

ARCHITECTURAL CONTROL COMMITTEE CHARTER

Policy #: 2022-02-07

Date approved: 02-26-2022

Review Date: One year from approval date unless otherwise specified.

Purpose:

The primary purpose of the Architectural Control Committee (ACC) is to serve all Riviera Community Club (RCC) members by reviewing property development and alteration requests to ensure compliance with guidelines as outlined in the Covenants and Architectural Requirements.

Abbreviations:

Riviera Community Club – RCC

Board of Trustees – BOT

General Manager – GM

Architectural Control Committee – ACC

Community Development & Compliance Manager – CDCM

ACC Responsibilities:

1. Develop a clear understanding of the Covenants and Architectural Requirements in order to help residents comply with said guidelines in applicable property alterations.
2. Maintain current site development packets.
3. Review property owner's site development or project packet, as submitted to the RCC office by the property owner, ensuring required information is provided.
4. Validate that all County permits are provided prior to approval of project.
5. Validate that the ACC-required refundable deposit is in place, if applicable.
6. Address property owner's questions following site development packet review.
7. Perform site inspections including, at a minimum, initial and final.
8. Approve project requests, provided all applicable information is submitted and complies with Covenants and Architectural Requirements.
9. Deny project requests if submitted information is incomplete and/or does not comply with Covenants and Architectural Requirements.

Policies and Procedures:

1. The ACC shall base their determinations of a request on reasonable, objective information. The ACC shall not discuss an applicant's race, gender, marriage status, religion or other information as prohibited by law.
2. The meeting discussions, comments, and questions must pertain to the actual request from the property owner or relevant information to facilitate the approval process.
3. Any discussion regarding particular vendors used by property owner is information that cannot be used as a reason to reject or accept a request.
4. If a request is rejected by the ACC the following will occur:

- a. CDCM will prepare and provide a letter directly to the property owner from the committee noting their findings and provide corrective action and next steps to the owner.
 - b. CDCM has five (5) business days to notify the BOT in writing of the rejected project, describing the reason(s) for the rejection.
 - c. The Property owner may request in writing a variance and/or discussion with the BOT. *The BOT does not address ACC concerns until the committee has rejected the project as described in the packet and the ACC has notified the board.*
5. If a request is approved by the ACC the CDCM notifies member within three (3) business days of RCC permit approval and places stake with RCC permit at property.
6. ACC Initial Inspection will take place prior to approval of permit by a minimum of two (2) committee members.
7. ACC Final Inspection for new site development to take place, by a minimum of two (2) committee members, after receiving notice from the property owner that the County has given Final Inspection approval.
 - a. Documentation of the results of the final inspection must be included in the minutes.
 - b. Should improvements not be completed within the twelve months, CDCM will contact property owner to determine when project will be complete and notify committee members.
 - c. If the project is not completed within the twelve months, one six-month extension may be granted by ACC or BOT. Owner must request extension in writing. A letter shall be sent to the property owner by the CDCM on behalf of the ACC stating the approval or rejection of the extension and consequences if project is not completed within the six-month extension per the RCC fine and enforcement policy.
 - d. Should project not be complete at the eighteenth-month point the committee notifies the property owner that the project will be turned over to the RCC Compliance Committee and escalated to the BOT for assignment of fines until the project is complete.
8. For site modifications a minimum of two (2) committee members need to perform a final inspection before deeming the project completed and thereby approving refund of RCC permit fee(s).
9. No committee member shall trespass on private property without express written permission by the property owner.
10. CDCM will fully maintain ACC Tracking Log and shall prepare and submit to the Chair and BOT liaison copies of all letters distributed to property owners (additional data, findings, refund of deposits, if applicable, extensions, and fines) on a monthly basis.
11. ACC project determinations will be ratified by the BOT on a monthly basis.
12. Conflict of interest items – All committee members that have a vested interest in any item being reviewed for ACC approval, must refrain from voting on said item. If a quorum is not in place for the vote without the conflicted member a vote shall be moved to the BOT. The committee member is allowed to discuss the item to offer additional feedback as required.

Structure, Size & Quorum:

1. The committee shall consist of at least three (3) members and no more than five (5).
2. Quorum requirements for this committee shall be three (3).
3. Board of Trustees will not serve on this committee to avoid conflict between the committee and board levels for determinations, as the ACC's responsibilities include recommending variances and rules to the BOT per RCC Covenants.
4. Board liaison assigned to provide communication bridge between the committee and BOT. This position is not a committee member and therefore does not have the right to vote.

Frequency of Meetings:

1. The committee shall meet twice a month on a day and time as designated by the BOT.