

K. Hovnanian's Four Seasons  
at  
Bakersfield  
Community Association, Inc.

Architectural Standards  
and  
Procedures

Revised & Adopted  
by the Board of Directors  
May 29, 2024  
Updated October 23, 2024, May 27, 2026

K. Hovnanian’s Four Seasons at Bakersfield Community Association, Inc.  
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**ARTICLE I.**  
**PURPOSE AND COMMITTEE INFORMATION**

The purpose of the Architectural Review Committee ("ARC") is to protect, preserve and maintain aesthetics and property values of the residences at K. Hovnanian Four Seasons at Bakersfield Community Association, Inc. ("Association"). The ARC serves to ensure compliance with the Association's CC&Rs and Architectural Standards and Procedures by reviewing proposed improvements to residences. The term "all improvements" is defined as any additions, alterations, or modifications to the exterior of the Association common area and any residence.

The ARC does not seek to restrict individual creativity or personal preference, but rather assure continuity in design which will help preserve and enhance the appearance of the Community. The ARC is composed of volunteer homeowners who receive no compensation for services rendered. The ARC has the right to retain construction specialists as may be necessary to perform its duties.

The Architectural Standards and Guidelines are subject to modification from time to time as determined by the Association Board of Directors. Homeowners are responsible for obtaining the most current revision of these guidelines prior to preparation of plans.

All Owners within the Association should be familiar with and are obligated to comply with the CC&Rs and other Governing Documents. If the Architectural Standards and Guidelines are in conflict with the CC&Rs and Bylaws, the CC&Rs and Bylaws take precedence over the Architectural Standards and Guidelines.

**ARTICLE II.**  
**ARCHITECTURAL PROCEDURES**

**Section 2.01 Architectural Plan Submittal**

This section describes the process for requesting ARC consideration for improvements to a Member's property and provides guidelines for working through the process.

Before commencing any improvement including but not limited to:

- new construction,
- remodeling,
- renovation,
- landscaping,
- alterations (placed or assembled) which will remain on the residential lot,

an ARC application must be submitted as provided in the Association's CC&Rs. Improvements inside a dwelling which have no impact on the outside of the dwelling, are exempt from the application process.

Improvement or improvements shall include, but not be limited to: patio covers, decks, garage doors, gazebos, shades, front doors, outdoor lights, security cameras/systems, awnings, sheds, pet/animal houses or runs, screen or security doors, skylights, fountains, pools (decorative or swimming) solar panel(s) wiring and controls, exterior lighting, landscape, hardscape including brickwork, river rock, pavers, and outdoor kitchens.

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The owner is responsible for contacting the local City or other government agency's to determine their requirements for approval and/or permits.

**All necessary forms are provided in the appendix and are available on the Association's website ([www.fsbhoa.com](http://www.fsbhoa.com)) or at the Lodge front desk, including extension forms for extenuating circumstances.**

### **Section 2.02 ARC Meetings**

The Association's ARC meets monthly. The date and time of the ARC meeting shall be posted in the community newsletter, on the Association's Website ([www.fsbhoa.com](http://www.fsbhoa.com)), and on the calendar posted on the Association's Bulletin Board located within the Lodge. The date and time of the meeting are subject to change as determined necessary by the ARC members and will be posted as needed.

The ARC meetings are closed to Owners except during Owner comments at the beginning of the meeting or during the review of the Owners plans that are being presented.

### **Important!**

**The ARC highly recommends reading the complete Architectural Standards before submitting your plans.**

### **Section 2.03 Plan Submittals & Application Submission Procedures**

1. All applications submitted to the ARC for consideration are to be made using the Improvement Application Part one (1) and Part two (2).
2. Applications for improvement consideration are to be submitted to the ARC via the Lodge Office no later than 5:00 p.m. on the first Friday of each month for inclusion in that month's committee agenda.
3. As part of the submittal package, the Owner must pay a non-refundable fee of twenty-five dollars (\$25.00) per application. The fee is for the cost of copies and administrative processing. Additional fees will not be required for Committee or Board-requested changes, modifications, or clarifications.
4. The plans and specifications for the improvement must be prepared in accordance with applicable City building codes and with sufficient clarity and completeness to enable the ARC to make an informed decision on the application.
5. One (1) set of the proposed plans and specifications, together with one copy of the Improvement Application, are required along with the following information in order to constitute a complete application:
  - a. Plot plans drawn to approximate scale showing the following:
    - i. The proposed improvements and relevant elevations, together with the desired location of such improvements relative to the residential lot and/or residence, as applicable.
    - ii. The complete dimensions of the proposed improvements.
  - b. Descriptions of the materials to be used, including the proposed color schemes; samples of the materials should be provided, including paint samples, if applicable.
  - c. Drainage plans must be provided if the established drainage patterns might be altered by the proposed improvements.
  - d. Landscaping plans and working drawings (if applicable).
  - e. Photographs of the intended area for improvement shall include multiple angles (close up and from a distance). The photographs will be used to provide perspectives to allow general and specific evaluation.

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- f. Any other information or documentation deemed to be necessary by the ARC in evaluating the application.
- g. Submit completed plans to:  
K. Hovnanian Four Seasons at Bakersfield Lodge  
Staff Liaison to the ARC  
10500 Toscana Drive  
Bakersfield, CA 93306  
Phone: (661) 873-0580 / Fax: (661) 873-0579
- h. Vendor/Contractor/Installer acknowledgment, including signature, is required for all applicable projects involving third-party installation or construction, in accordance with Section 2.04.

**Section 2.04 Failure to Comply with Application Submission Procedures**

1. Any failure to comply with the submission procedures for the application shall cause the application to be delayed pending the submission of other information and/or documentation to the ARC. An incomplete application shall affect the time limits for an approval by the ARC.
2. For all proposed improvements requiring ARC approval, the homeowner shall ensure that any vendor, contractor, or installer performing the work acknowledges the project requirements and scope as submitted to the ARC.
3. A vendor/contractor/installer acknowledgment signature is required as part of the application for all projects including, but not limited to, solar installations, concrete work, structures, landscaping, electrical, and mechanical improvements.
4. The vendor's/contractor's/installer's signature confirms that they have reviewed the submitted plans and agree to perform the work in accordance with the ARC-approved application and the Association's Architectural Standards and Procedures.
5. Applications submitted without the required vendor/contractor/installer acknowledgment may be deemed incomplete and will not be processed until all required documentation is provided.

**Section 2.05 ARC Approval**

The decisions of the ARC and its reasons shall be transmitted to the homeowner at the address set forth in the application within thirty (30) days after receipt by the ARC of all materials required. The ARC reviews all applications the day of their monthly meeting.

**Section 2.06 Scope of ARC Approval**

The approval of the plans and specifications is not an authorization to proceed with the improvements on any portion of the Community other than the residence owned by the homeowner who obtained such approval.

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**Section 2.07 Project Extension ARC Approval Required**

The further approval of the ARC is required in the event that any work previously approved by the ARC exceeds ninety (90) days from the date of the commencement of the work.

**Section 2.8 No Waiver of Future ARC Approvals**

The Architectural Review Committee does not follow 'precedent', as each application is treated as a unique improvement.

**Section 2.9 Failure to Obtain or Comply with ARC Approval**

The failure to either obtain the necessary approval from the ARC or comply with the plans and specifications approved by the ARC shall constitute a violation and, therefore, may require the modification or removal of any work or improvement at the homeowner's expense in accordance with these Architectural Standards and Procedures.

**Section 2.10 No Obstructions**

The streets and sidewalks may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles, etc. Items such as, but not limited to, dumpsters, sand, and other building materials may not be stored on streets, sidewalks, or any other portion of the Association Property except as approved by the Board of Directors.

**Section 2.11 Homeowner Responsible for Damage**

Any damage to the Association Property will be repaired or replaced by a licensed contractor. All applicable charges for repair or replacement will be charged back to the responsible homeowner and such charges are due and payable within thirty (30) days from the date of notification or assessment of penalties, as applicable.

**Section 2.12 Notice of Completion**

Upon the completion of any work for which the approval of the ARC was required, the homeowner shall submit a completed copy of the NOTICE OF COMPLETION to the ARC with photographs showing completion of plan specifications (camera available for homeowner use). The ARC may also require inspection of your project for approval of completion - all projects are subject to ARC inspection.

**Section 2.13 Inspection**

The ARC or its duly authorized representative may at any time inspect any improvement, or any change or alteration thereof, for which the ARC's approval is required; provided, however, that the ARC's right of inspection shall terminate thirty (30) days after the homeowner has submitted the NOTICE OF COMPLETION to the ARC and the Notice of Completion has been approved.

If, as a result of an inspection, the ARC finds that the improvement, or any change or alteration thereof, is being done and/or was done without obtaining the approval of the ARC or was not done in substantial compliance with the plans and specifications approved by the ARC, then the ARC shall notify the homeowner in writing of the homeowner's failure to comply with these Architectural Standards and Procedures within thirty (30) days after the inspection, specifying the particulars of noncompliance (NOTICE OF NONCOMPLIANCE). The ARC shall have the authority to require the homeowner to take such actions as may be necessary to remedy the noncompliance.

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**Section 2.14 Noncompliance**

If, upon the expiration of thirty (30) days from the date of the NOTICE OF NONCOMPLIANCE, the homeowner has failed to remedy the noncompliance, then the ARC shall notify the Board in writing of such failure. The Board shall have the right, at its option, either to pursue such remedies against the homeowner as it may have in any court of competent jurisdiction or to determine whether there is a noncompliance after notice and hearing.

If a noncompliance is determined to exist in the hearing, the homeowner shall remedy or remove the non-complying improvement within a period of not more than thirty (30) days from the date that notice of the Board's decision is delivered to the homeowner. If the homeowner does not comply with the Board's decision within such period, the Board, at its option, may record a NOTICE OF NONCOMPLIANCE against the property in which the noncompliance exists, remove the non-complying improvement, or remedy the noncompliance.

**Section 2.15 Violations of Architectural Standards and Procedures**

Any homeowner within the Community shall have the right to bring to the attention of the ARC any violations of these Architectural Standards and Procedures.

**Section 2.16 Architectural Standards and Procedures Variances**

The ARC may allow reasonable variances and adjustments of the provisions of these Architectural Standards and Procedures in order to overcome practical difficulties and prevent unnecessary hardships in the application of these Architectural Standards and Procedures.

**Section 2.17 No Waiver of Architectural Standards and Procedures**

Any oversight of any provision of these Architectural Standards and Procedures does not constitute a waiver of such provision and, therefore, must be corrected upon notice.

**Section 2.18 Right to Adopt Additional Architectural Standards and Procedures**

The Board may, from time to time, adopt and promulgate additional Architectural Standards and Procedures to be administered through the ARC. A copy of such additional Architectural Standards and Procedures shall be on file with the Lodge front desk and available on the website (fsbhoa.com).

**Section 2.19 No Liability of Committee**

In accordance with the CC&Rs the ARC nor any member thereof shall be held responsible or liable in any manner whatsoever to any Owners for any loss or damage due to design concepts, aesthetics, errors or defects, patent or latent, shown or omitted, on any plans or specifications upon which it may approve, or any Improvements erected therefrom. Each Owner shall be solely responsible for any violation of this Declaration, or any applicable instrument, law or regulation caused by an Improvement made by such Owner, even though the same is approved by the Committee. All plans and specifications shall be approved by the Committee as to style, exterior design, appearance and location, and are not approved for engineering design or for compliance with zoning and building ordinances, easements, deed restrictions and other rights and obligations affecting the Property. By approving such plans and specification neither the Architectural Committee, the members, thereof the Association, the Members nor the Board assumes liability or responsibility therefor, or for any defect in any structure constructed from such plans and specifications.

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**Section 2.20 Appeals**

In accordance with the CC&Rs a majority of the ARC, or of a representative appointed by the majority thereof, acting in good faith in its sole discretion, upon matters submitted or referred to it, shall be final unless the aggrieved party submits and appeals such decision to the Board. All appeals, if filed, shall be heard by the Board at the next scheduled meeting of the Board subsequent to a ten (10) business day period after such submittal. The decision of the Board shall be final. It is further provided that if no rejection shall have been sent by the Committee to an applicant within thirty (30) days from the date of receipt of complete submittal such inaction shall be deemed approved. Any decision or approval by the Committee shall not relieve an applicant or Owner from complying with any requirement of a public authority having jurisdiction, and shall not constitute any representation or guaranty by the Committee or a member thereof of compliance of the submitted matter with any statute, ordinance, or regulation pertaining thereto.

**ARTICLE III.  
ARCHITECTURAL STANDARDS**

**Section 3.01 Homeowner's Maintenance Standards for Residences and Landscape Easement**

No portion of a residence or the landscaping of a residence viewable from the Association property shall be permitted by the respective homeowner to fall into disrepair. Subject to the requirements herein and the jurisdiction conferred on the ARC as to the maintenance standards to be met, each such exterior portion of a residence and or the residential lot landscaping shall, at all times, be kept in good condition by and at the sole expense of the homeowner unless the Association is responsible for such maintenance.

**Section 3.02 Annual Color**

1. ARC approval is not required for seasonal color planted by the homeowner.
2. Flowers are permitted in the flowerbeds closest to the residence and in tree wells.
3. Front yard irrigation **WILL NOT** be adjusted to accommodate a homeowner's installed plants.
4. Homeowners are responsible for maintaining annual color (please note homeowners are planting at their own risk).

**Section 3.03 Antenna**

No antenna for radio or radio transmission, including so-called satellite dish antenna, or other appliance or apparatus, or similar item shall be placed within the Community so as to be visible from the Association Property, except either (i) as a result of Declarant's original construction, (ii) in builder installed reader boxes, (iii) upon approval of the ARC, or (iv) as otherwise authorized by law. The foregoing provision is intended to apply to all antennas, specifically including antennas with a diameter or diagonal measurement of thirty-six (36) inches or less, to the fullest extent permitted by California Civil Code Section 4725 or other applicable law.

**Section 3.04 Air Conditioning Unit**

No air-conditioning unit, or similar item shall be placed within the Community so as to be visible from the Association Property, except either (i) as a result of Declarant's original construction, (ii) in builder installed reader boxes, (iii) upon approval of the ARC, or (iv) as otherwise authorized by law.

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**Section 3.05 Awnings**

**Retractable**

1. Retractable awnings shall be allowed for rear and side yard use only.
2. Retractable awnings must be affixed to the residence according to the manufacturer's recommendations.
3. Retractable awnings must be of a solid, neutral color to coordinate with the home exterior color and is subject to ARC approval.
4. Homeowners are responsible for the maintenance of retractable awnings.

**Fixed**

1. Fixed awnings shall be allowed for rear yard use only as approved by the ARC.
2. Fixed awnings must not exceed a total projection of 48" from the wall to which it is attached.
3. Fixed awnings must be of a solid, neutral-colored fabric.
4. Homeowners are responsible for the maintenance of fixed awnings.

**Section 3.06 Sports or Playground Apparatus**

No sports or playground apparatus of any kind may be erected, installed, or placed on or within an owners lot without the prior approval of the ARC Committee.

**Section 3.07 Bird Feeders/Spikes**

1. Only metal or clear plastic bird spikes are allowed to be installed. Homeowners are responsible for the maintenance and repair of bird spikes installed on the property.
2. Bird seed feeders are NOT permitted.

**Section 3.08 Concrete Additions & Alterations**

1. Walkways extending past the gate to the driveway cannot be wider than the gate. Landscapers are responsible for relocating the plant, if one exists, by the garage and capping off the irrigation to it. Please contact the front desk to schedule service.
2. For walkways from the side gate to the driveway, the concrete added by a homeowner must be the same natural color as existing concrete driveway and walkways. No color/colors or embellishments may be added to the concrete mixture or added once the concrete is placed. .
3. Front walkways may not be comprised of gravel, pavers or stones.
4. Driveway extensions require a doctor note stating the extension is needed for medical reasons. The doctor's note must be submitted with your Improvement Application Part 1 and 2.
5. All concrete walkways, patios and slabs must be 3 inches minimum from the fence line.

**Section 3.09 Dog Houses/Dog Runs**

The construction of dog houses and dog runs requires ARC approval. Dog houses and dog runs are to be located in rear or side yards only and are to be located out of sight or screened from surrounding residential lots, Association property or other areas. Noise attenuation for neighboring homeowners must be a consideration.

**Section 3.10 Drainage**

A homeowner shall not interfere with the established drainage, design, or routing of that homeowner's residential lot from adjoining or other residential lots, Association property or other property unless adequate alternative provisions have been made for proper drainage. The term "established drainage" is

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defined as the drainage which existed at the time the final grading of the residential lot was originally completed.

Front yard drains are to be set back from the sidewalk a minimum of five (5) feet unless approved by ARC.

### **Section 3.11 Electric Vehicle Charging Station**

Electric vehicle charging stations must be installed inside the garage and require ARC approval. The vehicle must be charged on the owner's property.

### **Section 3.12 Exterior Painting**

Any change in the color of the exterior of any structure located within the boundaries of a residential lot must be approved by the ARC and within the approved color schemes of the home's series. Any structure or fence may be re-painted or re-stained with ARC Approval. (No High Gloss allowed for exterior painting, including front door.)

### **Section 3.13 Flags & Holiday Decorations**

A maximum of two (2) flags are allowed per residential lot.

#### **Decorative Flags**

1. One (1) decorative flag, such as those commemorating a holiday or occasion, may be displayed per Residential Lot. The decorative flag may be no larger than thirty-six (36) inches in its longest measurement, which must be hung from a metal garden flagpole, and installed in the flower bed portion of the Residence. Patina owners are not allowed to place flags outside of their block walls because this is common area.
2. Or, one (1) decorative flag a maximum of 3 feet by 5 feet must be hung from a commercially purchased wood or metal flagpole, which is attached to the Residence.

#### **Flags of the United States of America**

1. One (1) U.S. flag may be displayed per Residential Lot.
2. A U.S. flag may be a maximum of 3 feet by 5 feet.
3. One U.S. flag must be hung from a commercially purchased wood or metal flagpole, which is attached to the residence or is installed into the ground in the flower bed portion of the Residence.
4. A flagpole may be no higher than fifteen (15) feet as measured from its base.
5. In respect for our country's flag, it is recommended you observe the following flag etiquette:  
Chapter 1 of Title 4 of the United States Code (4 U.S.C. § 1 et seq.)
  - Take down the U.S. flag at sunset.
  - If the U.S. flag is to hang after sunset, illuminate it with light.
  - The U.S. flag flies above all other flags.
  - Never allow the U.S. flag to touch the ground.
  - If the U.S. flag is hung flat, vertically, or horizontally, the blue field is topmost and on the viewer's left.

#### **Holiday Decorations**

Please refer to the Rules and Regulations Community Handbook.

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### **Section 3.14 Flowerbed Boarders**

Concrete, masonry, and bender board flowerbed boarders require ARC approval and must be installed in coordination with the Association's landscape contractor.

### **Section 3.15 Front Yard Decorative Elements: i.e. Plant Containers, Decorative Yard Art or Trellis**

1. Decorative items are permitted in the vestibule or recessed area (walkway) leading to the front door. In addition, a plant container may be placed on each side of garage door, provided the items do not interfere with automotive or foot traffic, maintenance or irrigation. Items must be complementary to the home's color scheme and consistent with the general appearance of the Community. Decorative elements and/or plant containers may NOT be more than 36" in height from the ground.
2. Planters/pots must contain a healthy, living plant. As it pertains to front yards, one pot may be used for the purpose of storing a water hose.
3. Items may NOT be placed on top of any block wall within the Community (including Patina 'pony walls). Homeowners may NOT place items in lawn area or flowerbeds, with exception of one decorative flag, which allowed in the flower bed (reference Section 3.13). No decorative items may be attached to the exterior street facing walls. No items may be placed on the plant shelf.
4. Benches and/or decorative items **may NOT** be placed in the front yards or common areas.

### **Section 3.16 Front Yard Maintenance**

1. For irrigation issues, please submit your request to [help@cmlandscapeinc.com](mailto:help@cmlandscapeinc.com). If you are unable to submit your request via email, you may submit a Front Yard Service Request to the Front Desk.
2. A Front Yard Service Request can be filled out at the Front Desk if you have an over/lack of water; broken sprinkler; stressed, dead or missing plant/tree; or any trimming or pruning issue.
3. Front yard irrigation may NOT be altered or changed in any way by a homeowner.

### **Section 3.17 Generators**

A homeowner can install a portable and/or full house generator with ARC approval. (Reference Generator Policy, available at the Lodge Front Desk or website: [www.fsbhoa.com](http://www.fsbhoa.com))

### **Section 3.18 Grass, Plants & Trees:**

1. All backyard and side yard landscaping and trees shall be maintained and irrigated by the homeowner. A homeowner must obtain ARC approval for all improvements including trees or other landscaping which will grow to a height in excess of fifteen (15) feet. Trees must be set back from existing fence lines a minimum of five (5) feet and may require more set back in order that the canopy does not interfere with adjoining properties.
2. All hedges, shrubs, trees or any other landscaping which restrict the sight lines from neighboring residential lots to other areas of the Community shall be cut back or removed.
3. All hedges, shrubs, or any other landscaping that extend over any fence shall be cut back or removed.
4. No aggressive or invasive plants will be permitted, i.e. bamboo, mint, creeping fig, etc.
5. There shall be no interference with the established drainage patterns over any residential lot, or Association property, unless an adequate alternative provision is made for proper drainage. The landscaping irrigation system should be designed to prevent the excessive saturation of soils. Any planters adjacent to a residence should be lined with an impervious surface and should contain

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drainage outlets for excess water. Planter boxes are required to be at least 3 inches minimum from the fence and are required to have a moisture barrier for wood longevity.

6. No soil shall be against fencing when elevating planter wall to prevent damage to the fence.
7. All greenery, vines or any other plant growth must be attached to free standing trellis only and may **NOT** be attached to residential structure, fence, or wall. This includes trellises that are attached to a residential structure that were previously installed by the builder.

### **Section 3.19 Gutters and Downspouts**

No gutters, downspouts, or scuppers to control water shed from roofs shall be installed without the prior approval of the ARC. Such improvements shall be primed and painted to match the surface color of the appurtenant residence.

#### ***Front Yard Down-Spout Options:***

**Option A:** No ARC plan, application or fee is required for the down spout with the installation of a commercially produced splash block.

**Option B:** A down spout that connects to the existing drain system.

### **Section 3.20 Hoses**

Hoses in the front yards are permitted; as long as contained in a commercially designed hose container which is unobtrusive and complementary to the house color, (hose containers pots and/or vases made of non-plastic material are allowed). Homeowners may, at their risk, run hoses along the foundation of their homes in the front planter bed. The Association is not responsible for damage to a homeowner's hose.

### **Section 3.21 Interior Windows**

Windows may not be covered in any manner with materials such as metal foil, newspaper, reflective paint, reflective tint, sheets, etc.

### **Section 3.22 Lighting**

#### **Flood Lights/Motion Lights**

1. Allowed with ARC approval.

#### **Holiday Lighting**

1. Please refer to the Rules & Regulations Standards: Holiday Decorations section.

#### **In-Ground Lighting**

1. All residential in-ground lighting, whether solar or wired shall be low voltage. If the lights are visible from the common area, ARC approval is required.
2. Damaged, unsightly, dim, or inoperable front yard lighting must be removed or replaced immediately. It is the homeowner's responsibility to maintain lights installed in their yards.
3. The landscape contractor and Association shall not be held responsible for repair or replacement of homeowner installed lights.
4. Wired or solar lights may be placed in the front-yard flower beds closest to the residence and in the vestibule or recessed area (walkway) leading to the front door.
5. At no time will wired or solar lights be installed in lawn areas. They must be placed 6 inches or further from turf areas.

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6. Wired or solar lights shall emit white light only; no colored lights are permitted. Spinning or strobing lights are NOT permitted (the only exemption is Holiday lighting which covered under the Rules and Regulations.)
7. All lighting will be installed at consistently spaced intervals, no less than 3 ft apart. No lights will be allowed in the tree wells. The housing of the lights must be black, bronze, antique bronze, or brown. They also need to be consistent with the general appearance of the Community and stay within the traditional shapes. Flowers, whimsical, art deco shapes will not be allowed.
8. Wired or solar lighting will be positioned to illuminate shrubs or plants and may not shine onto any adjoining neighbor's property.
9. Wired lights must be installed so that electrical wires are buried at a depth of at least 6 inches. Electrical wires may not be exposed; no hazardous or unsightly wiring, or extension cords may be used.
10. Wired or solar lighting shall extend a maximum of 12" above grade when installed.

### **Vestibule Chandeliers/ Exterior Lighting**

1. The number and style of lights must remain aesthetically consistent with the overall design scheme of the Community
2. The light must be UL approved for exterior damp use.
3. No colored lights are allowed.

### **Section 3.23 Line of Sight Obstructions Prohibited**

All trees or other plantings must be maintained so as not to impede or grow into common areas.

### **Section 3.24 Market Style Filament String Lights**

Market Style Filament String Lights may be installed with ARC approval.

### **Section 3.25 Non-Commercial Signs**

Non-commercial signs are allowed as provided under Civil Code §4710.

### **Section 3.26 River Rock**

1. Any proposal to use river rock or boulders in the front yard shall be submitted to the Architectural Review Committee for approval with exact specifications of material, size, color, and location.
2. All river rock must be a minimum of 3 inches in diameter.

### **Section 3.27 Satellite Dishes**

Satellite Dishes will be allowed to be installed without prior ARC approval; however, a NOTIFICATION OF INSTALLATION form will be provided at the Front Desk and must be submitted with photos upon completion. All cables must be secured and out of sight from common area.

### **Section 3.28 Screen Doors, Security Doors, Window Screens, Decorative Gates, Front Doors and Garage Doors**

Any modification or addition of screen doors, security doors, window screens, decorative gates, front doors, and garage doors must be submitted to the ARC with the proposed material, color, design and trim (if applicable). The information provided shall specify the proposed locations of any additions. Screen doors should conform to the following standards:

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1. Any screen door shall be installed within the existing doorjamb, or a suitable trim must be provided which matches existing trim of the residence.
2. Any standard brushed aluminum finish screen door is prohibited.

### **Section 3.29 Security Cameras**

Applications:

1. Exterior security system and cameras must be approved by the ARC prior to being installed. Doorbells with cameras are exempt.
2. A plot plan showing the location of camera(s) in relation to the residence, neighboring structures, and association common areas is required;
3. Specifications on the size, camera shape and camera angles
4. A diagram showing the field of view for each of the cameras.
5. Pictures of the exterior locations where cameras will be mounted.

#### **Systems:**

Security systems may be wireless or hard wired. If hard wired, wiring shall be run within the wall of the residence. A small penetration, properly caulked to prevent moisture intrusion, is permissible to accommodate hardwired systems.

Residents are encouraged to utilize a licensed security system vendor to assist in the installation of the proper camera for the proposed location.

#### **Camera Types:**

Cameras requiring bright light illumination for night view will not be approved.

#### **Placement:**

Home security camera's need to be mounted in the least intrusive of visible locations and may only be focused on the resident's property.

The height of camera shall be at the fascia elevation; but not attached to stucco.

Cameras may never be directed at windows of adjacent residences and neighboring property (i.e., patios).

#### **Security System Signage:**

Security system signs affixed to fences, gates, and residences are not permissible

### **Section 3.30 Solar Energy Panels**

Solar energy panels are legally authorized pursuant to Civil Code §714, The California Solar Rights Act; however, you are required to obtain approval from the ARC. The ARC requires that all solar panels are to be installed on the roof of the home. Inverters and/or monitors must be installed inside the garage or behind the fence line out of sight from the common area, and all conduit must be run through the attic and wall and out of sight from the common area.

### **Section 3.31 Storage/Tool Structure**

**CC&Rs: Temporary Structures and Residences Prohibited:** *No structure of a temporary character, including, without limiting the generality of the foregoing, a recreational vehicle, tent, shack, house*

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*trailer, garage, barn, shed, or other outbuilding shall be located anywhere on the Property without written approval of the ARC Committee, and in any event, may not at any time be used as a temporary or permanent residence. No type of motor vehicle, whatsoever, operative, or inoperative, which is otherwise permitted by the terms of this Declaration, may be used as a temporary or permanent residence anywhere within the boundaries of the Property.*

The Board and the Association's Architectural Review Committee may grant a variance to the general prohibition on a storage structure, provided that the following criteria are met by the homeowner requesting the installation of the storage structure:

1. A storage structure must be installed on a standard concrete slab. The request must contain a complete site plan and detailed description of the storage structure. Storage and tools sheds in excess of 120 sq. ft. require a permit from the City (this is the responsibility of the Member).
2. Materials must be limited to wood, wood grain embossed aluminum or vinyl and blend with the existing home. No other types of materials are allowed.
3. All rubbish, trash containers and storage areas must be screened and/or concealed from view per CC&Rs.
4. Storage containers must be installed on side or rear yard and out of sight from common areas.
5. The maximum height of any such storage structure must be below the top fence line.
6. The structures cannot be placed adjacent to or integrated into wrought iron fences.
7. The structures must be "free standing". They cannot be adjoined to the house structure or any fencing nor made as part of any other existing structure.

*All approved sheds as of January 25, 2018 will have Legacy Status.*

### **Section 3.32 Patio Covers and Other Backyard Structures**

#### Definitions:

Although the terms are often used interchangeably, trellises, pergolas, and patio covers are distinctly different structures. One or more of these structures might become part of a complete plan that might also include plantings, lighting, or a patio. For the purpose of these standards and procedures the following definitions apply.

Pergola: Pergolas are mainly freestanding and typically sit on an existing patio but they can also be built with a floor, or can be placed anywhere in your yard. They have heavy wooden post beams that are set in concrete for strength. Then the open slat roof is put on and although the roof is open, the amount of shade the slats provide is determined by how closely spaced they are to one another.

Patio Cover: Patio covers are typically attached to the home, either as an extension of the roof or a stand-alone structure with a solid roof, and typically provide you with 100% shade protection while pergolas have an open top that provides you with partial shade.

Gazebo: A freestanding, roofed structure that usually has a decked floor, that may be shaped octagonally.

Trellis: a frame of latticework used as a screen or as a support for climbing plants.

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1. Patio covers, Gazebos, Pergolas, and any other backyard structure requires ARC approval.
2. Patio covers, gazebos, pergolas or any similar backyard structures shall be made of wood and/or wood grain embossed aluminum construction only with the exception of the vertical supports which may be covered with stucco or masonry. Free standing trellis may not be attached to the fence.
3. Sun shade extension can be used on the sides and front of all patio covers, gazebos, pergolas; but must be a solid color and be aesthetically consistent with the overall design scheme of the community,
4. The exterior and roofing of any structure subject to these Architectural Standards shall conform to the character, color, detailing and material as established on the residential lot for which an application is submitted.
5. The design of any structure subject to these Architectural Standards, shall not intrude upon the privacy use and/or enjoyment of a neighbor's residential lot.
6. Shade netting fabric, rock and gravel are not permitted roofing materials. Roofs shall have a minimum slope of 1/4 inch per foot to drain.
7. Temporary structures, irrigation systems, shrubs or anything that prohibits access to the adjacent wall requires a minimum one (1) foot setback in the **Patina Series** in order to allow for maintenance and repairs as necessary. Structures of a permanent nature and trees that **would prohibit access** to the adjacent wall require a five (5) foot setback.
8. It is the Members's responsibility to follow all City of Bakersfield building and safety codes and to obtain all required permits. A City of Bakersfield building permit must be obtained for all structures one hundred and twenty square feet(120sf) in area or greater. Electrical, Plumbing, and/or mechanical permits may also be required. The ARC is not responsible for obtaining any required permits.
9. All roof penetrations must be submitted to the Architectural Review Committee for approval.

### Section 3.33 Swimming Pools, Water Features, Spas and Fire Pits

1. Water features such as swimming pools, spas, reflecting pools, Koi ponds and waterfalls are permitted in private yards not visible from the street or sidewalk (i.e., the common area). The waters' edge must be set back 5' from any property line and no sitting or stagnate water is permitted. All water features must have recirculating water. Birdbaths, statuary and portable fountains less than 48" or less in height that can be purchased at a local garden center do NOT require written approval by the ARC unless viewable from the common area.
2. Size, location, material, and color of fountains/waterfalls shall be compatible with the design of the home and properly noted on your application.
3. Spas or other water features must not be installed so as to cause damage to Association property including walls, fences or streets.
4. Rock work, slides, fountains, or other water features may NOT exceed the height of adjacent property line walls or fences. All equipment shall be completely screened from view of any common areas and provide an enclosure to reduce sound effects.
5. Fire ring/pit must be per City of Bakersfield code if directly connected to the gas line. A shut off valve is required at the gas line coming from the house in addition to one at the fire pit.

### Section 3.34 Tarps/Car Covers

Tarps may not be used on any vehicle. Form-fitting car covers that are aesthetically pleasing are permitted.

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**If you are wondering whether ARC Approval is required, the answer is most likely yes. Reach out to the Lodge Front Desk to confirm and minimize any chances of project delays or violations.**

**All forms are included in the Improvement Application can be obtained from the Lodge Front Desk or from the Association website ([www.fsbhoa.com](http://www.fsbhoa.com)).**

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**Architectural Improvement Application Part 1**

It is recommended that you read the Architectural Standards and Procedures before applying.  
All improvements are restricted to the side and rear yards, front yard improvements are prohibited.

Name (print): \_\_\_\_\_ Home Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

House Color: \_\_\_\_\_ Trim Color: \_\_\_\_\_ Model Series (circle one) Canyon / Carrera / Fresco / Patina

**Instructions:**

1. Provide a detailed description of the intended improvement.
2. A clear color photo of the entire area intended for improvement as is.
3. Provide a diagram, schematic, blueprint, etc., showing all elevations, dimensions, setback measurements, etc.
4. Materials to be used and colors. (A material and/or color sample is best but not required.)
5. \$25 Application fee

**An application is considered incomplete if all the above information is not included.**

**My request involves the following type of improvement (check all that apply)**

**ARCHITECTURAL**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Awning                         | <input type="checkbox"/> Fire Ring/Pit           | <input type="checkbox"/> Retaining Wall                  |
| <input type="checkbox"/> Deck                           | <input type="checkbox"/> Outdoor Kitchen/BBQ     | <input type="checkbox"/> Gravel/Rock                     |
| <input type="checkbox"/> Gazebo                         | <input type="checkbox"/> Wired Landscape Lights  | <input type="checkbox"/> Artificial Turf (backyard only) |
| <input type="checkbox"/> Pergola                        | <input type="checkbox"/> Non-Wired Solar Lights  | <input type="checkbox"/> Other                           |
| <input type="checkbox"/> Patio Cover                    | <input type="checkbox"/> Concrete Walkway        | <input type="checkbox"/> Solar Panels                    |
| <input type="checkbox"/> Patio Slab                     | <input type="checkbox"/> Carriage Lights         | <input type="checkbox"/> Fencing                         |
| <input type="checkbox"/> Storage/Tool Shed              | <input type="checkbox"/> Security Cameras        |  |
| <input type="checkbox"/> Rain Gutter                    | <input type="checkbox"/> Window Screens          |  |
| <input type="checkbox"/> Paint Color Change             | <input type="checkbox"/> Backyard Landscape      |  |
| <input type="checkbox"/> New and Existing Gate(s)       | <input type="checkbox"/> Tree/Plant Removal      |  |
| <input type="checkbox"/> Door(s)(front, screen, garage) | <input type="checkbox"/> Tree/Plant Installation |  |

Will this improvement require any drains to be relocated or modified?  YES  NO

**Use this section to describe your intended improvement, please give as much detail as possible.**

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**INCOMPLETE APPLICATIONS WILL BE RETURNED UNPROCESSED**

**Please ensure you have signed the application and obtained all necessary information to avoid processing delays.**

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**Architectural Improvement Application Part 2**

**Common Conditions**

(Check all that apply)

- 1) Walkways extending past the gate to the driveway cannot be wider than the gate. Landscapers are responsible for relocating the plant, if one exists, by the garage and capping off the irrigation to it. Please contact the front desk to schedule service. (Section 3.08.1)
- 2) For walkways from the side gate to the driveway, the cement added by a homeowner must be the same natural color as existing cement driveway and walkways. No color/colors or embellishments may be added to the cement mixture or added once the cement is poured. (Section 3.08.2)
- 3) Driveway extensions require a doctor note stating the extension is needed for medical reasons. The doctor's note must be submitted with your Architectural Improvement Application part 1 and 2. (Section 3.08.4)
- 4) All cement walkways, patios and slabs must be 3 inches from the fence line. (Section 3.08.5)
- 5) A homeowner will in no way interfere with the established drainage of that homeowner's residential lot from adjoining or other residential lots, HOA property or other property unless adequate alternative provisions have been made for proper drainage. The term "established drainage" is defined as the drainage which existed at the time the final grading of the residential lot was originally completed, and refers to both surface drainage and subsurface drainage, if any. (Section 3.10)
- 6) A flagpole may be no higher than fifteen (15) feet as measured from its base. (Section 3.13)
- 7) Trees must be set back from existing fence lines a minimum of five (5) feet and may require more set back in order that the canopy does not interfere with adjoining properties (Section 3.18.1)
- 8) No soil shall be against fencing when elevating planter wall to prevent damage to the fence. (Section 3.18.6)
- 9) Planter boxes are required to be at least 3 inches from the fence and are required to have moisture barrier for wood longevity. (Section 3.18.5)
- 10) All greenery, vines or any other plant growth must be attached to free standing trellis only and should not be attached to residential structure, fence, or wall. (Section 3.18.7)
- 11) All river rock must be a minimum of 3 inches in diameter. (Section 3.26.2)
- 12) Solar Panel Inverters and/or monitors must be installed inside the garage or behind and below fence line and all conduits must be run through the attic and out of sight from common area. (Section 3.30)
- 13) Storage/Tool Structure - Materials must be limited to wood, wood grain embossed aluminum, or vinyl and blend with existing home. No other types of materials are allowed. (Section 3.31.2)
- 14) Storage/Tool Structure - The maximum height of any such storage structure must be below the top fence line. (Section 3.31.5)
- 15) All patio sun shades, structures shall be of wood and/or wood grain embossed aluminum, with the exception of the vertical supports which may be covered with stucco or masonry. (Section 3.32.2)
- 16) The exterior of any structure subject to these Architectural Standards shall conform to the character, color, detailing and material as established on the residential lot for which an application is submitted. (Section 3.32.4)
- 17) All water features must have recirculating water. (Section 3.33.1)
- 18) Fire ring/pit must be per City of Bakersfield code if directly connected to the gas line. A shut off valve is required at the gas line coming from the house in addition to one at the fire pit. (Section 3.33.5)

**Please Note:**

1)The Architectural Review Committee meets once monthly, all applications must be received by **5 pm the first Friday of every month.**

2)For your protection, inquire with the City/County about permit requirements before starting any work on your property involving new construction, additions, alterations, or any modifications to structural, electrical, heating, water, gas, or sanitary plumbing systems or any property improvements for which a permit is required. (fence, retaining wall, patio cover, etc.)

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**Architectural Improvement Application Part 2 (cont.)**

3) The Committee reviews plans and specifications as to style, exterior design, appearance, and location but does not approve engineering design or compliance with zoning or building ordinances. The committee has the right to inspect improvements to ascertain that such improvements have been or are being built in compliance with the plans and specifications approved by the Architectural Review Committee. You must not change the established drainage pattern of your lot.

4) When installing solar panels, the Committee suggests utilizing bird control devices (i.e., spikes, netting, mesh, screening, etc.)

5) All improvements must be completed within 90 days (3 months) unless an extension is requested and granted by the Committee.

6) Vendor/Contractor/Installer acknowledgment signature (required for all applicable projects)

*I declare I have read the Architectural Application in its entirety and I agree to adhere to the Architectural Standards and CC&Rs as it pertains to this submittal and to abide by the conditions imposed by the Architectural Review Committee. I declare the plans and specifications of existing conditions are true and correct. I further declare that I have fully disclosed to the HOA all improvements that may impact neighboring properties or the HOA and its' properties. I understand that if I have a private contractor to perform the work, I am ultimately responsible for the completion and any damages to the property*

**Homeowner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Vendor/Contractor/Installer Acknowledgment (Required for All Applicable Projects)**

Company Name: \_\_\_\_\_

Contractor Name (Print): \_\_\_\_\_

License # (if applicable): \_\_\_\_\_

Phone Number: \_\_\_\_\_

I acknowledge that I have reviewed the plans and specifications submitted to the Architectural Review Committee (ARC) for this project. I understand that all work must be completed in accordance with the approved application and the Association's Architectural Standards and Procedures. I further acknowledge that any deviations may result in enforcement action and required corrections at the homeowner's expense.

**Vendor/Contractor/Installer Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

***THIS SECTION FOR OFFICE/ARCHITECTURAL REVIEW COMMITTEE USE ONLY:***

The Architectural Review Committee has determined that the above submittal is:

Approved                       Approved with Conditions                       Disapproved as Submitted

Resubmit with more details for \_\_\_\_\_

Date Resubmittal Received: \_\_\_\_\_

Approved                       Approved with Conditions                       Disapproved as Submitted

*The approval of the plans and specifications is not an authorization to proceed with the completion of the improvements on any portion of the Community other than the residential lot owned by the homeowner who obtained such approval.*

COMMENTS:

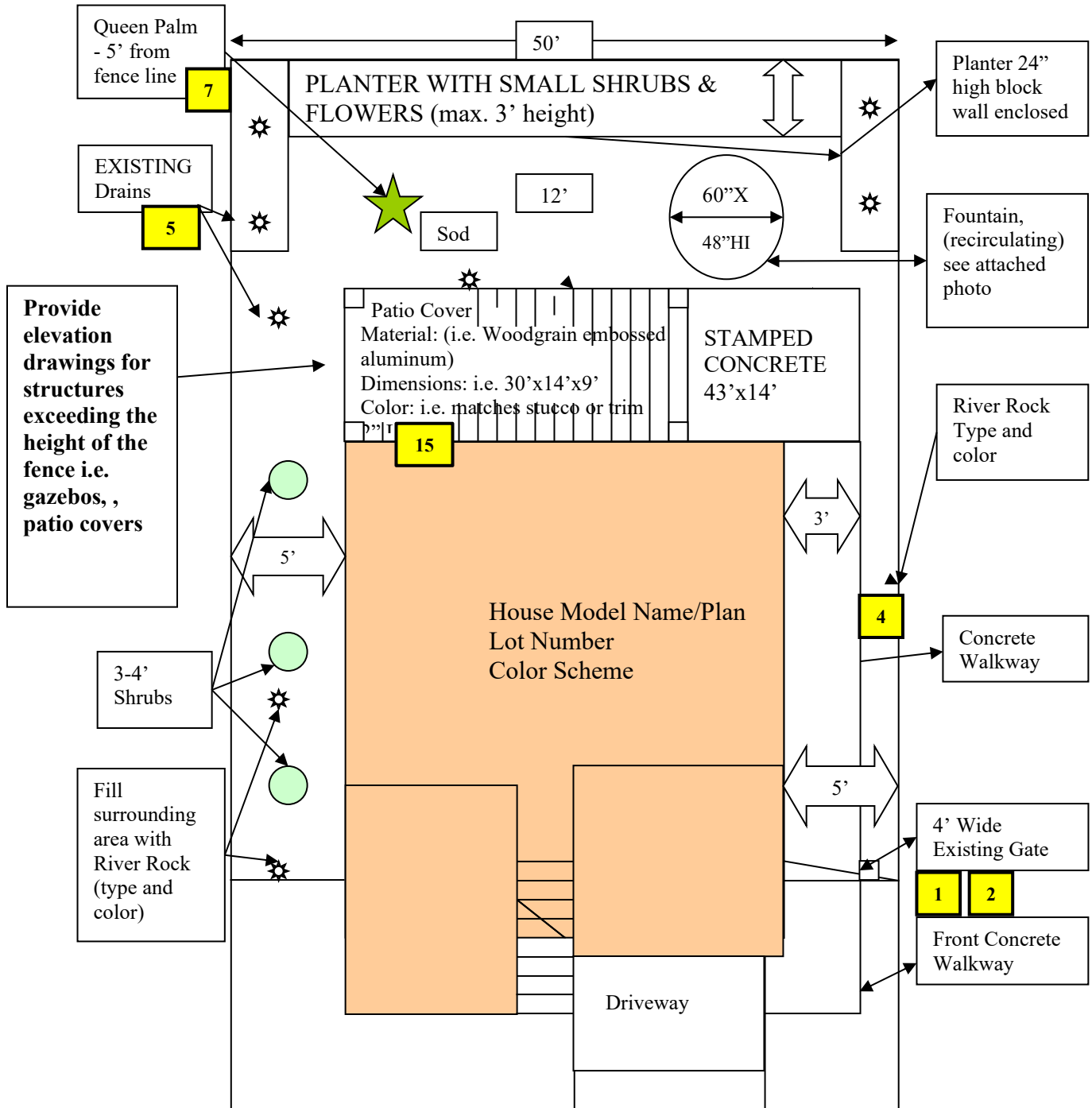
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**K. HOVNANIAN'S FOUR SEASONS AT BAKERSFIELD ARC CHAIR**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Architectural Improvement Example**

All dimensions are approximate and for example only, some models have zero lot lines.  
 However, all drawings should depict the house and property footprint.  
 \*All bolded numbers refer to the Architectural Improvement Application Part 2\*



**INCOMPLETE APPLICATIONS WILL BE RETURNED UNPROCESSED**

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**NOTICE OF COMPLETION**

Homeowner Name:	Phone Number:
Address:	Alt. Phone Number:
Project:	Project Completion Date:

**Please attach clear, labeled and color photos of your COMPLETED project with this form.**

This NOTICE OF COMPLETION is in accordance with the plans and specifications as submitted and approved by the Architectural Rules Committee (ARC).

I hereby give permission to the ARC Committee to enter my yard by appointment and inspect the improvements thereon. Permission shall terminate thirty (30) days after being submitted to the Committee.

I understand and have complied with the Architectural Standards and Procedures Section 3.08.1 stating, "Walkways extending past the gate to the driveway cannot be wider than the gate, and homeowners are responsible for relocating the plant, if one exists, by the garage and capping off the irrigation to it."

Homeowner signature: \_\_\_\_\_ Date: \_\_\_\_\_

**THIS SECTION FOR OFFICE/ARCHITECTURAL REVIEW COMMITTEE USE ONLY:**

Date Received:	Inspection Date:	Date File Closed:
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Approved	Disapproved	Date: _____
Reason: _____ _____ _____		
ARC Chair Signature: _____		
Correction Required: (This correction is to be completed within 30 days of written request for an extension) _____ _____		
Upon Completion of Required Correction: Submit a new Notice of Completion form with photos for ARC Committee review.		

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**PROJECT EXTENSION REQUEST**

Homeowner: \_\_\_\_\_

Address: \_\_\_\_\_ Bakersfield, CA

Original Completion Date: \_\_\_\_\_

New Completion Date Requesting: \_\_\_\_\_

Please briefly describing why you are requesting an extension:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**THIS SECTION FOR OFFICE/ARCHITECTURAL REVIEW COMMITTEE USE ONLY:**

Approved  Disapproved Date: \_\_\_\_\_

Request for extension is disapproved for the following reason:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your completion date is \_\_\_\_\_.

ARC Chair Signature: \_\_\_\_\_

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**NOTIFICATION OF INSTALLATION**

Homeowner Name:	Lot #:
Address:	Contact Phone:

**Please Attach Photos of Your Project with this form.**

This NOTIFICATION OF INSTALLATION is in accordance with Architectural Standards and Procedures Section 3.26. Satellite Dishes will be allowed to be installed without prior ARC approval; however, an NOTIFICATION OF INSTALLATION form will be provided at the Lodge Front Desk and must be submitted with photos upon completion. By signing this form, you acknowledge that all cables are secured and out of sight from common area.

Homeowner signature: \_\_\_\_\_ Date: \_\_\_\_\_

**THIS SECTION FOR OFFICE/ARCHITECTURAL REVIEW COMMITTEE USE ONLY:**

Date Received:
----------------