

NOTICE OF ADOPTION OF UPDATED ARCHITECTURAL PROJECT GUIDE

Adopted: April 3, 2025¹

Published: April 18, 2025

The Board of Directors of the Secluded Valley Homeowner's Association ("SVHOA") adopted the following updated Architectural Project Guide on April 3, 2025, at a duly noticed regularly scheduled meeting of the Board.

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April 19, 2025

Dear SVHOA Members,

The Board of the Secluded Valley Homeowner's Association adopted this Architectural Project Guide to help Members understand and easily comply with the architectural approval requirements of the SVHOA Conditions, Covenants and Restrictions ("CC&Rs"), Article VI – Architectural Control, which governs Member work on their property. The current revision is intended to clarify the application process and *reduce* the number of projects, particularly in backyards, that require approval.

The objective of Article VI is to promote the harmonious appearance of the neighborhood. In general, no visible exterior work on Member property, with the exception of vegetative landscaping and projects within the "Limited Backyard Exemptions," may be performed without first submitting a written application for approval and receiving such approval from the SVHOA. If in doubt, please ask.

In the vast majority of cases the approval process is simple and completed in a matter of days. Additionally, obtaining SVHOA approval may assist members in obtaining any required permits from local government agencies.

Please review the following Guide, which describes the requirements for approval and the approval process, and provides application forms. It is designed to be easy for Members to use.

As a gentle reminder, failure to obtain architectural approval may result in fines and other actions by the Board, including requiring removal of the work, which the Board sincerely wishes to avoid.

¹ The Notice of Adoption of this Updated Guide published on April 18, 2025, erroneously stated the guide was adopted on March 27, 2025. The Minutes of the Board of Directors correctly indicate the Updated Guide was actually adopted on April 3, 2025. The letter to members was erroneously dated April 19, 2025, but it was actually published on April 18, 2025.

THANK YOU FOR YOUR COOPERATION. WE ALL ARE HOMEOWNERS AND WE WANT TO CONTINUE TO MAKE OUR NEIGHBORHOOD A WONDERFUL PLACE TO LIVE.

SVHOA Board of Directors

SECLUDED VALLEY HOMEOWNER'S ASSOCIATION
ARCHITECTURAL PROJECT GUIDE

PART I – AUTHORITY AND PROCESS

A. Legal Authority: The Secluded Valley Homeowner's Association was incorporated in 1973. It is subject to governing California law, including the Davis-Stirling Common Interest Development Act (Civil Code section 4000 *et seq.*) Under California law, the SVHOA Conditions, Covenants and Restrictions (CC&Rs), Bylaws, procedures (including this Guide), Rules and fines for violation of rules duly adopted by the SVHOA Board of Directors ("Governing Documents") are legally binding on all SVHOA Members. The SVHOA Board of Directors has adopted Rules and a fine schedule to enforce compliance with the rules. Copies of the Governing Documents are available on the SVHOA website: <https://www.svhoea.website>

B. Requirement for SVHOA approval of exterior work: CC&R ARTICLE VI – ARCHITECTURAL CONTROL provides:

No buildings, fence, wall or other structure shall be commenced, executed or maintained upon the properties, nor shall exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, colors and locations of the same shall have been submitted to and **approved in writing as to harmony of external design and location in relation to surrounding structures and topography** by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representative appointed by the Board, excepting therefrom the Declarant. In the event said board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. Nothing in this Article shall preclude the requirement for meeting all applicable government codes.

Additionally, CC&R Article , Section 9 provides:

No fence, hedge, wall or other dividing instrumentality over six feet in height from the ground upon which it stands shall be constructed or maintained on any lot except as declarant may vary or exceed said height or location of any fence in accordance with its approved architectural plans.

C. Architectural approval procedure: The approval process begins with submission of an application for approval by the Architectural Committee. The application must be acted upon within thirty (30) days or the project is deemed approved.

The Architectural Committee consists of SVHOA Members, three (3) of which are assigned on a rotating basis to review each application, at least one of whom must be a current Director. Unless the Committee unanimously decides the application, the Committee must immediately refer the matter to the Board for decision. A denial of the application by the Committee may be appealed to the Board.

The Board has discretion to assume direct responsibility for an application, which it ordinarily will exercise only in extraordinary circumstances.

PART II - FREQUENTLY ASKED QUESTIONS

1. DOES MY PROJECT REQUIRE SVHOA APPROVAL?

- A. Limited Exemption for Certain Backyard projects: set back at least than 10 feet from all property lines:** Although Article VI literally applies to all projects without regard to their location, the Board of Directors has determined that it is consistent with the intent of Article VI to exempt certain backyard projects provided that they are set back at least ten (10) feet from all property lines and do not exceed eight (8) feet in height. **See Part IV, page 6, Limited Backyard Exemption for the specific exemption requirements.**
- B.** Except for the Limited Backyard Exemptions described in Part IV, page 6, Article VI requires an application for approval for all exterior work on any property structure, including, but not limited to:
- All exterior work on any existing house or outbuilding, including walls, siding, roofs, windows, doors, etc.
 - All new structures of any kind, including separate structures (including, but not limited to, arbors, pergolas, decks, patios?, etc.)
 - Painting, staining or other recoloring of exterior surfaces
 - Fences and retaining walls
 - Driveways, walkways, and stairs (including railings)
 - Garden and yard hardscape
 - Exterior lighting, including, but not limited lighting on buildings, landscape accent lighting, etc.
 - Antenna and satellite dishes
 - Solar panels

Certain modifications will ordinarily be promptly approved without additional information:

- Replacements (e.g. windows, roofs, fences, etc.) that are confirmed to be entirely the same materials, textures and colors as existing will ordinarily be approved without providing additional detail.
- Repainting, restaining or other recoloring with the same color and texture materials will ordinarily be approved without providing additional detail.
- Addition of roof solar panels

C. Article VI does not apply to:

- Interior work or interior portions of work

- Landscaping (but Article VI applies to any hardscape, including hardscape associated with landscaping)
- Common sense small maintenance and repairs that do not affect the visual appearance of the property.

IF IN DOUBT, PLEASE ASK: svhoa_architecture@googlegroups.com

2. SHOULD I APPLY FOR SVHOA APPROVAL BEFORE OR AFTER SEEKING ANY REQUIRED GOVERNMENT PERMIT?

Obtaining SVHOA approval prior to applying to any required governmental agency is almost always the most efficient and inexpensive process because it avoids the potential for having to “re-do” the more time-consuming and expensive government permitting process in the event the SHVOA denies or requires modification of a project. Moreover, having SVHOA approval may be of some help when applying for government approval.

Please note that SVHOA approval does not supersede any government agency approval or permitting requirements, such as those of Contra Costa County and/or the City of Lafayette. Failure to comply with government requirements may result in the government agency taking enforcement action including fines and/or removal of the work.

3. DOES APPROVAL BY THE SVHOA INCLUDE ANYTHING EXCEPT THE VISUAL APPEARANCE OF THE PROJECT?

No. Article VI approvals apply only to the visual appearance of the project. The SVHOA is not responsible for any other aspect of the project. As non-exclusive examples, the SVHOA is not responsible for the location of the project in relation to property boundaries, changes in drainage or water discharge, structural integrity, and/or environmental, building or housing code compliance, all of which are the responsibility of the project Member.

4. WHO DECIDES MY APPLICATION?

Three members of the Architectural Committee will review the application, normally consisting of the Architectural Committee chair and two other members who have volunteered to serve on the committee. The reviewing committee members will be identified when the decision on the application is reported to the Board. Applicants may also request that the reviewing committee members be identified when they are selected. The applicant may appeal any denial or modification of the application to the Board of Directors.

PART III - EASY GUIDE: COMPLETING AND SUBMITTING THE APPLICATION AND COMPLETING THE PROJECT

Steps: Easy as 1 – 2 – 3 – 4

1. Choose and complete the appropriate application pages from Part IV, including Section I (all projects) and Section II (specific project types). You do not need to complete or return any pages that do not apply to your project.
2. Submit the application to the Architectural Committee:

By email at: svhoa_architecture@googlegroups.com with a copy to the Office Manager at svofficemanager@gmail.com

Or by mail to: Architectural Committee
Secluded Valley Homeowner's Association
P.O. Box 1441
Lafayette, CA 94549-1441

Given the short approval deadline, a mailed application will be deemed submitted only when it is actually received by the Architectural Committee. To avoid issues concerning that date, please email the Architectural Committee to advise when the application has been placed in the mail, at: svhoa_architecture@googlegroups.com

3. Respond promptly to any questions or a request for a site visit from the Architectural Committee.
4. Complete the project in conformity with the approved application.

Please be certain the application is complete with all requested information. An incomplete application may result in denial. Similarly, failure to respond in a timely manner to a request for additional information or a site visit may result in denial of the application.

Once the application is submitted, a decision must be issued within thirty (30) days. If that deadline is not met, the project is deemed approved.

PART IV – ARCHITECTURAL COMMITTEE EASY-TO-COMPLETE APPLICATION FORMS

Instructions:

Except for projects within the Limited Backyard Exemption, complete all portions of this Part applicable to your project, including both Section I (all projects) and Section II (specific project types). **You need submit only the pages that apply to your project.**

Please also attach additional pages, plans, specifications, drawings, photographs, color samples, and other documents appropriate to respond to the questions below and to fully describe your project.

Sign and date this form.

Common sense small maintenance and repairs that do not affect the visual appearance of the property do not require an application or approval. If in doubt, please ask: svhoa_architecture@googlegroups.com

NOTE: The project must be completed in accordance with your application. No visual modifications may occur without written approval of a new or updated application to the Architectural Committee.

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LIMITED BACKYARD EXEMPTION:

Backyard ten (10) feet setback exemption: Is the project (a) located entirely within your backyard, (b) set back at least ten (10) feet from all property lines, and (c) not higher than eight (8) feet above the preexisting ground level at its highest point? If the project satisfies all three criteria, it does not require architectural approval and you do not need to complete or submit this form.

Section I – Except for projects within the Limited Backyard Exemption, above, please complete for all projects:

NAME OF PROPERTY OWNERS

SVHOA ADDRESS OF PROJECT

Application contact info: Email Address _____ Phone # _____

Please describe your overall project: _____

Proposed project dates: Begin _____ Completed _____

Are you working with an architect, engineer or other design professional? Yes ___ No ___

If yes, please provide their name and contact information:

If yes, please provide a copy of all professional plans, drawings and specifications.
Are you working with a contractor? Yes ___ No ___

If yes, please provide their name and contact information:

If yes, please provide a copy of all plans, drawings and specifications provided by or two the contractor.

Have you applied, or will you apply, to a government agency for a permit: Yes ___ No ___

If yes, please identify the agency(ies): _____

If yes, please provide a copy of all plans, drawings and specifications prepared for or submitted to the government agency(ies).

Have you discussed your project with your neighbors? Yes ___ No ___

If yes, please identify the neighbors: _____

If yes, please identify any neighbors who have indicated an objection to the project.

If yes, please identify any neighbors who have indicated support for the project.

Note: We strongly advise discussing proposed projects with nearby neighbors so they are not surprised and so you can consider any concerns prior to submitting the application. As noted below, for many projects notification of neighbors is required. The Architectural Committee may in its discretion contact neighbors for comments.

Section II - Additional instructions for specific project types:

Please check all project types below which apply to your project and provide the additional information requested.

___ Addition to or expansion of existing structure(s).

Describe the addition or expansion in detail, including, but not limited to, location, architectural design, colors and size. Please provide copies of all plans, drawings and specifications.

Note: Comments from nearby neighbors may be required, depending on the location and size of the proposed project.

___ New separate permanent structure(s)

Describe the proposed structure in detail, including, but not limited to, architectural design, location, colors and size. Please provide copies of all plans, drawings and specifications.

Note: Comments from nearby neighbors will be required.

___ Recoloring (Painting/Staining, etc. – applies to all visible surfaces, for example, walls, fences, driveways and walkways, hardscape, etc.)

Will the project involve only the same material, structure and color as the existing colors?

Yes ___ No ___ If “no,” please describe the location and area of the recoloring and the materials to be used, and provide color samples. Note: We strongly encourage discussing the project with neighbors, including the color and other details, with nearby neighbors. Depending on the project, neighbor comments may be required.

___ Solar (electric voltaic or _____)

Is the solar installation (not including connecting wires) entirely attached to the roof?

Yes ___ No ___ Roof solar will ordinarily be quickly approved. However, please describe the location, size and color of the proposed roof installation. Solar installation not attached to the roof may require additional time. Note: We strongly encourage advising neighbors concerning the project with nearby neighbors, and neighbor comments will be required with non-roof solar.

___ Roof repair or replacement

Will the project involve only the same material, structure and color as the existing roof?

Yes ___ No ___ If “no,” please describe the location and area of the roof repair or replacement, materials (e.g. composite shingles, tiles, metal and metal type, wood, lightweight concrete, Tesla roof, etc.) and provide color samples. Note: We strongly encourage discussing the project, including the color and other details, with nearby neighbors. Depending on the project with neighbors, neighbor comments may be required.

___ Exterior walls

Will the project involve only the same material, structure and color as the existing walls?

Yes ___ No ___ If “no,” please describe the location and area of the walls, materials (e.g. stucco, lapboard, etc.), and provide color samples. Note: We strongly encourage discussing the project, including the color and other details, with nearby neighbors. Depending on the project, neighbor comments may be required.

___ Windows/Doors

Will the project involve only the same material, structure and color as the existing windows/doors? Yes ___ No ___ If “no,” please describe the location and area of the walls, materials (e.g. wood, vinyl, metal, etc.), and provide color samples. Note: We strongly encourage discussing the project, including the color and other details, with nearby neighbors. Depending on the project, neighbor comments may be required.

___ Exterior lighting

Repair or replacement of exterior lighting that does not change the appearance of the property or change the light cast off the property does not require approval. Approval is required for any project that does change the appearance of the property or cast light off the property. For such projects, please provide a description of the lighting location, type, manufacturer, brightness (lumens), color and visibility from off the property of the proposed light fixtures and bulbs. The use of shielded lighting to minimize visibility from other properties is encouraged. Note: We strongly encourage discussing the project, including the color and other details, with nearby neighbors. Depending on the project, neighbor comments may be required.

___ Fencing

Will the project involve only replacement of fencing with the same material, structure, design, post spacing and color as the existing fence(s)? Yes ___ No ___ If “no,” please describe the location, length and height of the fence, materials, structure, design, post spacing and provide color samples. Note: Agreement in writing and/or comments from neighbors with shared property lines is required.

___ Retaining walls

Will the project involve only replacement of an existing retaining wall(s) with a new wall using the same material, structure, design and color? Yes ___ No ___ If “no,” please describe the location, design, length and height of the wall and the materials to be used. If any paint, stain or coloring agent will be used, please provide samples. We strongly encourage discussing the project with nearby neighbors who can see the wall(s). Depending on the project, neighbor comments may be required

___ Driveways/walkways/stairs (including railings)

Will the project involve only replacement of an existing driveway/walkway/stairs/railings with a driveway/walkway/stairs/railing using the same material, structure, design and color? Yes ___ No ___ If “no,” please describe the location, structure, design, length and width (and for railings, height) of the project and the materials to be used. If any paint, stain or coloring agent will be used, please provide samples. We strongly encourage discussing the project with nearby neighbors. Depending on the project, neighbor comments may be required.

___ Other hardscaping (e.g. Water features, tennis courts, basketball courts, etc.)

Will the project involve only replacement of existing hardscape using the same material, structure, design and color? Yes ___ No ___ If "no," please describe the location, design, structure, size (height, length and width) of the project and the materials to be used. If any paint, stain or coloring agent will be used, please provide samples. We strongly encourage discussing the project with nearby neighbors. Depending on the project, neighbor comments may be required

___ Antenna, satellite dishes, CB radio antenna, other reception or transmission devices

Homes in the SVHOA [check older WC side] have underground cable/fiber-optic connections for internet and television. Rooftop alternatives should be placed to minimize visibility from the street and neighboring properties. Please describe the type, manufacture, location, size (height, diameter, etc.) and color of the project, and submit a picture of the proposed equipment. Note: We strongly encourage advising neighbors concerning the project. Depending on the project, neighbor comments may be required.

___ Other project (e.g. mailboxes, etc.) not described above: Describe in detail. _____

Note: We strongly encourage advising neighbors concerning the project. Depending on the project, neighbor comments may be required.

I/We certify and agree that the application is complete and is being submitted to SVHOA for a decision, and that if approved we will perform the project in full accordance with this application.

We acknowledge no modifications may be made to the project without approval of the SVHOA.

We desire to meet with the Architectural Committee or SVHOA Board to answer any questions, which may arise. Yes ___ No ___

Submitted on _____
Date

Member Signature

Member Signature

Approved and accepted:

CHAIR, SVHOA ARCHITECTURAL COMMITTEE

DATE

PART VI – ACKNOWLEDGMENT OF RECEIPT OF ARCHITECTURAL PROJECT GUIDE (FOR NEW MEMBERS)

On , _____ the SVHOA Welcoming Committee, President or Architectural Committee Chair reviewed the above document with the undersigned Member(s)/property owners.

We were informed, that the Guide is an official SVHOA procedure, and that conforming to the procedure is subject to enforcement pursuant to the Governing Documents of the SVHOA and California law.

The Guide should be retained by all Members and should be kept with other important documents. Copies of the Guide are also available on the SVHOA website:

<https://www.svhoa.website>

Received by:

_____	_____
APPLICANT	DATE

_____	_____
APPLICANT	DATE