

**AMENDED AND RESTATED
BEAR VALLEY
DESIGN STANDARDS**

These Design Standards shall be interpreted and enforced in a manner that conforms to the requirements of Civil Code § 4751, as amended from time to time

BEAR VALLEY
ALPINE COUNTY, CALIFORNIA
ADOPTED NOVEMBER, 1992

REVISED 15 APRIL 2000

by

Bear Valley Residents, Inc. Board of Directors

REVISED FURTHER 16 MARCH 2025

by

Bear Valley Residents, Inc. Board of Directors

Schedule of Fines for CC&R Violations adopted 22 November 2003

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Bear Valley Residents,
Incorporated
Post Office Box 5145
Bear Valley, CA 95223

Bear Valley is a very special place.

Prior to commencing design of your home or designing a change to your existing home, please pause and reflect for a moment on those reasons which drew you here. Ask yourself how you can preserve this beautiful environment; how you might minimize the impact of your planned construction on this natural setting and still be an integral part of it. Consider whether the design you propose blends and harmonizes with the neighboring properties and the surrounding landscape. Think about the qualities that make Bear Valley the place it is -- the very reasons that drew you here.

Despite continuing invasions by our structures and our vehicles (both snow and road), the aesthetic values of the Valley have remained largely unspoiled. For that we can thank the original planners of this mountain community who placed its continuing development and architectural control in the hands of a committee of its citizens. This group, the Architectural Review Committee of Bear Valley Residents, Incorporated, has guided architectural development of Bear Valley since being given this responsibility by the original developers of our community, the Bear Valley Company. The high standards set by the original developers and maintained by Bear Valley Residents, Inc. (BVRI) and its Architectural Review Committee (BVARC) have made Bear Valley a much admired place to live.

Though both the BVRI Board and the BVARC membership changes from time to time, their adherence to these standards has preserved for all of us a quality of life in an alpine environment which is truly exceptional. However, both do not operate in isolation. They draw support for the application and enforcement of these standards from the Bear Valley community. Their success stands on the shoulders of a caring and vigilant community which is, in fact, their ultimate beneficiary. We are pleased that you are part of the Bear Valley community and are able to share in its rewards and obligations.

Clearly, before beginning any construction or alteration to your property, home or accessory dwelling unit, it is incumbent upon every prospective builder, designer, landscaper or remodeler to become well acquainted with the procedures and the standards described in the Bear Valley Architectural Design Standards, the interpretation of the Covenants, Conditions & Restrictions (CC&R's) that are a part of your property deed. They should be read carefully to understand and completely satisfy all the regulations and requirements for building on and changing your property in Bear Valley. Only in this way can you be assured of compliance with the CC&R's and thereby avoid time consuming, costly delays and disappointment.

Very truly yours,

BEAR VALLEY ARCHITECTURAL REVIEW COMMITTEE
Post Office Box 5145
Bear Valley, California 95223

BEAR VALLEY DESIGN STANDARDS

OUTLINE OF THE PLANNING AND REVIEW PROCESS

The elements of the planning process are listed below. They are described on the succeeding pages and numbered as shown for easy reference, essentially in the order they should be considered by anyone who plans to build, remodel or otherwise affect property in Bear Valley. Those steps that require review and approval by the Bear Valley Architectural Review Committee (BVARC) are marked with an asterisk. These are tracked on a Building Review Form (see Appendix 1) to be submitted with the initial application.

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*Requires BVARC review and approval.

I. PURPOSES AND GOALS

The review process exists to assure that development in Bear Valley does as little harm to the environment as possible and to assist the property owner with any special problems he/she may encounter. The criteria discussed on the following pages seek to achieve designs for homes that are compatible with their sites and with their neighbors and that retain the feel of a community which is alpine in character. Preservation of the aesthetic qualities and the beauty of the natural setting must be paramount in the design of any structure constructed in Bear Valley.

Property owners are strongly encouraged to use professional assistance in the planning and engineering of their homes. Professionals familiar with the alpine environment can better provide the owner with an understanding of the site possibilities and assist one in taking advantage of its special qualities.

The applicant should carefully review the CC&Rs and these Design Standards (see Section IV) that govern architectural design in Bear Valley long before settling on a preferred approach to building. Materials and concepts that are not explicitly addressed should be presented and discussed with the BVARC early in the planning process to avoid possible disappointment later.

The BVARC recognizes that building and owning a home in Bear Valley is a very personal matter. It doesn't intend to intrude on an individual's creative efforts or the expression of one's personality in their own property. At the same time, it does have an obligation to see that proposed designs are compatible with their surroundings and in keeping with the harmony and architectural integrity of Bear Valley.

The search for the best balance between the interests of the individual and those of the community is central to the planning process. It can sometimes be a considerable challenge. However, if all parties enter the discussions with civility and a sense of objectivity, differences can be resolved for the good of all. The beauty of the Bear Valley community is testimony that this goal can be achieved.

II. ORIGIN AND JURISDICTION

Architectural review in Bear Valley is administered through Bear Valley Residents, Inc. (BVRI) by the Bear Valley Architectural Review Committee ("BVARC"). The BVARC approval is required prior to new construction or alterations of any type that effect the exterior appearance of previously approved designs. Examples include, but are not limited to: new homes, additions, garages, driveways, decks, stairs, entryways, doors, windows, hot tubs, reroofing, major landscaping, walls, grading, and new exterior colors. Repair or maintenance that does not change the appearance of existing structures does not require BVARC review. However, it is advisable to check with the Board when such work is contemplated, just to be sure that its approval is not required.

The function of the BVARC was established to assure orderly and appropriate development in the Valley. It derives its authority from the recorded Covenants, Conditions and Restrictions (CC&Rs) which are legally binding on the owners of property.

The CC&Rs were updated in 1992 to confirm the Bear Valley Residents, Inc. to administer, interpret and enforce architectural control in Bear Valley. The BVARC is a committee of BVRI to perform this function.

III. PLANNING AND DESIGN GUIDELINES

A. Site Planning

Site planning shall begin with data collection. Property lines and setbacks shall be plotted. Easements for utilities, drainage, pedestrian and other access should be noted. Water, sewer, electric, telephone and cable TV lines, as well as the edge of existing pavement or street right-of-way, shall be indicated. Significant views and orientation to the sun should be studied.

A topographic map prepared by a civil engineer or registered land surveyor is essential for good site planning. The degree of slope, orientation to the sun and wind and views, size and types of trees and boulders and drainage swales can significantly affect planning decisions. The location, height, and activity zones (decks, parking, etc.) of neighboring houses shall also be considered.

Actual location of the proposed structure shall relate to the natural terrain. Grading and tree removal shall be minimized. The natural features of the site shall be preserved, as well as possible. Building design shall take into account grade changes, locations of trees, boulders, and orientation to sun and views. Privacy and the impact on adjacent neighbors shall be considered both in site planning and in designing the architectural elements of the structure. Trees and natural vegetation shall be incorporated and utilized to enhance the overall appearance.

Natural materials such as redwood or cedar siding are particularly appropriate for their appearance and weathering qualities. When properly selected and maintained, these materials have minimum maintenance requirements. Siding and roof colors that harmonize with the natural setting are required.

Site drainage and spring water run-off shall be carefully considered. Natural water courses shall be preserved and existing vegetation shall be left undisturbed except where the building will be located. Construction and storage areas shall be kept minimal.

Trenching must be confined to areas specified on the site plan. Manual digging and moisture blanketing will be necessary to preserve and protect exposed root systems. Backfill material must include loose soil of proper characteristics to promote regrowth in disturbed areas.

Storage areas for soil, lumber, and other building materials must be placed to avoid damage to existing vegetation. Soil and rocks retained from excavations must be kept within the area impacted by the construction. Stockpiles adjacent to existing vegetation shall have protective structures to prevent damage to trees and shrubs.

Garage designs shall be integrated into and in harmony with the house and the surroundings.

Catalogued house plans will be considered on individual merit only. Approval for one site does not imply that the same or a similar plan will be approved for any other sites.

B. Revegetation Guidelines

Every effort must be made to minimize the long term negative effects of construction on the environment. Disturbed areas are not only unsightly, but also susceptible to erosion. In an alpine climate these wounds heal very slowly, if at all. Damaged or disrupted habitats (shrubs, trees, rocks, ground cover, etc.) shall be restored to their original conditions.

To heedlessly destroy and not repair the very elements that attracted us to Bear Valley violates the interests of all property owners. Anyone working in the Valley-- homeowner, contractor, builder, architect, sub-contractor, etc.--is charged with a special responsibility to care for and keep this fragile environment in its natural state.

IV. REGULATIONS AND STANDARDS

Observance of the following objective standards is required for plan approval. Deviations from these in planning will require specific variance approval by the BVARC. Deviations in practice will be grounds for legally enjoining construction already in progress, by means of a court order.

In addition, applicants should understand that the BVARC must, of necessity, make subjective judgements regarding a proposed design. The key word is "harmony"--harmony with the environment in which the structure is placed and harmony with the surroundings.

In making these decisions, BVARC members will look to such criteria as the building's form and appearance, its location, its orientation, the nature and color of the exterior materials, its effects on the privacy of others and on the outlook from neighboring properties, and its visual impact on the community.

A grant of approval for a particular design on a particular lot does not establish a precedent for that design or any of its features on any other lot. Each design is considered strictly on its own merits in the light of its proposed setting. What is satisfactory for one site is not necessarily satisfactory for another site.

California State Law allows Cities and Counties to set standards for the development of ADUs and JADUs to increase the supply of small and affordable housing while ensuring that they remain compatible with existing residences, neighborhoods, and rural areas. If a City or County adopts an ordinance(s) creating the standards for application, design, and construction of ADUs and JADUs, those standards must adhere to the minimum requirements imposed by State Law.¹ BVRI is situated in the unincorporated area of Alpine County, California; therefore BVRI is subject to Alpine County ordinances, rather than Bear Valley ordinances. Alpine County provides for the creation of ADUs pursuant to local ordinance 18.69.010 et. seq., as may be amended or supplemented from time to time. For purposes of these Design Standards, Alpine County supplies the term "secondary dwelling unit", which is interchangeable with an "accessory dwelling unit" or "ADU" under State law, and means a separate and complete dwelling unit containing provisions for cooking, eating, sanitation and sleeping that is contained on the same lot as the structure of a single-family dwelling.² For purposes of these Design Standards, "junior accessory dwelling unit" or "JADU" shall have the meaning as defined in California Government Code § 66313(d) until Alpine County adopts an ordinance pertaining to JADUs, in which case that definition shall be supplied.

¹ See Gov. Code §§ 66314 (for Alpine County ordinance requirements for ADUs) & 66333 (for Alpine County ordinance requirements for JADUs).

² See Alpine County Code of Ordinances § 18.69.040(C) (modeled after Gov. Code § 66313(a)).

1. Maximum Height. The building height is governed by the Alpine County Building Code. Check with the Alpine County Building Department prior to commencing any design.

"Building height" means the vertical distance from the average finished contact ground level measured at all major exterior building corners and averaged together to the highest point of the building (roof, chimney, etc.).

The height of the structure shall not exceed thirty-six feet on a lot having a slope, within the building envelope and allowed by setbacks, of ten percent or less, or thirty-eight feet on a lot having a slope of ten percent to twenty percent or forty feet on a lot having a slope exceeding twenty percent.

For purposes of ADUs only, the ADU shall meet the zoning requirements for height applicable to Bear Valley, which is the Residential Neighborhood³ zoning district.⁴ The height limit for a detached structure containing a secondary dwelling unit shall be the same as for an accessory building.⁵ The foregoing is subject to any variance that may be granted by Alpine County.

2. Structure Size. Ground floor square foot area must be a minimum of eight hundred (800) square feet (in Tracts 1 and 2) and nine hundred (900) square feet (in Tracts 3, 4, 5, 6 & 7 - see CC&Rs) This is defined as the floor space having at least five-foot (5') height clearance, not including porches, decks, basements, etc.

For purposes of ADUs only, the minimum habitable floor area⁶ shall be the greater of two hundred twenty (220) square feet or the minimum required under requirements for efficiency dwelling units under the 2001 California Building Code (as may be amended from time to time).⁷ Depending upon owner-applicant's lot size, which is determined solely by reference to BVRI's recorded subdivision tract map pertaining to the lot, the ADU's maximum habitable floor area shall not exceed:⁸

(a) 40% of the gross floor area⁹ of the primary residence up to a maximum of eight hundred (800) square feet, if the lot is 0.5 acres or less;

(b) 40% of the gross floor area of the primary residence up to a maximum of one thousand two hundred (1,200) square feet, if the lot is more than 0.5 acres but less than or equal to 2.0 acres; or

³ See Alpine County Code of Ordinances § 18.36.020 et. seq.

⁴ See Alpine County Code of Ordinances § 18.69.030(G)(1).

⁵ See Alpine County Code of Ordinances § 18.69.030(G)(2).

⁶ See Alpine County Code of Ordinances § 18.69.040(A) for definition of "habitable floor area".

⁷ See Alpine County Code of Ordinances § 18.69.030(F)(1).

⁸ See Alpine County Code of Ordinances § 18.69.020 (F)(2).

⁹ See Alpine County Code of Ordinances § 18.69.040(B) for definition of "gross floor area".

(c) 40% of the gross floor area of the primary residence up to a maximum of one thousand five hundred (1,500) square feet, if the lot is more than 2.0 acres.

3. Setbacks. Minimum setbacks from the property lines are set by Alpine County and are as follows:

Front	30 feet from property line
Side/Rear	20 feet from property line

Roof overhangs, decks, railings and stairs should not project over any setback or easement. Primary residence living space is not allowed in any primary residence setback area.

For purposes of detached ADUs only, the detached ADU shall meet the zoning requirements for setbacks applicable to Bear Valley, which is the Residential Neighborhood zoning district.¹⁰ The foregoing is subject to any variance that may be granted by Alpine County.

For further purposes of detached ADUs only, the setback shall be:

Side/Rear	4 feet from property line
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Detached ADU living space is not allowed in any detached ADU setback area.

4. Parking Space. Suitable off-street parking shall be provided for at least two cars (minimum of 10' x 22' per car).

For purposes of ADUs only, the following shall apply:¹¹

(a) For efficiency and one-bedroom ADUs, one parking space shall be required on the lot in addition to the existing spaces allowed for primary residences under these Design Standards.

(b) For two or more bedroom ADUs, two parking spaces shall be required on the lot in addition to the existing spaces allowed for primary residences under these Design Standards.

(c) The parking space(s) shall not be located within a public right of way.

(d) The parking space(s) shall not be in tandem with the primary residence parking spaces.

(e) For subparagraph (b) ADUs, the parking spaces may be in tandem.

(f) The parking space(s) shall meet minimum dimensions adopted by Alpine County.

¹⁰ See Alpine County Code of Ordinances § 18.69.030(G)(2).

¹¹ See Alpine County Code of Ordinances § 18.69.030(D).

5. Excavation and Fill. Cuts and fills are limited to four (4) vertical feet where visible outside the structure. Retaining walls are required if the cut is sufficiently steep to create a slide or erosion hazard. Cuts shall be at least twelve feet (12') apart. Cuts and fills shall be revegetated with plants that are native to the area. No excavation is permitted until the BVARC has signed and dated its approval on the Final Plans (see Section vii).

6. Exterior Colors. Colors for exterior siding, trim and roofing shall be chosen to provide for attractive homes that harmonize and blend in with the natural setting so as to be unobtrusive and have a minimal visual contrast with the surrounding forest and meadows. Colors for exterior materials shall be selected so the house blends in with the predominant background earth and/or forest colors.

Colors will be considered on a site by site basis with a view towards minimal impact. Approval of a particular color or particular material for a particular site does not imply approval for any other site.

All exterior colors must be approved and any proposed change in color by present or new owners must be approved in writing.

7. Exterior Materials. Wood siding and surfacing materials such as redwood or cedar are preferred. Natural rock native to the area may be permitted. Synthetic, "cultured stone" is acceptable providing it matches local granite, river rock, or stone native to the area.* Manufactured materials such as asphalt or metal siding, concrete block, imitation brick, or glass block are not acceptable. Mortar (cement) based siding such as stucco or its synthetic equivalent is not permitted.* All exposed plywood siding shall be stained with a pigmented color stain.

8. Roof Materials. The BVARC considers two design objectives to be paramount in evaluating proposed roofing materials: (a) compatibility with the natural surroundings and with the neighboring properties, and (b) reduced fire risk. Non-combustible (Class A fire rated) composition shingles and metal roofing best satisfy these criteria.

* **See Note 1 on page 19.**

B. Composition Shingles. The composition shingles shall be a dimensional shingle weighing a minimum of 290 pounds per square.

C. Metal Roofing. Metal roofing must satisfy the following criteria to be considered:

1. Permanent non-glaring flat finish;
2. Closed-fastener, minimum 26 gauge steel roof system with matching fascia and accessories;
3. Factory-applied resin coating in a muted earth or forest tone color;
4. Manufacturer's warranty of twenty (20) years or more for the durability of the coating and hardware;

5.No unreasonable glare to either near or distant properties;

6.Explicit provisions for maintenance and repair.

D. Tar and Gravel. Tar and gravel will be permitted only when a dark, harmonizing aggregate is used in sufficient thickness to assure full covering of the base coats.

Concrete or clay tile shingles or mission tile are not approved roofing materials.

9. **Metal Components.** Other structural components of metal, such as pickets and hand rails, may be incorporated into a predominantly wood design, provided they are not obtrusive, create no glare problems and are consistent with the overall appearance and tone of the structure. Their finish must be kept well maintained.

Aluminum windows and screens shall be color anodized (dark bronze) or factory finished in permanent, flat dark colors. Foundations, vents, chimneys, stacks, flues, flashing or other exposed metal shall be painted in non-reflective earth tone colors. Metal garage doors are unacceptable unless they are compatible with the total design and color scheme of the structure.

10. **Skylights and Solar Panels.** Flat skylights, solar panels and other solar heat exterior devices must be an integral part of the architectural design. Exposed metal shall have a color anodized or factory applied earth tone finish. Skylights shall not protrude more than six inches (6") above the adjacent roof surface.

11. **Lighting.** Exterior lighting fixtures and locations must be approved by the BVARC. No exterior lighting fixtures shall be installed without adequate and proper shielding to provide a primarily downward projection of the light source, so as to prevent creating a nuisance, hazard or glare to neighbors, passing pedestrians or vehicle traffic. Interior lights shall be screened or located to avoid intruding on the view from the outside.

12. **Decking Substructure.** Dimensions and/or facings of deck posts and beams shall be selected to relate proportionately to the rest of the structure. Cross bracing shall be done with "shear walls" or metal tie rods painted in a muted tone. Exposed undersides of decks should be stained or painted a dark color.

13. **Fuel Tank.** The location shall be inconspicuous and readily serviceable without damage to the environment. Slope and drainage under the tank shall not be directed toward inhabited buildings. The separation between tank and buildings must be at least ten feet (10'). The tank shall be painted in an earth tone to blend with its surroundings. Landscaping is encouraged and may be required to make the tank less obtrusive.

14. **Aerials and Antennas.** No radio, television or other aerial, antenna, satellite antenna, tower or support thereof shall be erected, installed, placed or maintained upon any lot or upon any building or structure, except those devices which may be erected, installed, placed or maintained and used under eaves or entirely within the enclosed portion of a dwelling or are otherwise enclosed, camouflaged or concealed.

This Section 14 shall be interpreted and enforced in a manner that conforms to the requirements of 47 CFR § 1.4000, as amended from time to time (Regarding restrictions impairing reception of television broadcast signals, direct broadcast satellite services or multichannel multipoint distribution services). For instance, the forgoing regulation applies to Starlink Antennas within Bear Valley. Starlink Antennas and any attached poles shall be camouflaged according to proximate natural surroundings, and shall be located on the lot in a manner that is screened from the street or neighboring lot as long as the Antenna has direct and adequate access to signal.

15. Exposed Facilities. All appliances and any exposed facilities (including but not limited to water heaters, tanks and containers) shall be enclosed or camouflaged.

16. Hot Tubs. These shall be screened and located so as not to intrude upon any neighbor's privacy and solitude. Pump motors and filter systems shall not be audible beyond the property boundaries.

17. Fences. Fences are prohibited.

18. Electrical Fixtures. Electrical, telephone and cable TV wiring shall be enclosed within structural walls. Exterior electrical panels, junction boxes and meters shall be recessed or enclosed with exterior siding. Electrical equipment, such as air conditioners and generators, shall be housed to avoid disturbance to neighboring properties from either their sight or their sound.

19. Access. Neighboring lots and common areas cannot be used to gain access to a property or to a building site for construction.

20. General Requirements for ADUs. In addition to every other requirement herein expressly relating to ADUs, the following shall apply to ADUs:

(a) ADUs shall meet all requirements of the 2001 California Building Code, or other applicable building code as may be adopted by the County in the future, and any other codes and standards applicable to the construction of an ADU.¹²

(b) The proposed ADU may be attached to the primary residence, a detached garage serving the primary residence, or other Alpine County approved ADU; or be a separate detached structure.¹³

(c) Only one ADU is allowed per lot, and must be shown to be located on the same lot as the primary residence.¹⁴

(d) Fire sprinklers are not required if not required for the primary residence, and constructing the ADU shall not require a fire sprinkler to be installed in the primary residence.

¹² See Alpine County Code of Ordinances § 18.69.030(A)&(B).

¹³ See Alpine County Code of Ordinances § 18.69.030(C).

¹⁴ *Id.*

(e) The ADU shall meet the minimum requirements for water and sewer service under the jurisdiction of Lake Alpine Water Company and Bear Valley Water District (here, "water and treatment provider").¹⁵ The Owner shall provide verification from the water provider that an adequate supply is available to serve the ADU, and verification from the treatment provider that adequate treatment capacity is able to serve the ADU.

(f) Short-term rentals (rentals for periods of 30 days or less) are prohibited in ADUs unless built prior to January 1, 2017.¹⁶

(g) The Owner shall provide Proof of County approval for the ADU. In the event the County requires the Association's (via the BVARC) approval before issuing their approval, the Association may approve the Owner's application on condition that the Owner subsequently receives such County approval. The Association's approval shall be deemed automatically revoked if the Owner does not subsequently receive such County approval within the times prescribed by the County under ordinance adopted by the County.

21. General Requirements for JADUs. As of the revision date of these Design Standards, Alpine County has not adopted an ordinance regulating JADUs. The following shall apply to JADUs in addition to every other requirement herein expressly relating to JADUs. At such time as Alpine County adopts such an ordinance, these requirements shall be supplemental to County requirements unless any conflict with such County requirements, and in such event the County requirement shall control:

(a) The proposed JADU shall be constructed within the walls of the primary residence. Construction within attached garages is permitted.

(b) Only one JADU is allowed per lot.

(c) The owner shall reside in the primary residence or newly constructed JADU.

(d) The JADU shall be separately accessible from the main entrance of the primary residence.

(e) The JADU shall include an efficiency kitchen with cooking facilities and a food preparation counter and storage cabinets of reasonable size in relation to the JADU's size.

(f) Short-term rentals (rentals for periods of 30 days or less) are prohibited in JADUs unless built prior to January 1, 2017.¹⁷

(g) The Owner shall provide Proof of County approval for the JADU. In the event the County requires the Association's (via the BVARC)

¹⁵ See Alpine County Code of Ordinances § 18.69.030(E), (2)&(4).

¹⁶ See Alpine County Code of Ordinances § 18.73.020 (citing Gov. Code § 65852.2(e)(4)).

¹⁷ *Id.*

approval before issuing their approval, the Association may approve the Owner's application on condition that the Owner subsequently receives such County approval. The Association's approval shall be deemed automatically revoked if the Owner does not subsequently receive such County approval within the times prescribed by the County under ordinance adopted by the County.

V. VARIANCES

The BVARC is empowered to review requests for variances from these design standards sought to relieve extreme hardship or undue difficulties in the use and enjoyment of one's property. Requests must be in writing and cite the specific reasons for wanting to deviate from the standards and regulations described in this manual or the CC&Rs. Applications must also show prior notification and written responses from all neighbors who may be affected if the variance is granted.

In addition to the above requirements, the applicant must show clearly that the problem cannot be solved in any other way. In evaluating the request, the BVARC will apply a standard of reasonableness, taking into consideration all relevant factors, including, but not limited to, the physical characteristics of the particular lot, the relation of the proposed house to its location and the effect of the variance, if granted, on neighboring properties.

A variance granted to one individual shall not be considered a precedent for other such requests; nor does it relieve the applicant from satisfying the requirements of the Alpine

County Building Department or other agencies, if the requested variance violates their regulations.

VI. REVIEW OF PRELIMINARY PLANS

All new structures, alterations, additions, color changes and site improvements must be reviewed and receive approval from the BVARC before any work can begin. These include, but are not limited to, exterior hot tubs, patios, decks, steps, retaining walls, major landscaping, grading, parking areas, solar panels, roofs, Pte. There are three steps in the process: (1) submittal of Initial Application, (2) approval of Preliminary Plans (see Checklist-Appendix 2 and (3) approval of Final Plans which consist of Construction Plans and Stake Out (see Appendix 3).

A. Initial Application

The applicant must complete the following before requesting BVARC review of the Preliminary Plans:

1. Building Review Form (see Appendix 1) to be submitted to the BVARC Secretary together with a \$50 Application Fee (payable to BVARC). Following this, the owner or his agent* may request a conceptual on-site meeting with the BVARC, or its sub-committee, for new construction, major alterations and/or additions, with at least ten (10) days** notice. The fee will be credited to the Plan Fee (Section VI-C) if Preliminary Plans are submitted within ninety (90) days, or waived for very minor alterations.

2. Letter of Intent describing the project.

3. All requests, letters and plans must be received in writing by the Committee at least ten (10) days prior to a scheduled meeting to be included on that meeting's agenda.

*Agent: Anyone acting on behalf of the owner (architect, builder, etc.). Owner bears ultimate responsibility for actions or inactions of agent.

**Days: Calendar days unless otherwise stated.

B. Preliminary Plans

The owner must submit two (2) sets of Preliminary Plans, along with a completed Preliminary Plan Checklist (Appendix 2), to be received at least ten (10) days prior to the BVARC meeting at which they will be considered. These shall include a Plot Plan, Building Plans, and Material and Color Descriptions as noted below. If not already submitted, a letter describing the project and the proposed timing for construction, and a check (payable to BVARC) for the appropriate Plan Fee, less initial application fee, (see Section VI-C) must also be included.

1. Plot Plan

The Plot Plan shall be based upon a topographic map prepared by a registered surveyor or civil engineer, be drawn to scale (1" = 10' or larger), and include the following:

- (a) Lot number(s), and street location;
- (b) Engineer's or surveyor's name, address, license number and expiration date, signature and date of drawing;
- (c) Owner's name, address and phone number;
- (d) Datum point, source and reference;
- (e) Existing and proposed contour lines at
- (f) Easements, building setbacks, property lines and dimensions, adjacent pavement, and hydrants;
- (g) Location of proposed buildings, decks, and on-site parking areas;
- (h) Location of utility lines (water, sewer, drains, electric, cable TV); See Section IX
- (i) Location of trees six inches (6") or larger in diameter at four-foot (4') height
- (j) Trees proposed for removal;
- (k) Rock outcroppings and boulders;

- (l) Site sections wherever grade changes are proposed;
- (m) Location and height of proposed retaining walls;
- (n) Location and finish grades of proposed parking areas;
- (o) Locations of LPG or oil tanks, decks, walks, walls, etc.;
- (p) Locations of neighboring structures within thirty feet (30') of property lines.

2. Building Plans

Building Plans shall include floor plans, roof plan, sections through the structure, and elevations, all drawn to scale (1/4" to 1'-0"). Floor plans and elevation drawings must include numerical references to datum point as shown on plot plan. Elevations of each floor, deck, walkway and roof section shall be referenced to the datum point. The architect's name and address shall also be stated.

3. Material and Color Descriptions

These shall identify and describe all materials of construction, including the following:

- (a) Roof materials and pitch;
- (b) Type and composition of all doors and windows (house, etc.);
- (c) Exterior siding;
- (d) Exposed foundations;
- (e) Chimney composition;
- (f) Decks, railings and stairs;
- (g) Walls, walks and surfaced areas.

Samples of colors and materials proposed for any exterior components such as walls, doors, windows, roofs, decks, panels, etc., must also be submitted. Paint or stain samples shall be applied to the same type of surface that will be used in the actual construction.

Photographs are required where the setting or appearance of an existing structure may be affected by a proposed addition or remodel.

C. Plan Fees

Fees in the following amounts, payable to BVARC, must be submitted with the Preliminary Plans before any review can begin: (See note 2 on page 19)

1. New home construction or detached ADU: \$400
2. Major Structure Change (change to footprint of home) \$250
3. Structure Change (add-on with no change to footprint of home) \$100
4. Minor Structure Change (modify existing structure-add window, etc.) \$50
5. TV satellite receiving "dishes" \$100
Large: (see CC&R Article VI section 17)
Small DSS
6. Roofs - change of materials or color \$ 0
7. Exterior painting (change of color) \$ 0
8. Transfer fee - See VII-D \$ 50
9. Variance Request \$250

D. Approval of Preliminary Plans

The BVARC will notify the owner in writing of the action taken on the Preliminary Plans. Preliminary Approval expires two (2) years after the date of approval. Failure to obtain approval of the Final Plans within that time will require reapplication for Preliminary Approval and forfeiture of the fees paid.

E. Notice to Neighbors

The BVARC will notify property owners, within 150 feet of the project boundaries, of the nature of the proposed project. Plans will be available for review at the BVARC offices in Bear Valley. Neighbors' comments are welcome, but in no way are the comments binding on the project property owner or the BVARC.

VII. FINAL PLANS

After approval of the Preliminary Plans, the owner shall submit for BVARC review four (4) copies of each of the following: all Construction Plans along with the completed Construction Plan Checklist (Appendix 3), and all schedules, specifications of exterior materials and instructions. These constitute the "Final Plans". No excavation or improvement of any sort is permitted until the Committee has signed and dated its stamp of approval on the Final Plans. Final, signed approval will not be given until the BVARC has also received the following:

A. Architectural Review Standards Compliance

Signed "Acknowledgment of Compliance to the Bear Valley Architectural Design Standards" to certify receipt, understanding, and intent to comply with these provisions (see Appendix 4).

B. Construction Plans

The Construction Plans shall include the following:

1. All drawings listed under Preliminary Plans, including a fully dimensioned site plan; grading plans; and details of all exterior features, including pertinent elements such as roof pitch, building height, structure size, setbacks, etc.;
2. Description of exterior colors, including samples and chips;
3. Identification of fuel type and storage tank location;
4. Storage areas for building materials;
5. Location of contractors' temporary access to building site;
6. Disposal area for surplus soil;
7. Instructions that trees adjacent to the construction site be adequately protected with wood fencing which shall be removed when work is completed;
8. Instructions to prohibit nailing to trees; e.g., temporary power, signs, survey lines, etc.;
9. Instructions that trenches be located to avoid damage to trees and ground cover;
10. Locations heights and types of exterior light fixtures;

C. Stakeout

The proposed building must be staked out on the lot and be approved by a committee of the BVARC prior to commencing any lot clearing, grading, footing excavation, etc. The stakeout shall be done in the following manner and only when the ground is clear of snow:

1. All improvements (buildings, decks, parking area, etc.) laid out using easily recognizable wooden or metal stakes connected with string; flagged or colored to distinguish house, deck, parking area, etc.;
2. Property lines defined by strings or ribbons;
3. Main floor elevation marked on a corner stake of the planned building;
4. Trees proposed for removal flagged with red ribbon;
5. Datum point identified by red flag;
6. Utility trenches marked with chalk or ribbon;
7. Construction storage areas must be designated

D. Final Approval of Construction Plans

If Final Approval is denied due to discrepancies or deficiencies and the applicant disputes the BVARC's decision, the matter may be submitted to the BVRI Board of

Directors for de novo review (see Section XI: Violations and Appeals). Appeals must be submitted in writing within thirty (30) days of the applicant's receipt of written notification of the reasons for denial. The decision of the BVRI Board is final and binding.

E. Expiration of Approval

Approval of the Final Plans is valid for twenty-four (24) months following the date stamped on the plans along with the BVARC's attesting signature. All construction and site improvements shall be completed within this period, including the request for Final Inspection. If Final Inspection of the project has not yet been granted, the applicant has the following options:

1. Extension: Submit a written request to continue work per the original approved plans for an additional twelve (12) months. Requests must be received before the end of the originally approved twenty-four (24) month period.
2. Reapplication: If construction was begun and abandoned or not yet started before the end of this time, and no Extension has been requested, a new application must be submitted, together with all applicable Plan Fees.

The BVARC's review on reapplication of final plans will be governed by the procedures and regulations which are then current. An owner who is forced to delay work beyond the twenty-four (24) month period due to circumstances beyond his control is urged to apply for an Extension to avoid the Reapplication process and a repeat review and payment of another Plan Fee. Approval of Final Plans for building on a particular lot is transferable to subsequent-owners of that lot if they adhere to the time schedule described above, as measured from the original approval date. The Transfer Fee is \$50.

VIII. INSPECTION PROCEDURES

The signed and approved Final Plans will be distributed to the following:

Owner/Agent	(1 copy)
BVARC files	(2 copies)
Alpine County Building Department	(1 copy)

Inspections and approvals are required at particular stages of construction before work can continue. Batter board location inspection can be made by a subcommittee of the BVARC. Requests for such inspections must be made by the owner/agent to the BVARC or subcommittee chairman, at least seven (7) working days before an inspection is desired. Requests for a final inspection must be received at least ten (10) days prior to a scheduled meeting, so that all members of the Committee (if available) can make its assessment of the completion of the project at that time.

A. Batter Board

Batter boards are to be placed at all corners of the proposed structure and connected with string lines to establish locations for foundation trenching and for final siting of the building on the lot. Inspection is required to confirm that the actual siting agrees with the location shown on the approved plans. The approval of the batter board inspection must

be signed off on the BVARC Review Record form (see Appendix 1) before construction can begin.

B. Final Inspection

A final inspection will be made when the property is free of snow to assure compliance with the approved construction plans, specifications and any conditions of the BVARC approval and to check the status of repairs of any damage that may have resulted from contractor access, material storage, trenching, etc.

If the Final Inspection reveals that the project has not been completed in full compliance with the plans, specifications and conditions of the BVARC approval, then the property owner will be subject to sanctions set forth in Section XI.

IX. OTHER AGENCY PERMITS AND INSPECTIONS

It is the responsibility of the owner or the owner's agent to obtain any other inspections and approvals that may be required; e.g., ADUs, JADUs¹⁸, utilities, drainage, sewer, fuel, telephone, cable TV, etc. The standards in this booklet are in addition to the codes and requirements of other governing agencies which the owner must also consult such as:

Alpine County Building Department
Sewer - Bear Valley Water District
Water - Lake Alpine Water Co.
Electrical - Pacific Gas & Electric
Telephone - Pacific Bell
Cable TV - Marks Cablevision
Bear Valley Fire Department

X. CONSTRUCTION AND/OR MATERIAL CHANGES

Changes during construction present a special problem, both for the builder and the BVARC. Unapproved changes jeopardize final approval and may subject property owner to the sanctions set forth in Section XI. However, the BVARC recognizes that changes may be desired in good faith and will make every effort to expedite such requests, while assuring compliance with building standards mandated by the CC&Rs.

Any change that affects the exterior design or appearance must be approved by the BVARC before work on the revision can begin. Examples include, but are not limited to, the following:

- (a) External dimensions of the structure or its parts -heights, lengths, widths, etc.;
- (b) Changes that also require a variance from the BVARC or county standards;
- (c) Roof pitch or components;
- (d) Exterior materials and/or colors;

¹⁸ See Alpine County Code of Ordinances § 18.69.020 for ADU permit requirements.

- (e) Locations or extensions of house, deck, walkways, etc., that differ from those approved.

If work has been halted to await a decision on a proposed change, the BVARC or its subcommittee will endeavor to resolve the matter within five (5) working days. Otherwise, the Committee will consider the proposal for changes at its next scheduled meeting. Requests for changes must be received in writing and be accompanied by the appropriate documentation: revised drawings, specifications, material or color samples, etc. Clearly, it is in everyone's best interest that changes be anticipated and submitted in writing for review long before they create a "crisis" and force a shutdown of construction.

XI. VIOLATIONS AND APPEALS

Violations or non-compliance with any of the procedures, regulations, or standards described in "The Bear Valley Design Standards" for building in the Valley or any deviations from the plans approved by the BVARC, may result in the recording of a "Notice of Non-Compliance" or a court directed "Stop Work" order. The alleged infraction will be reviewed with the owner/agent at a meeting of the BVARC. If the problem cannot be resolved, it will be referred to the BVRI Board of Directors for whatever action it decides is necessary and proper.

The BVRI Board also serves to hear appeals on decisions made by the BVARC. Membership on the BVRI Board is drawn from property owners in the Valley to obtain broad and continuing participation in the architectural review process by all property owners in the area, and to secure compliance with the standards and procedures provided for in our deed restrictions.

Construction or alteration done without prior approval shall subject the property owner to one or more of the following:

1. The BVRI Board will obtain an injunction from the Alpine County Superior Court requiring the correction and/or removal of any work that requires the BVARC review but is done without its approval.
2. The Plan Fee will be doubled before review and approval can be granted.
3. A minor alteration or change in roof or exterior color done without prior approval will be subject to a \$100 Plan Fee and removal and/or correction if the alteration does not meet these standards for approval.

XII. DISCLAIMER

The failure of the BVARC or the BVRI Board to enforce any of the Conditions, Covenants or Restrictions shall in no way be deemed a waiver of the right to enforce such conditions thereafter. Neither the BVARC nor the BVRI Board nor any member nor appointed subcommittee nor representative thereof shall be responsible for any architectural or engineering or other defects of any nature whatsoever in the plans or in the specifications or in any structure erected.

For any provision herein relating to ADUs and JADUs, these guidelines are intended to provide fair, reasonable and expeditious procedures regarding ADU and JADU improvements on lots.¹⁹ Further, these guidelines shall be construed to the greatest extent allowed by law, and the Board intends that these guidelines are reasonable, do not unreasonably increase the cost to construct ADUs or JADUs, do not effectively prohibit the construction of ADUs or JADUs, and do not extinguish the ability of Owners to construct ADUs or JADUs.²⁰

XIII. REVISIONS TO PROCEDURES

Revisions, changes, and addendum to the "Bear Valley Architectural Design Standards" may be issued from time to time as the BVRI Board deems necessary. Major changes will only be made after open discussion and approval by the BVRI membership at a general meeting.

XIV. ATTORNEYS' FEES

In the event that it is necessary for the BVRI Board to initiate litigation to enforce the provisions of these Design Standards, then the BVRI Board shall be entitled to recover its reasonable attorneys' fees and costs.

XV. POSTSCRIPT

The owner who has shepherded the building of a home in Bear Valley through to completion should feel justifiably proud and pleased.

Having successfully survived the gamut of rules and regulations, plan reviews, permit applications, and inspections, one deserves a moment to sit back and relish this unique alpine environment.

In the transition from builder to homeowner, one needs time to reflect on the beauty of the new surroundings: to sense its moods; to watch the change in patterns from dawn to dusk, from season to season; to walk the trails or linger in the meadows; to dabble in the creek or ramble in the forest; to perch on a high ridge and savor the views and sounds and the feelings.

In such a moment one might ask: "How can I continue to preserve the qualities of this special place? How can I minimize the impact of my machines and my structures? How can I avoid injury to the aesthetic values that drew me here? "What can I do to improve/enhance the qualities of the environment that brought me here."

The response to these questions has been at the heart of the architectural review process since its inception. It underlies the work of the BVARC which is chartered to guide this development wisely, and sometimes sternly.

However, the BVARC does not operate in a vacuum. It owes its success to its grounding in the Bear Valley community from which it draws its support and its membership. The community is both the wellspring and the beneficiary of the BVARC's work. Its residents are charged with the responsibility for sustaining what the BVARC has launched.

¹⁹ See Civil Code § 4765(a)(1).

²⁰ See Civil Code § 4751(b).

The community must be its own guardian.

Clearly, the resident homeowner, whether full time or part time, needs little prodding to care for his/her property and grounds. Personal pride and mutual concern should be stimulus enough to assure that the property is kept neat and tidy, in good repair and restored or repainted as needed. The Valley is too small a place to hide from the ire of one's neighbors.

However, absent landlords may be less responsive. Their lack of concern is compounded by the problems of a growing community. Bear Valley, though small, is not immune. There is more of everything: people, cars, traffic, dogs, noise, trash.

Landlords should urge their renters to minimize the impact of their cars and their dogs and their stereos on the neighborhood. They should be reminded that their property diminishes in value as it becomes more shabby.

Residents, new or old, share a common bond borne in the qualities they sense, but cannot always articulate, whenever they return to Bear Valley. It is a rare and special place. The blending of human works with the wonders of nature has been guided with great sensitivity by a caring community. It is vital that the residents never relax their vigilance in its protection. If it is spoiled, they have only themselves to blame.

Note 1. Requirements added or modified by BVRI Board of Directors on 15 April 2000. (See page 6)

Note 2. Plan fees changed to those shown by BVRI Board of Directors on 1 March 1995. (See page 12)

BUILDING REVIEW SUMMARY



APLIC'N DATE	BEAR VALLEY LOT
BEAR VALLEY ADDRESS	
TYPE OF CONSTRUCTION	

OWNER/AGENT INFORMATION

OWNER'S NAME	HOME TELEPHONE	WORK TELEPHONE
HOME ADDRESS	CITY, STATE	ZIP
ARCHITECT / DESIGNER	TELEPHONE	
ADDRESS	CITY, STATE	ZIP
CONTRACTOR / AGENT	TELEPHONE	
ADDRESS	CITY, STATE	ZIP

PRELIMINARY PLANS

APPLICATION LETTER RECEIVED FEE RECEIVED PRELIM PLANS RECEIVED OWNER ACKNOWLEDGEMENT OF ARCH STDS COMPLIANCE RCV'D	ADJACENT PROPERTIES NOTIFIED	DATE
	CC&R VARIANCES NEEDED	
	HOUSE COLOR	ROOF TYPE
	TRIM COLOR	ROOF COLOR

COMMENTS

CONSTRUCTION PLANS

CONSTRUCTION PLANS RECEIVED	APPROVAL CONDITIONS	CHANGES TO PLANS RECVD	APPROVAL
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COMMENTS

INSPECTION REPORT

SITE MEETING / STAKE OUT RESULTS	BATTER BOARD INSPECTION RESULTS
VIOLATIONS, MITIGATIONS	FINAL INSPECTION

PRELIMINARY PLANS CHECKLIST



BEAR VALLEY RESIDENTS, INC.
PO BOX 8148, BEAR VALLEY, CA 95229

BEAR VALLEY LOT

DATE RCV'D

BEAR VALLEY ADDRESS

TYPE OF CONSTRUCTION

OWNER/AGENT INFORMATION

OWNER'S NAME

HOME TELEPHONE

WORK TELEPHONE

HOME ADDRESS

CITY, STATE

ZIP

ARCHITECT / DESIGNER

TELEPHONE

ADDRESS

CITY, STATE

ZIP

ITEMS CHECKED ARE RECEIVED. ITEMS CIRCLED ARE MISSING AND MUST BE SUBMITTED BEFORE THE BVARC CAN APPROVE PLANS. ITEMS UNDERLINED ARE DISCUSSED IN THE ACCOMPANYING REMARKS AND MUST BE ADDRESSED BEFORE PROCEEDING.

PLOT PLAN (2 COPIES)

- 1 Scale 1/8" = 1'0"
- 2 Datum Point
- 3 North Arrow
- 4 Countor lines @ 2' Intervals
- 5 Site Sections
- 6 Grade Changes
- 7 Easements
- 8 Setbacks
- 9 Property Lines
- 10 Utility Service & Line Locations
- 11 Structure Location on Property
- 12 Neighboring Structures within 30' of Prop Lines
- 13 Existing Trees
- 14 Trees to be Removed
- 15 Rock Outcroppings & Boulders
- 16 Retaining Walls
- 17 Parking
- 18 Driveway
- 19 Fuel Tank Location
- 20 Walkways
- 21 Site Drainage

BUILDING PLANS (2 COPIES)

- 1 Scale 1/4" = 1'0"
- 2 Elevation Drawings
- 3 Floor Plans
- 4 Section Drawings
- 5 Bldg % Coverage of Lot Area
- 6 Sq Ft Habitable Area
- 7 Roof Slope & Mat'l
- 8 Exterior Siding Mat'l
- 9 Window & Door Mat'l
- 10 Trim Mat'l
- 11 Deck & Railing Mat'l
- 12 Height of Structure
- 13 Chimney Location & Mat'l
- 14 Floor Elevations (ref datum point)
- 15 Exposed Foundation Mat'l
- 16 Power Meter Location
- 17 Solar Mat'ls
- 18 Color Samples of Exterior
- 19 Color Samples of Roof

CC&R VARIANCE(S) NEEDED

OWNER ACKNOWLEDGEMENT
OF COMPLIANCE TO BV
ARCHITECTURAL STANDARDS

DATE RECEIVED

COMMENTS

APPENDIX 3:

**FINAL
PLANS
CHECKLIST**



BEAR VALLEY LOT	DATE RCV'D
BEAR VALLEY ADDRESS	
TYPE OF CONSTRUCTION	

OWNER/AGENT INFORMATION

OWNER'S NAME	HOME TELEPHONE	WORK TELEPHONE
HOME ADDRESS	CITY, STATE	ZIP
ARCHITECT / DESIGNER	TELEPHONE	
ADDRESS	CITY, STATE	ZIP

ITEMS CHECKED ARE RECEIVED. ITEMS CIRCLED ARE MISSING AND MUST BE SUBMITTED BEFORE THE BVARC CAN APPROVE PLANS. ITEMS UNDERLINED ARE DISCUSSED IN THE ACCOMPANYING REMARKS AND MUST BE ADDRESSED BEFORE PROCEEDING.

PLOT PLAN (4 COPIES)	BUILDING PLANS (4 COPIES)
1 Scale 1/8" = 1'0"	1 Scale 1/4" = 1'0"
2 Datum Point	2 Elevation Drawings
3 North Arrow	3 Floor Plans
4 Contour lines @ 2' Intervals	4 Section Drawings
5 Site Sections	5 Bldg % Coverage of Lot Area
6 Grade Changes	6 Sq Ft Habitable Area
7 Easements	7 Roof Slope & Mat'l
8 Setbacks	8 Ext Siding Mat'l
9 Property Lines	9 Window & Door Mat'l
10 Utility Service & Line Locations	10 Trim Mat'l
11 Structure Location	11 Deck & Railing Mat'l
12 Neighboring Structures within 30' of Prop Lines	12 Height of Structure
13 Existing Trees	13 Chimney Location & Mat'l
14 Trees to be Removed	14 Floor Elevations (ref datum point)
15 Rock Outcroppings & Boulders	15 Exposed Foundation Mat'l
16 Retaining Walls	16 Power Meter Location
17 Parking	17 Solar Mat'ls
18 Driveway	18 Color Samples of Exterior
19 Fuel Tank Location	19 Color Samples of Roof
20 Walkways	20* Roof Manufacturer
21 Site Drainage	21* Window & Door Details
22* Variance Requests: Setback & Parking	22* Skylight Details
23* Material Storage	23* Instructions to Contractors
24* Contractor's Access	24* Trim Details
	25* Deck & Railing Details

* ITEMS IN ADDITION TO THOSE REQUIRED ON PRELIMINARY SUBMISSION

VARIANCE(S) DISPOSITION

COMMENTS / FINAL PLANS APPROVAL

DATE

APPENDIX 4:



BEAR VALLEY RESIDENTS, INC.

ACKNOWLEDGMENT OF COMPLIANCE TO
BEAR VALLEY ARCHITECTURAL DESIGN STANDARDS

This is to attest that _____,
Owner(s) of Lot _____, Bear Valley Address _____,
has read and understands the **Bear Valley Covenants, Conditions and
Restrictions** and the **Bear Valley Architectural Design Standards**, dated
and recorded 16 February 1993. This is furthermore to attest that, although
others may act on behalf of Owner in dealing with the Bear Valley Architectural
Review Committee (BVARC) of Bear Valley Residents, Incorporated (BVRI), as
architect, contractor or agent, Owner herewith certifies that he/she is fully
acquainted with the construction drawings and specifications, intends to build
in accordance with the BVARC approved documents, and agrees to accept the
responsibility for the enforcement of and adherence to the aforementioned
Architectural Design Standards and Covenants, Conditions and Restrictions.

Owner acknowledges that the BVARC has the right to access property for
inspections until final approval of the construction has been granted.

I/we understand that construction not performed or completed in accordance
with the BVARC approved plans, specifications or any conditions the BVARC
has included in its approval shall subject Owner to the sanctions set forth in
Sections XI and XIV of the Bear Valley Architectural Design Standards.

PROPERTY OWNERS SIGNATURES PRINTED NAMES DATE

HOME ADDRESS

CITY STATE ZIP

PHONE

APPENDIX 5



ARCHITECTURAL REVIEW FEES EFFECTIVE 1 MARCH 1995

ITEM	FEE	
NEW HOME CONSTRUCTION	\$400	
ALTERATIONS & ADDITIONS (includes modifications to previously approved plans)	\$250	MAJOR STRUCTURE CHANGE - add-on with change to footprint of home
	\$100	STRUCTURE CHANGE - add-on with no change to footprint of home
	\$50	MINOR STRUCTURE CHANGE - modify existing home (add window, door, etc.
REPAIR DAMAGED STRUCTURE, DECK, etc.	\$0	EXACT REPLACEMENT
TV SATELLITE ANTENNA	\$100	Full size
	\$25	18 inch DSS *
ROOF REPLACEMENT (change of material or color)	\$0	
EXTERIOR REPAINTING	\$0	
TRANSFER FEE	\$50	TRANSFER OF PREVIOUSLY APPROVED PLANS TO NEW OWNER
VARIANCE REQUEST	\$250	CC&R VARIANCES (new fee)

* FEE AND REQUIREMENT RECINDED BY BVRI BoD

APPENDIX 6



**BEAR VALLEY RESIDENTS,
INCORPORATED**
POST OFFICE BOX 5145
BEAR VALLEY, CALIFORNIA 95223

CC&R's VIOLATION FINE SCHEDULE

Adopted by BVRI Board of Directors 22 November 2003

Nature of CC&R Violation	First Offense	Second Offense	Third Offense
Unauthorized cutting/removal of trees			
Major	1,000	2,500	5,000
Minor	500	1,500	2,500
Unauthorized grading, lot clearing or site alterations			
Major	500	750	1,500
Minor	250	500	1,000
External improvements w/o ARC approval			
Major	1,000	2,500	5,000
Minor	500	750	1,500
Unscreened storage of snowmobiles	250	500	1,500
Violation of parking and vehicle restrictions, including storage of boats, RV's, etc. on lots	250	500	1,500
Exterior lights shining onto common area/adjoining lots	100	250	500
Unauthorized posting of signs on lots or common area	100	250	500
Failure to keep lot free from debris, waste etc.	100	250	500
Permitting dog onto beach/into lake	100	250	500
Permitting existence of fire hazard on lot	250	500	1,000
Uncorrected violation of use restrictions not specifically enumerated above			
Major	500	750	1,500
Minor	100	250	1,000
Uncorrected violation of CC&R's related to property maintenance, upkeep and repair			
Major	500	750	1,500
Minor	100	250	1,000

Notes or accompanying material to cover:

- (1) Board authority to vary or increase fines depending on findings of intent, willfulness and/or lack of good faith effort to remedy
- (2) Not in limitation of authority to impose non-monetary sanctions for certain violations (e.g. removal of unauthorized, non-complying improvements)
- (3) Board imposed fines not in substitution or limitation of other applicable fines or penalties (e.g. statutory penalties for unauthorized removal of trees).