

## **Legal Posting per Davis Sterling:**

### *Architectural Review Committee (ARC) Process*

The Pla-Vada Community Association (PVCA) Architectural Review Committee's (ARC) approval is required before a member may make a physical change in their property or begin construction on his/her property. A member may not make any changes to PVCA's property including but not limited to roads, right-of ways, recreational areas, etc., without written approval by the ARC and/or Board.

The applicant must submit to the *General Manager (GM)*

- 1 a plan and/or site plan that clearly depicts the changes or construction project
- 2 Other documents requested by the GM such as water supply demand, tree removal etc.
- 3 verification of a building permit if required by Nevada County
- 4 documentation that they have received a copy of the Property Development and Construction Handbook and understand its requirements

In approving or disapproving a proposed application the ARC shall:

- 1 review plans within two weeks
- 2 provide a Handbook which contains policies, requirements and forms

The member must:

- 1 comply with setbacks required by PVCA and Nevada County
- 2 upon request "prove" lot lines
- 3 comply with building codes

PVCA Board of Directors shall provide:

- 1 a fair, reasonable, and expeditious procedure for making its decision
- 2 procedures for a request for reconstruction by the Board of Directors
- 3 ensure a decision on an application shall not be unreasonable, arbitrary, or capricious

If a proposed change is disapproved the PVCA ARC shall:

- 1 provided written notice of the decision within 15 days and include an explanation of why the application is disapproved
- 2 A description of the procedure for reconsideration by the ARC.

If a proposed application is disapproved, the applicant is entitled to reconstruction by the

PVCA Board of Directors at an open meeting (CC 1363.05).

Reconsideration by the board does not constitute dispute resolution within the meaning of CC 1363.820.

A decision on a proposed change may not violate any governing provision of law, including but not limited to, the Fair Employment and Housing Act (Part 2.8( commencing with 12900 of Division 3 of Title 2 of the Government Code), or a building code or other applicable law governing land use or public safety.

PVCA shall annually provide its members with notice of any requirements for association approval of physical changes to property. An annual notice shall describe the types of changes/projects that require PVCA approval and procedures.

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