. Materials should be consistent with the appearance of the house.

Storage sheds must be approved by the ARC for both appearance and location. Sheds must be modest in size and should match or be compatible with the color and materials of the home.

Landscape / Hardscape

All landscape features – trellises, arbors, walkways, ponds, landscape lighting, courts, and any other improvements must be approved by the ARC.

ARC Approval Process

ARC Meetings, Timelines and Required Documents

The ARC can be reached at:

Forest Meadows Owners Association

P.O. Box 1096

Murphys, CA 95247

Phone (209) 728-2511

Fax (209) 728-8615

deanna@fmowners.com

ARC Meeting Schedule - 2nd Tuesday of every month, 10:00 am Hilltop Clubhouse

All applications and submittals to the ARC must be complete and received by 1:00 pm on Friday prior to the scheduled meeting, in order to be placed onto the agenda. A complete application should include the appropriate form found in this document, a full sets of plans as detailed in this document, and all associated fees. Submittals will not be received that do not meet all of these requirements.

The ARC will review the submittal package and approve or disapprove the submittal within thirty (30) days from the date received of the completed application. The ARC will notify the applicant if an additional period of time, not to exceed thirty (30) days, is required by the ARC for review.

Notification in writing will be sent to the applicant after review by the ARC. The notification of approval may include additional conditions required by the ARC. Disapproved project notifications will identify the additions or changes that need to be made for the project to be approved by the committee. One set of plans will be retained by the ARC for the Association's permanent files. Projects denied by the ARC may be appealed to the FMOA Board of Directors, see the CC&R's Section 5.09 for the appeals procedure.

Once the ARC has approved a set of plans, **no changes** may be made without prior written approval by the ARC. All significant change orders to the original application are subject to an additional ARC Fee not to exceed 50% of the original fee. Should changes be made without

prior ARC approval, additional fees may be added not to exceed four times the original fee, as determined by the ARC.

Application forms and fees are included in these Guidelines and are found in the appendix.

Application Submittal Requirements

Site Plans and Preliminary Drawings (minimal requirements)

- Property lines, building setbacks, easements, parcel number or street address.
- Grading Plan (if applicable) should show contours, existing and finished grades and drainage swales.
- Footprint of the house and other structures, total square feet of improvements
- Driveways and parking areas, walkways, patios, decks
- Propane tank, garbage enclosure, A/C unit.
- Existing trees over 6 inches in diameter and trees to be removed.
- Landscaping plans must be submitted no later than 30 days after completion of a new home.
- Drawings must be at the following minimum scale.
 - Floor Plan, Roof Plan & Elevations $\frac{1}{4} = 1$ foot
 - Site Plan and Landscape Plan $1'' = 10$ feet

Review and approval by the ARC of any proposed plan, improvement, or any other submittal shall in no way be deemed to constitute satisfaction or compliance with any building permit process of the county, or any other governmental agency requirement.

Each owner is responsible for hiring a contractor licensed in California with a current Calaveras County business license.

Construction Process and Procedures

After receiving final approval from the ARC, the owner may proceed with the construction and excavations. An ARC Approval Placard must be posted on the jobsite at the start of the project. ARC approved plans are valid for one year from the date given, construction must be completed within this timeframe. If any owner cannot comply with the one-year building

requirement, the owner must submit a written request to extend the timeframe for completion. The ARC may grant the owner a 90-day extension(s) subject to the Fee schedule found in this document. No such extension(s) will be granted except upon finding by the ARC. The owner must have a bona fide intention and ability to complete the project within the time frame of the requested extension. Such fees may only be waived in the event of natural calamities or events beyond the control of the owner or agents.

Expired plans must be re-submitted to the ARC for approval, along with a new application fee.

As a matter of policy, the ARC prefers to have a single project of construction completed by the same contractor or contractors. In the event that an owner changes contractors prior to the completion of the project, the ARC shall be entitled to require that the new owner and / or contractor appear before the ARC and submit such additional plans, specifications, documents, or fees as may be necessary or appropriate to ensure that the project will be completed in accordance with the approved plans and specifications.

During the course of construction, representatives of the ARC shall have the right to inspect the job site to confirm that work of improvement is proceeding in accordance with the approved plans and specifications.

The ARC is entitled to initiate a stop work order (non-compliance notice) on any project that is being built contrary to approved plans or being built without ARC approval.

After the work is completed and within thirty days of completion, the owner must give a written Notice of Completion (found in the Appendix). Within thirty days, the ARC will inspect the improvements to determine whether the project was completed in compliance with the approved plans and the CC&R's. If the ARC determines that the construction was in accordance with the approved plans, the Performance Deposit will be refunded either in full or as a remaining balance if drawn down during construction. If the ARC finds that the improvements were not done in accordance with the approved plans, then within thirty days of the inspection period, the ARC must give the owner a written notice of non-compliance detailing those aspects of the project that must be modified, completed or corrected.

If an owner fails to remedy any noticed non-compliance within thirty days from the date of such notice, the ARC will notify the Board in writing of such a failure. The Board shall then set a date on which a hearing will be held regarding the alleged non-compliance. The hearing will follow procedures as set forth in the CC&R's. If non-compliance exists, the Board will require the owner to bring the project into full compliance within such period or within any extension

of such period as the Board, at its discretion, may grant. If the owner fails to take corrective action after having a reasonable opportunity to do so, the Board, at its option, may either remove the non-complying improvement or remedy the non-compliance. Upon demand, the owner will then reimburse the Association for all expenses incurred in connection therewith. Any expense will be billed to the owner. If the owner does not properly repay such expenses to the Association, the Board will recover such expenses through the levy of a Special Individual Assessment against the owner.

If for any reason the ARC fails to notify the owner of any non-compliance within thirty days after the receipt of the owner's Notice of Completion, the improvements shall be deemed to have been constructed in accordance with the approved plans.

Application Forms and Fees

- **New Home Construction Application**
 - ARC Application Fee \$ 450.00
 - Road Impact Fee \$1,440.00
 - Performance Deposit (Refundable) \$3,000.00
 - Memorandum of Understanding Required

- **Structural Improvements, ADUs and Remodels Application** – Major home improvement involving complex architectural plans, changes to the building footprint or lot coverage, requiring multiple sub-contractors and likely to take 3-6 months or more to complete.
 - ARC Application Fee \$ 180.00
 - Road Impact Fee \$ 480.00
 - Performance Deposit \$1,800.00
 - Memorandum of Understanding Required

- **Variance Application** - Variance applications must include all property boundaries, dimensions, setbacks, easements and square footage of the lot.
 - ARC Application Fee \$ 300.00

- **Change Orders** – Significant changes to original approved application or plans.
 - Submitted for ARC approval 50% of original application fee.

- Construction without ARC approval - up to 400% of original application fee.

- **Small Improvements and Alterations Application** – Minor improvements, alterations or replacement of existing decks, siding, windows, deck extensions, driveway alterations, retaining walls as examples. No change to building footprint, small or no change to percentage of lot coverage.
 - ARC Application Fee No Fee
 - Road Impact Fee \$250.00 (fee may apply)
 - Performance Deposit No Fee

- **Landscape Improvements Application** – Installation of plant material and or garden features – walkways, paths, trellises, arbors as examples. Small or no change to lot coverage.
 - ARC Application Fee No Fee
 - Road Impact Fee \$250.00 (fee may apply)
 - Performance Deposit No Fee

- **Preliminary Plan Review / Orientation** – In order to afford an owner who is proposing new construction or substantial improvements an opportunity to obtain guidance and comment from the committee, prior to the expenditure of substantial sums of money on complete plans, such owners should apply to the committee for preliminary approval of the proposed project. The application must be in writing and provide sufficient detail to apprise the committee of the general nature, location and dimensions of the proposed improvement.
 - ARC Application Fee No Fee

Disclaimer

These Architectural Design Guidelines are intended to provide an owner / applicant with the basic information needed to construct a home or improvement in Forest Meadows. This document does not cover the CC&R's in its entirety. Portions of the CC&R's have been summarized for convenience.

Review and approval by the ARC of any proposed plan, improvement, or any other submittal shall in no way be deemed to constitute satisfaction or compliance with any building permit process of the county, or any other governmental agency requirements, the responsibility for which shall lie solely with the lot owner who desires to construct, install or modify the improvement.

The approval by the ARC is for design and is not an approval for structural integrity or compliance of any governing code or agency. The owner shall obtain all required approvals and permits prior to construction.

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Fees Summary

New Home Construction	\$4,890.00
Structural Improvements and Remodels and ADUs	\$2,460.00
Variance Application	\$ 300.00
Small Improvements and Alterations*	\$ 0.00
Landscape Improvements*	\$ 0.00
Preliminary Plan Review / Orientation	\$ 0.00
Tree Removal Application	\$ 0.00
Roof Replacement Application	\$ 0.00
Painting Application	\$ 0.00
Construction Time Extensions	
First Request – 90 days	\$ 600.00
Second Request for 90 more days	\$ 600.00
Third Request for 90 more days	\$1,200.00
Fourth Request for 90 more days	\$1,800.00

Fines Schedule – per violation, levied against the Homeowner

Dogs on Construction Site	\$ 50.00
Loud Music Disturbing Others	\$ 50.00
Working Outside of Stated Construction Hours	\$ 50.00
Workman Using FMOA Facilities	\$ 50.00
Parking Violations	\$ 50.00
Trash and Debris	\$ 50.00
No Portable Toilet On-site	\$ 100.00
Speeding Violations will be enforced by the Sheriff and CHP.	

*A Road Impact Fee of \$250.00 applies to Small Improvements and Alteration projects requiring **more than** two (2) heavy load deliveries, e.g. – three concrete trucks, three 10 wheeler w/ sand, gravel, fill dirt or landscape materials, three lumber, block or building material deliveries, three 18 wheeler w/ partial or full loads, other similar deliveries or any combination of the above.