

APPENDIX II

ARCHITECTURAL REVIEW BOARD ADDITIONAL REQUIREMENTS

Construction Performance Deposits

Performance Deposits are \$1,500 for new construction within Estancia Primera. Any construction deposit paid to a subdivision ARB, up to the amount of \$500, will be credited toward the total of \$1,500 due. Minor project Performance Deposit is \$250.

If a request for final approval is not received by the ARB within 12 months of preliminary approval, any portion of the deposit not used for costs is forfeit unless an extension has been requested and granted by the ARB. Further, following such forfeiture, the property shall be automatically deemed not in compliance with EPCSA requirements.

Fines

Upon failure by the Builder and/or Owner to comply with the instructions or requirements set forth in Section 6 of the Application/Checklist, the ARB may impose a fine of \$100 against the Builder and/or Owner. For each subsequent infraction, the ARB may impose an additional fine against the Builder and/or Owner in an amount not to exceed \$2,500. In the event fines against the Builder and/or Owner at any time exceed the amount of the Performance Deposit, the ARB will require the Builder and/or Owner to make an additional deposit to bring the Performance Deposit up to the required amount of \$1,500 before the construction is allowed to continue. Funds collected by such fines will be used for beautification of the subdivisions.

The ARB will notify in writing the Lot Owner, as well as the Builder, of any and all restrictions and fines imposed by the ARB. The ARB may levy any unpaid fines imposed on the Builder against the Lot Owner on whose property the construction is taking place.

Plan Review

All plans for new houses within Estancia Primera, including guest houses, will be reviewed by the architect hired by the ARB for this purpose, and payment of any and all fees charged by this architect shall be paid by the ARB from the applicant's Performance Deposit. More than one architect's review may be necessary and the applicant shall be charged for each review.

Fence and Courtyard Height

No fence or courtyard wall shall be taller than 6', as measured from the ground surface on the outside of the wall. On sloping ground, no more than 4' of horizontal wall shall exceed the 6' height limitation, and may only exceed 6' by a maximum of 12" at any point along the slope. Walls and fences on slopes shall be stepped if necessary to meet this requirement.

Metal Roofs

No metal of any type will be approved as a roof surface after 8/1/2002.

Neighbor Notification

For all modifications to the exterior of existing homes, including walls and fences, the homeowner must notify all neighbors who face the remodeling of the request to the ARB for approval, and of the date of the ARB meeting to review the plans. The ARB suggests that every effort be made to discuss the plans with neighbors, and address any concerns they might have prior to the ARB meeting which will review the request for modifications.

Exterior Lights

No exterior light fixture shall be permitted where the light output from the fixture shines in any direction except up or down. This specifically excludes globe light fixtures and others which illuminate a broad area and which fail to shield the light from horizontal view. The sole exception will be for security lights, which must be pointed as downward as possible, which must have metal shields to focus the light to the ground, and which must be on infrared motion detectors with an on function lasting no more than 5 minutes. When submitted for approval, the ARB would like to see samples of the lights whenever possible, although photographs or printed material may be presented instead.

Lines, Conduits, Ducts and Drains on Home Exteriors.

The ARB does not allow ducts, conduits, wires or drains of any type that run up the facades of homes, over parapets or on the exteriors of walls and fences that enclose outdoor spaces. This requirement does not apply to ground-level home access lines for cable television, telephones and City utilities.

Retrofitting of Air Conditioning Systems.

The ARB must approve the retrofitting of all Air Conditioning systems including Evaporative Coolers (swamp coolers), Ductless Air Conditioning systems and traditional Refrigerated Air Conditioning systems. The following requirements apply:

- a. Location: Evaporative coolers and condenser units may be placed only on rooftops, preferably on the highest part of the roof. Ground-level, garage-roof and through-wall units are not allowed. When applying for ARB permission the homeowner or contractor shall provide a roof plan showing the proposed location of the unit and the heights of the adjoining parapets. Additional diagrams of the home's facades showing the unit in place shall be provided. The ARB generally discourages the use of window units. The ARB may, however, approve them on a case-by-case basis if the homeowner provides evidence in the ARB application that the proposed unit will be aesthetically

acceptable, that it will be acceptable to and not disturb adjacent neighbors and that it has been approved by the neighborhood subdivision's Architectural Review Committee.

b. Specifications: The ARB application shall include the dimensions of the unit, its noise level (in decibels) and the height of the supports on which it will be mounted. The manufacturer's brochure must be included with the application.

c. Electrical Power and Water Supply: The electrical power supply to a rooftop evaporative cooler or condenser unit and the water supply tubing for an evaporative cooler shall not run on the facade or over the parapets of the home. These shall be run from existing water and electrical sources in the home either along interior walls or through wall cavities to emerge on the roof side of a parapet or on the roof surface.

d. Condensate Drains: Exterior condensate drains for the interior components of ductless air-conditioning systems shall be run through wall cavities so that only the lower 6-12" are visible on the exterior. These shall open about 6-12" above the existing grade and the exterior ends shall be angled away from the wall so that the condensate does not damage or discolor the wall surface.

e. Refrigerant Piping: In the case of ductless air conditioners, roof mounted refrigerant lines connecting the condenser to interior wall-mounted fan coils (evaporators) shall not be run over the parapets or facade of the home. The lines must be connected to the wall-mounted interior evaporators via angled penetrations through the roof side of the parapets that access the wall cavity.

f. Ducts: Where a traditional refrigerated air-conditioning system is planned, the ducts from the condenser unit shall penetrate the roof at the desired locations and must be confined to the rooftop.

g. Color: All rooftop evaporative coolers and condenser units and their associated ducts, conduits and condensate drains shall be painted to match the color of the adjoining stucco. Winter covers used for evaporative coolers must be light tan in color. Cover colors such as red, blue, mustard or dark brown are not allowed. If a light tan cover is not commercially available, evaporative cooler covers can be custom made by Awning Companies. In such instances, a fabric sample must be submitted with the application.

h. Screening: When a neighborhood subdivision requires that a rooftop evaporative cooler or condenser be screened by a frame and stucco or adobe enclosure, the homeowner must include the dimensions of the enclosure and submit the stucco manufacturer's color sample with their application to the ARB for review and approval. The EP ARB will request the neighborhood subdivision's recommendations and comments.

(Approved by Estancia Primera ARB – May 28, 2008)

(Approved by Estancia Primera Board of Directors – June 10, 2008)