

Cameron Park Community Services District
2502 Country Club Drive
Cameron Park, CA 95682



Covenants, Conditions & Restrictions (CC&R) Committee
Monday, October 1, 2018
5:30 p.m.

Cameron Park Community Services District
2502 Country Club Drive, Cameron Park

Agenda

Members: Director Ellie Wooten (EW), Director Monique Scobey (MS), Gerald Lillpop (GL),
Robert Dalton (RD), Sidney Bazett (SB)
Alternate Director Margaret Mohr (MM)
Staff: General Manager Jill Ritzman, CC&R Compliance Officer Kate Magoolaghan

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF CONFORMED AGENDA**
- 5. OPEN FORUM**

At this time, members of the Committee or public may speak on any item not on the agenda that falls within the jurisdiction of this Committee; however, no action may be taken unless the Committee agrees to include the matter on a subsequent agenda.

Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to four minutes and individuals representing a group allocated five minutes. Individuals shall be allowed to speak to an item only once. The Committee reserves the right to waive said rules by a majority vote.

- 6. COMMITTEE REVIEW/ACTION**
 - Resident appeal of Commercial Vehicle violation. (Mr. Hoover)
Action: Receive and Consider
 - Builder appeal of Architectural Review Denial for 3065 Country Club Drive (RPA Challenge LLC)
Action: Receive and Consider

- Architectural Review Fees (Oral report, fee comparison chart attached and discussion-K.Magoolaghan)
Action: Review and Approve

7. MONTHLY STAFF REPORT

- Staff Update
- Initial Notices 18
- Final Notices 8
- Pre-Legal Notices 1
- Legal Cases 0
- Pending 1
- Corrected Violations 31

Note: Final and Pre-legal violations requesting action are attached. A list of all other current violations will be available at the meeting. There are no violations currently in Legal status.

8. MATTERS TO AND FROM COMMITTEE MEMBERS

9. REPORT BACK ITEMS

10. ADJOURNMENT

Cameron Park Community Services District
2502 Country Club Drive
Cameron Park, CA 95682



Covenants, Conditions & Restrictions (CC&R) Committee
Monday, September 10, 2018
5:30 p.m.

Cameron Park Community Services District
2502 Country Club Drive, Cameron Park

Conformed Agenda

Members: Director Ellie Wooten (EW), Director Monique Scobey (MS), Gerald Lillpop (GL),
Robert Dalton (RD), Sidney Bazett (SB)
Alternate Director Margaret Mohr (MM)
Staff: General Manager Jill Ritzman, CC&R Compliance Officer Kate Magoolaghan

1. **CALL TO ORDER** – 5:32 p.m.
2. **ROLL CALL** – EW, MS, GL, RD, SB
3. **APPROVAL OF AGENDA** – Motion by: GL, Second: SB
4. **APPROVAL OF CONFORMED AGENDA** – Corrections to the Conformed Agenda:
 1. Item 6 to reflect that Mr. Harp's original letter to the committee was dated 7/9/2018.
 2. Item 6 to reflect that Mr. Harp was present as the committee discussed the CC&R Officer recommendation and was able to speak in response.

Motion to approve Conformed Agenda with corrections by: MS, Second: SB.

5. OPEN FORUM-

Mr. Harp provided comments regarding an error on a letter included with the August 6, 2018 agenda. The sentence was in the final paragraph on page 2 of the CC&R Officer recommendation letter. The following correction is to be made part of the public record.

“As noted in Mr. Harp's letter to the committee dated July 1, 2018, the El Dorado County Sheriff's Department has already taken action against ~~Mr. Harp~~ Mr. Hoover in regards to the loud music and disturbing the peace.”

Additionally, the CC&R Compliance Officer issued an apology to Mr. Harp for this typographical error.

At this time, members of the Committee or public may speak on any item not on the agenda that falls within the jurisdiction of this Committee; however, no action may be taken unless the Committee agrees to include the matter on a subsequent agenda.

Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to four minutes and individuals representing a group allocated five minutes. Individuals shall be allowed to speak to an item only once. The Committee reserves the right to waive said rules by a majority vote.

6. COMMITTEE REVIEW/ACTION

- *Resident appeal of Commercial Vehicle violation. (Mr. Hoover)*

Mr. Hoover presented information regarding a vehicle that he has parked on the street in front of his property that has been deemed by the CC&R Officer as an improperly parked/stored commercial vehicle. Committee requested for the CC&R Officer to provide information on previous enforcement regarding this vehicle as well as do further research the vehicle classification. Mr. Hoover was also asked to provide additional information from CHP regarding vehicle classification.

Motion to defer this October meeting by: EW, Second: SB

- *Architectural Review Fees (Oral report, fee comparison chart attached and discussion- K.Magoolaghan)*

CC&R Officer presented proposal for revised ARC fees. Current fees have remained unchanged since March 2005 and are far less than other CSDs that provide Architecture Review including EDH. Committee discussed line item review of some fees as opposed to across the board increases. CC&R Officer has been instructed to do an analysis of individual fees and to resubmit a revised proposal to the committee.

Motion to defer this item to October meeting by: MS, Second: EW

- *Prioritization of violations (Oral report and discussion- K. Magoolaghan)*
Postponed

7. MONTHLY STAFF REPORT- Discussion postponed to October Meeting

- *Upcoming CC&R Workshop Agenda and Format ideas*
- *Initial Notices*
- *Final Notices (attached)*
- *Pre-Legal Notices (attached)*
- *Legal Cases*
- *Pending*
- *Corrected Violations*
- *Staff Update*

Note: Final and Pre-legal violations attached. A current count of other notices will be provided at the meeting. There are no violations currently in Legal status.

8. MATTERS TO AND FROM COMMITTEE MEMBERS- None

9. REPORT BACK ITEMS- None

10. ADJOURNMENT – 6:45 p.m. Motion by: MS, Second by: SB

Item #6

To: CC&R Committee Members

Thank you for your time to hear my request. I came to your meeting on September 10th to get some clarification on my letter that I received about noncompliance of my truck parked in front of my home.

The letter stated that my vehicle is considered as a commercial vehicle; therefore it is not in compliance of the CC&R. I dispute the finding of my vehicle as a commercial vehicle.

So, I drove it to the CHP office in Placerville and was greeted by Officer Smith. I requested his knowledge of what determine as a commercial vehicle. He thoroughly viewed my vehicle in depth and assured me that according to the CA Vehicle code, my truck is not a commercial vehicle- rather it a private vehicle. Officer Smith gave me two ways according to the vehicle code that proves that my truck is not a commercial truck: 1) Driver license other than a class C is required which I don't have 2) The definition of a commercial vehicle according to the vehicle code which I submit along with my letter to you (please see attachment).

But most concerning to me and my family is why is this even an issue after this matter had previously been addressed by the Previous Manager Lyle Eickert. Who in writing cleared this matter previously and is on file in your records, Mr. Eickert clearly stated that there is no clear evidence that our vehicle classify as a commercial vehicle, and that we were not in any violation of the CC&R.

I am an honorable Veteran who always follows the rules and in compliance in everything I do. For seven plus years of living here, I never had any problems with any neighbors until recently after making improvement to my back yard. As my file indicates the neighbor started a vendetta against me and my family as the records surely indicates (8 complaints in 9 months). Which causes greet stress to me and my family.

I feel that I am being harassed for no known reason and I have complied with all previous accusations and proved all to be false. I feel that if the committee continues to entertain and support this harassment by my neighbor, this vicious pattern will not break.

I am asking you as a committee to grant me a variance to allow me to continue parking my vehicle for the three nights a week for approximately 11 hours each of those days; I would only park there before night falls and before the sun rises. That was already approved by the previous CC&R manager Lyle Eickert.

I truly thank you for your consideration to my request for a variance regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Chris Hoover". The signature is written in black ink and is positioned to the left of the typed name.

Chris Hoover

Cameron Park Community Services District

May 15, 2018

[REDACTED]

Re: Complaint Related to Mr. Hoover's Vehicles

Dear [REDACTED]

This letter is in response to your email dated May 11, 2018. It is my opinion that there is insufficient proof that the Eastwood Park Unit #5 CC&Rs prohibit the parking of the van and truck that you are complaining about in the driveway or street. This is because there is no evidence that the van and truck are commercial vehicles. In particular, neither vehicle has any commercial signs or markings and the fact that the van lacks any back windows and the truck has a rack in the bed does not show that they are commercial. Also, the CC&Rs do not restrict parking on the street.


The Eastwood Unit #5 CC&Rs provides as follows in relevant part:

Section 1.07: "A 'Recreation Vehicle' shall mean and refer to a commercial vehicle, boat, off-road motorcycle, camper, trailer, motor home or other recreational vehicle of any type."

Section 3.04(B): "No inoperable vehicle or Recreational Vehicle of any type shall be kept or parked in any driveway, sidewalk or yard area within the Lots unless such vehicle is completely enclosed and cannot be viewed from the Street or any other Lot."

In conclusion, my position is that even if the current vehicles were deemed to be 'commercial vehicles,' as long as they are not kept or parked on the driveway, sidewalk or yard area, they are not in violation.

Sincerely,


Lyte Eickert
CC&R Compliance Officer

cc: Jill Ritzman
General Manager

OFFICE MEMO

STD. 100 (REV. 4-95)

DATE



Safety, Service, Security

An Internationally Accredited Agency



Robert B. Smith, #17708
Community Resource / S.S.P. Officer
D.R.E. Instructor

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ROOM/STA. NO.
PHONE NUMBER
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15210 VC - COMMERCIAL VEHICLE

260-VC - DEFINITION OF COMMERCIAL VEHICLE.


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VEHICLE CODE - VEH
DIVISION 6. DRIVERS' LICENSES [12500 - 15326] (*Heading of Division 6 amended by Stats. 1961, Ch. 1615.*)

CHAPTER 7. Commercial Motor Vehicle Safety Program [15200 - 15326] (*Chapter 7 added by Stats. 1988, Ch. 1509, Sec. 9.*)

ARTICLE 2. Definitions [15210- 15210.] (*Article 2 added by Stats. 1988, Ch. 1509, Sec. 9.*)

15210. Notwithstanding any other provision of this code, as used in this chapter, the following terms have the following meanings:

- (a) "Commercial driver's license" means a driver's license issued by a state or other jurisdiction, in accordance with the standards contained in Part 383 of Title 49 of the Code of Federal Regulations, which authorizes the licenseholder to operate a class or type of commercial motor vehicle.
- (b) (1) "Commercial motor vehicle" means any vehicle or combination of vehicles that requires a class A or class B license, or a class C license with an endorsement issued pursuant to paragraph (2), (3), (4), or (5) of subdivision (a) of Section 15278.
- (2) "Commercial motor vehicle" does not include any of the following:
- (A) A recreational vehicle, as defined in Section 18010 of the Health and Safety Code.
- (B) An implement of husbandry operated by a person who is not required to obtain a driver's license under this code.
- (C) Vehicles operated by persons exempted pursuant to Section 25163 of the Health and Safety Code or a vehicle operated in an emergency situation at the direction of a peace officer pursuant to Section 2800.
- (c) "Controlled substance" has the same meaning as defined by the federal Controlled Substances Act (21 U.S.C. Sec. 802).
- (d) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court costs, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.
- (e) "Disqualification" means a prohibition against driving a commercial motor vehicle.
- (f) "Driving a commercial vehicle under the influence" means committing any one or more of the following unlawful acts in a commercial motor vehicle:
- (1) Driving a commercial motor vehicle while the operator's blood-alcohol concentration level is 0.04 percent or more, by weight in violation of subdivision (d) of Section 23152.
- (2) Driving under the influence of alcohol, as prescribed in subdivision (a) or (b) of Section 23152.
- (3) Refusal to undergo testing as required under this code in the enforcement of Subpart D of Part 383 or Subpart A of Part 392 of Title 49 of the Code of Federal Regulations.
- (g) "Employer" means any person, including the United States, a state, or political subdivision of a state, who owns or leases a commercial motor vehicle or assigns drivers to operate that vehicle. A person who employs himself or herself as a commercial vehicle driver is considered to be both an employer and a driver for purposes of this chapter.
- (h) "Fatality" means the death of a person as a result of a motor vehicle accident.
- (i) "Felony" means an offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year.

(j) "Gross combination weight rating" means the value specified by the manufacturer as the maximum loaded weight of a combination or articulated vehicle. In the absence of a value specified by the manufacturer, gross vehicle weight rating shall be determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed units and any load thereon.

(k) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single vehicle, as defined in Section 350.

(l) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding has begun to lessen the risk of death, illness, injury, or endangerment.

(m) "Noncommercial motor vehicle" means a motor vehicle or combination of motor vehicles that is not included within the definition in subdivision (b).

(n) "Nonresident commercial driver's license" means a commercial driver's license issued to an individual by a state under one of the following provisions:

(1) The individual is domiciled in a foreign country.

(2) The individual is domiciled in another state.

(o) "Schoolbus" is a commercial motor vehicle, as defined in Section 545.

(p) "Serious traffic violation" includes any of the following:

(1) Excessive speeding, as defined pursuant to the federal Commercial Motor Vehicle Safety Act (P.L. 99-570) involving any single offense for any speed of 15 miles an hour or more above the posted speed limit.

(2) Reckless driving, as defined pursuant to the federal Commercial Motor Vehicle Safety Act (P.L. 99-570), and driving in the manner described under Section 2800.1, 2800.2, or 2800.3, including, but not limited to, the offense of driving a commercial motor vehicle in willful or wanton disregard for the safety of persons or property.

(3) A violation of a state or local law involving the safe operation of a motor vehicle, arising in connection with a fatal traffic accident.

(4) A similar violation of a state or local law involving the safe operation of a motor vehicle, as defined pursuant to the Commercial Motor Vehicle Safety Act (Title XII of P.L. 99-570).

(5) Driving a commercial motor vehicle without a commercial driver's license.

(6) Driving a commercial motor vehicle without the driver having in his or her possession a commercial driver's license, unless the driver provides proof at the subsequent court appearance that he or she held a valid commercial driver's license on the date of the violation.

(7) Driving a commercial motor vehicle when the driver has not met the minimum testing standards for that vehicle as to the class or type of cargo the vehicle is carrying.

(8) Driving a commercial motor vehicle while using an electronic wireless communication device to write, send, or read a text-based communication, as defined in Section 23123.5.

In the absence of a federal definition, existing definitions under this code apply.

(q) "State" means a state of the United States or the District of Columbia.

(r) "Tank vehicle" means a commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of at least 1,000 gallons that is permanently or temporarily attached to the vehicle or the chassis, including, but not limited to, cargo tanks and portable tanks, as defined in Part 171 of Title 49 of the Code of Federal Regulations. A commercial motor vehicle transporting an empty storage container tank not designed for transportation, with a rated capacity of at least 1,000 gallons that is temporarily attached to a flatbed trailer, is not a tank vehicle.

(Amended by Stats. 2015, Ch. 303, Sec. 540. (AB 731) Effective January 1, 2016.)




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VEHICLE CODE - VEH

DIVISION 1. WORDS AND PHRASES DEFINED [100 - 681] (Division 1 enacted by Stats. 1959, Ch. 3.)

260. (a) A "commercial vehicle" is a motor vehicle of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

(b) Passenger vehicles and house cars that are not used for the transportation of persons for hire, compensation, or profit are not **commercial** vehicles. This subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) Any vanpool vehicle is not a **commercial** vehicle.

(d) The definition of a **commercial** vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.

(Amended by Stats. 2003, Ch. 222, Sec. 1. Effective January 1, 2004.)

Project	Cameron Park	EL Dorado Hills	Stallion Springs	Salton CSD	Proposed
New Home	\$270.00	\$770.00	\$600.00	\$50.00	\$600.00
Room Addition	\$100.00	\$300.00	N/A	N/A	\$200.00
Swimming Pool	\$100.00	\$195.00	N/A	N/A	\$175.00
Storage Shed	\$50.00	\$85.00	N/A	N/A	\$35.00
Roof	\$50.00	\$85.00	N/A	N/A	\$75.00
Exterior Paint	\$35.00	\$60.00	N/A	N/A	\$35.00
Deck, Porch, Patio Cover, Trellis, Gazebo	\$35.00	\$85.00	N/A	N/A	\$35.00
Fence, Retaining Wall	\$35.00	\$85.00	N/A	N/A	\$35.00
Landscaping	\$35.00	\$85.00	N/A	N/A	\$35.00
Tree Removal	\$35.00	\$60.00	N/A	N/A	\$35.00
Basketball Hoop	\$35.00	\$60.00	N/A	N/A	\$35.00
Solar Panel	\$35.00	\$85.00	N/A	N/A	\$75.00
Siding	\$35.00	\$85.00	N/A	N/A	\$75.00
Misc (Satellite Dish, Play Structure)	\$35.00	\$85.00	N/A	N/A	\$35.00

	Median Sales Price*	Median Price per Square Foot*
Cameron Park	\$496k	\$248.00
El Dorado Hills	\$698k	\$257.00
Stallion Springs	\$269k	\$165.00

*data from Realtor.com
9/27/2018

CPCSD CC+R
VIOLATIONS
CO STAFF REPORT

PROPERTY ADDRESS	UNIT	VIOLATION	INITIAL NOTICE	FINAL NOTICE	PRE-LEGAL NOTICE	COMMENTS	CURRENT STATUS	RECOMMENDED ACTION
400 Cragmont Court	Black Oaks Estates #1	Boat Parked on Street	5/23/2018	6/15/2018		CC&R amendment in progress L/M requesting status of amendment. 9/7- No reply from owner to emails sent 8/7 and 9/5 regarding amendment	Final	Move to pre-legal
2640 Green Glen Road	Cameron Park N #2	Chickens on property	2/16/2018	3/15/2018	4/17/2018	Per previous notes from Lyle, owner will not comply.	pre-legal	Move to Legal