

CARRIAGE HILLS RESIDENTS' ASSOCIATION

ARCHITECTURAL GUIDELINES STANDARDS AND RULES & REGULATIONS

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ARCHITECTURAL GUIDELINES AND STANDARDS

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CARRIAGE HILLS RESIDENTS' ASSOCIATION

Architectural Guidelines & Standards

Adopted by the Board of Directors on
11/24/92

I. PURPOSE:

In order to maintain the architectural character of Carriage Hills Residents' Association (North) it is necessary that modifications of structures, materials and colors be compatible with the original design.

The Architectural Committee, by setting standards and approving additions or alterations, does not desire to stifle creativity, but to assure a continuity of design which will help preserve or improve the appearance and enhance the overall value of everyone's property.

Homeowners are reminded that approval from the Architectural Committee is required for additions or alterations that meet the following criteria:

All exterior structures, structural changes or landscape alteration of the owner's lot or home which is exposed to view from public walkways or streets must be approved by the Architectural Committee. This will exclude changes of a minor nature, including, but not limited to mow strips, sidewalks under 36" in width and decorative/landscape lighting. This includes back yards, front yards and side yards.

Failure to obtain the necessary approvals may constitute a violation of the Declaration of Covenants, Conditions, and Restrictions (CC&R's) and may require modification or removal of unauthorized work at the expense of the homeowner.

In addition, a permit may be required from the City of Richmond Building Department or other governmental agencies. At its discretion, the Architectural Committee may request a copy of any permit issued by such governmental agency before the onset of construction.

The intent of these guidelines is to enhance the original concept of Carriage Hills, that being an association of single family dwellings.

II. GUIDELINES:

A. Submittal Procedures and Requirements:

Approval of any project by the Architectural Committee does not waive the necessity of obtaining the required governmental permits. Obtaining any governmental permit does not waive the need for Architectural Committee approval.

1. Where to submit requests:

All requests are to be made by mail to the current principal office of the Carriage Hills Residents' Association, Attention: Architectural Committee:

San Ramon, CA 94583

2. Construction Drawings:

Plans must be prepared with clarity and completeness in accordance with applicable codes.

3. Specifications:

- a) List all materials, all dimensions, quality and finish.
- b) Indicate method of installation or application of material. This includes access needed through neighbor's yards and/or common areas.

4. Color:

- a) Indicate the color of stain or paint by manufacturer's number respective to building parts or surface. Color samples (swatches) are required.
- b) Samples of materials having inherent colors, such as masonry, may be required if they are to be used in their natural finish.

5. Neighborhood Awareness:

The intent is to advise your neighbors who own property adjacent to your lot in writing of your proposed work so that future conflicts may be avoided. This may take the form of:

- a) A letter of advisement to neighbor(s) from the Architectural Committee regarding the alterations;
- b) An invitation to neighbor(s) from the Architectural Committee in the event of a hearing; or
- c) Obtaining dated signatures of neighbor(s) on your plans. A copy of the Request Form will be sent to each approving neighbor upon completion of the project.

The Architectural Committee recommends method "c" of notification as most expeditious. No application will be considered complete until the neighborhood awareness condition has been satisfied.

6. Right of Entry:

If construction work requires the use of common area property for the purpose of transporting labor and materials or for the temporary storage of materials for the project, the applicant shall obtain written permission from the Carriage Hills Residents' Association for "Right of Entry" during the course of construction.

A copy of the letter requesting such permission shall include a Hold Harmless Agreement in favor of the Association prior to the commencement of construction. A security deposit or bond, as deemed necessary by the Architectural Committee, may be required from the contractor or homeowner. Security Deposits will be refunded after completion of the project with appropriate deductions for any damage taken as necessary.

7. Required Copies:

Two (2) complete sets of plans must be submitted to the Architectural Committee showing the above described information. One is for the applicant's records, and one is for the Association's records.

8. Submittal:

- a) Plans bearing neighbor's signatures will either be approved or disapproved within fifteen (15) days after receipt by the authorized Architectural Committee member.

June 26, 1996

b) Plans not bearing the neighbor's signatures will be approved or disapproved within 30 days after receipt by the authorized Architectural Committee member.

In the event Architectural Committee notification/response is not received within fifteen (15) days after the response time limit as indicated in Sections 8a) or 8b) above, the applicant may assume that the Architectural response is considered approved per Article 12, Section 12.5 of the CC&R's.

B. General:

1. Appeals:

In the event plans and specifications submitted to the Architectural Committee are disapproved thereby, the party or parties making such submission may appeal in writing to the Board of Directors. The written request must be received by the Board not more than thirty (30) days following the final decision of the Architectural Committee. Within forty-five (45) days following receipt of the request for Appeal, the Board shall render its written decision. The failure of the Board to render a decision within the said forty-five (45) day period shall be deemed as a decision in favor of the appellant.

2. Enforcement:

Failure to obtain the necessary approval from the Carriage Hills Residents' Association may constitute a violation of the Declaration of the Covenants, conditions and Restrictions (CC&R's) and may require modification or removal of the work at the expense of the homeowner. If necessary, the City of Richmond will be contacted to assist with this policy.

3. Violations:

All residents have the right and the responsibility to bring to the attention of this committee any violation of any provision or standard herein.

III. STANDARDS:

A. Fences:

All fence replacement or modification to include painting/coloration shall be submitted to the Architectural Committee prior to commencement of activity.

- a) All fences will be constructed of either redwood or pressure treated lumber.
- b) No fence will exceed six (6) feet in height.
- c) Fences are to be allowed to remain as natural wood, or may be coated with a clear preservative.
- d) If painted, only Kelly Moore "Loam" or equivalent color by a different paint manufacturer is acceptable (See addendum A).
- e) Individual fence design will be approved on a "case by case" basis.
- f) For those properties that have rear property lines bordering either the lands of the East Bay Regional Parks, East Bay Municipal Utilities District or the common area belonging to the CHRA, and where the view from the rear property line does not overlook an adjacent back yard of another property in Carriage Hills, an alternative fence material which allows a view from ground level of the subject properties is allowable only as described herein. The acceptable material is a galvanized welded wire fabric with openings of approximately 2 inches by 4 inches in size (see Fig. 1) installed within the existing framework of the existing five foot high redwood fence per the detail shown in Figure 2 and 3 (See Pages 7 & 8 of this document).
- g) Those residents with rear property lines abutting the common area along Castro Ranch Road or whose back fences are

visible from Castro Ranch Road may not change the fence material along their property line.

B. Room Additions, Solariums, Sunrooms, Solid Patio Covers, Eaves, Balconies, Facias, and Awnings:

Structural or material additions or alterations of the exterior of any building shall conform to materials, character, and detailing as established on the existing building.

Solariums, sun rooms or similar structures shall be of aluminum and glass construction with anodized or powder coated finish with curved eaves. Appropriate permits will be secured. The proposed structure shall not interfere with other residential views. Each plan will be submitted with photos or a brochure of the proposed unit. A list of suggested units and manufacturers is on file with the Association and/or the Architectural Committee. The homeowner is required to consult with the Committee prior to starting the project.

C. Exterior Painting:

All exterior repainting of any dwelling or structure will be subject to Architectural Committee review and approval except:

- 1) If the new color is the same as the original exterior color as originally applied by the contractor; or
- 2) The new color is a color previously approved by the Architectural Committee for use on the subject home.

This standard is not intended to restrict creativity, but to assure a continuity of appearance.

D. Landscaping:

- 1) Backyards shall be maintained in accordance with City and County codes.
- 2) Any proposed use of decorative rock, gravel or sand or any other artificial rock substance in the front yard in place of sod, must be submitted to the Architectural Committee for approval.
- 3) The use of any type of synthetic grass in the front yard is prohibited.
- 4) No hedge type plant in excess of 18 inches in height (18") will be allowed adjacent to a frontal or street sidewalk.
- 5) No shrubs with thorns, that is considered a hazard, shall be planted adjacent to the frontal or street sidewalk. Examples: roses, natal plum, cactus, bougainvillea, etc.

E. Swimming Pools and/or Spas:

1) Any part of pool equipment exposed to view from public sidewalks, streets, trails paseos, green belts and parks shall require Architectural Committee approval. Drawings must indicate the location of the pool and equipment and the means of access to the proposed construction.

2) **CAUTION:** Pool construction, drainage and fencing will be required to conform to governmental agency requirements and codes.

3) Copies of all pool building permits issued by the various governmental agencies will be required to complete Architectural Committee approval.

F. Patio Structures, Sunshades, Gazebos, Arbors, Trellises, and Cabanas:

- 1) Structures in this section shall conform to the original architectural character of the existing building.
- 2) Structures in this section shall be of wood composition with the sole exception of vertical supports which may be composed of masonry or stucco surfaced.
- 3) Acceptable roofing materials for structures in this section are:

- a) Those which match the existing roof of the dwelling
- b) Flat plastic panels (neutral colors of beige, white, blonde, etc.)
- c) Glass (flat panels)
- d) Natural redwood, cedar or pressure treated wood.

4) Unacceptable roofing materials for structures in this section include, but are not limited to:

- a) Metal
- b) Corrugated plastic
- c) Corrugated fiberglass
- d) Plastic webbing, split bamboo, reeded or straw like materials.

In designing structures in this section, a minimum of intrusion upon the neighbors' privacy should be given every possible consideration.

G. Equipment Sheds:

If higher than the existing fence elevation, the shed shall conform to the same standards as set for Section F, Patio Structures, Sunshades, Arbors, Trellises, Gazebos and Cabanas.

H. Drainage and Fill:

1) You are legally responsible to insure the original course of surface water is not disturbed or altered as to adversely affect neighboring property.

2) Gutters, downspouts or scuppers which are installed to control water shed from roofs shall be primed and painted to match adjacent surface color.

I. Antennae:

1) Antennae, of any description, installed outside of a dwelling, garage or separate structure are prohibited. (Article 4, Section 4.8)

2) Satellite dishes are subject to individual approval by the Architectural Committee (See Addendum A).

a) No dish shall exceed eight feet (8') in diameter, if solid; or ten feet (10') in diameter if mesh.

b) All parts of the exterior apparatus shall be at least five feet (5') from the existing fence line.

J. Flagpoles:

The installation of permanent, in ground flagpoles shall be subject to review by the Architectural Committee.

K. Exposed Equipment:

Any installation of mechanical equipment (air conditioning, swimming pool water filtration, etc.) shall require approval of the Architectural Committee.

L. Window Tinting:

Windows may be tinted in all homes. No reflective materials may be used.

M. Skylight and Solar Energy Equipment:

Any new installation (not replacement installation) of a rooftop structure to include solar energy equipment, skylights, etc. must have Architectural Committee approval prior to installation. The Committee will review with emphasis on neighbor/neighborhood impact.

N. Basketball Standards:

All basketball standard requests must be submitted to the Committee for approval.

Placement of hoops may either be stationary or portable in the backyard.

Portable hoops only will be allowed in the front yard and must be removed daily.

O. Conditions Not Included:

Any condition or material not included within this guideline shall become a matter of judgment on the part of the Architectural Committee and the Board of Directors.

Addendum A

CARRIAGE HILLS RESIDENTS ASSOCIATION

**ARCHITECTURAL GUIDELINES AND STANDARDS REVISION FOR THE PAINTING OF FENCES: -
February 15, 1995 Revision**

"Loam" color manufactured by Kelly Moore Paints is the preferred color for the painting of fences. They may also remain untreated or treated with a clear sealant. No Architectural Committee approval is necessary to clear-seal, paint or repaint fences in "loam" color (or equivalent color by a different manufacturer). All "visible" hillside fences or "visible" backyard fences must remain untreated, treated with a clear sealant, or be painted "Loam". All other paint colors or stains for the coloration or change in coloration of existing fences requires advance approval by the Architectural Committee and must be compatible with the existing color schemes of the house and immediate neighborhood. Any future coloration of fences must be in compliance with these guidelines.

GARAGE DOOR REPLACEMENT, adopted 2/15/95

Replacement of all garage doors and their color requires review and approval of the Architectural Committee. The design and color of the replacement door shall coordinate with the existing exterior design and color scheme of the house.

See Next Page for Rules and Regulations

**RULES AND REGULATIONS
OF
CARRIAGE HILLS RESIDENTS' ASSOCIATION**

The following rules have been officially adopted by the Board of Directors of the Association in accordance with the Article III, Section 3.5 of the By-Laws. These rules supplement the CC&R's, are applicable to all property owners and their tenants as prescribed in the CC&R's and may be amended from time to time as the Board of Directors deems appropriate

"TEMPORARY HOLIDAY DECORATIONS AND LIGHTING" - Adopted October 26, 1994

All temporary holiday decorations and lighting must be removed from the exterior of all Residences and Lots no later than twenty (20) days after a holiday.

"RECREATIONAL VEHICLES, COMMERCIAL VEHICLES AND BOATS" - Adopted August 23, 1990

A 24 hour time limit has been established for loading and unloading of all RV's, campers, Boats, and other prohibited vehicles in the development. A 2 hour limit is placed on the loading and unloading of commercial vehicles.

Commercial Vehicle Definition: "Any vehicle with lettering, advertising, storage or construction racks, ladders, tool boxes that extend more than 6 inches above the sides of the bed of a truck, or any vehicle with a combination of any of the above is defined by the Board of Directors as a commercial or industrial vehicle and parking in the subdivision is restricted pursuant to Article IV, Section 4.5 of the CC&R's ". Adopted on June 23, 1993

"SATELLITE DISHES" - Adopted on May 25, 1989

Article IV, Section 4.8 states, "Except for those erected or constructed by Declarant or installed by a licensed public or quasi-public utility or cable franchise or whose erection or construction is approved by the Board, no outside television antenna, aerial or radio tower shall be erected, constructed or placed on any lot."

The Board of Directors have further defined the following:

No satellite dish may be located on a hill, 5' from any fence, 10' in height from top of structure to the ground and is still subject to site review by the CC&R Committee.

SATELLITE DISHES (ref. CC&R Article IV, 4.8) adopted 2/15/95

Architectural Committee approval is not required for small "mini-satellite" dishes as long as they are not visible from the street or public walkways and are below fence level. (Neighbor awareness still applies). Exceptions must be submitted to the Architectural Committee for review and approval.

"TREE PLANTING" - Adopted September 21, 1989 and revised August 23, 1990.

Owners wishing to plant trees of a non dwarf variety closer than 5 feet from any common or shared fence must have the neighbors and Board approval. Dwarf trees are defined as those that do not exceed 4 1/2 feet.

"COLLECTION POLICY" – Adopted November 2002

Copies were distributed to all owners with the current Budget.

ARCHITECTURAL GUIDELINES AND STANDARDS" - Adopted December 5, 1989 & Revised and distributed to all owners in November of 1992.

Please request a copy from CIMS at (925) 743-3080 as copies were previously sent to all owners at the time of original adoption and subsequent revision.

BASKETBALL STANDARDS - Adopted October 26, 1994

All requests for permanent/stationary basketball standards must be submitted to the Architectural Review Committee for approval.

Placement of hoops may either be stationary or portable in the backyard. Neighborhood awareness section of the Guidelines (Section 2, Item 5) must be satisfied.

Portable hoops only will be allowed in the front yard and they must be removed daily.

ARCHITECTURAL GUIDELINES AND STANDARDS REVISION FOR THE PAINTING OF FENCES: - February 15, 1995

"Loam" color manufactured by Kelly Moore Paints is the preferred color for the painting of fences. They may also remain untreated or treated with a clear sealant. No Architectural Committee approval is necessary to clear-seal, paint or repaint fences in "loam" color (or equivalent color by a different manufacturer). All "visible" fences or "visible" backyard fences must remain untreated, treated with a clear sealant, or be painted "Loam". **All other paint colors or stains for the coloration or change in coloration of existing fences requires advance approval by the Architectural Committee and must be compatible with the existing color schemes of the house and immediate neighborhood.** Any future coloration of fences must be in compliance with these guidelines.

GARAGE DOOR REPLACEMENT, adopted 2/15/95

Replacement of all garage doors and their color requires review and approval of the Architectural Committee. The design and color of the replacement door shall coordinate with the existing exterior design and color scheme of the house.

**Carriage Hills Residents Association
NOTICE OF BOARD RESOLUTION**

**TO MODIFY THE ENFORCEMENT OF YOUR COMMUNITY FINE POLICY
'ENFORCEMENT' RULE**

**RESOLUTION TO MODIFY 'TERMS OF ENFORCEMENT' OF A COMMUNITY
VIOLATION THROUGH MONETARY FINE**

On May 25, 2006 the Board of Directors voted to modify community policy through the following resolution:

WHEREAS that certain Declaration of Covenants, Conditions and Restrictions of Carriage Hills Subdivision 6320, executed March 11, 1985 was recorded on March 18, 1985, as Series No. 85-32325, in Book 12228, Pages 437, et seq., Official Records of Contra Costa County, State of California (hereinafter referred to as the "Declaration"); and

WHEREAS, those certain Declarations of Annexation and Supplemental Restrictions, as more particularly described in Exhibit "A" and incorporated by this reference, were recorded in the Official Records of Contra Costa County; and

WHEREAS, the Declaration and any and all Declarations of Annexation and Supplemental Restrictions and amendments thereto govern that certain real property described in Exhibit "B" by this reference, and

WHEREAS, the Board of Directors under the authority of the Community By Laws, Article III, Section 3.1.1, Powers of the Board; and Section 3.5, Rules, thereof;

NOW, THEREFORE, pursuant to Article X, Section 10.2, Enforcement of the Covenants, Conditions, and Restrictions (CC&R's), the Board of Directors do hereby declare that the Declarations be, and are hereby, AMENDED as follows:

"CC&R Article X, Section 10.2.1, **Rights To Enforce** Be it further determined that, in the instance (s) of repeat violations (same owner, same issue) within eighteen (18) months of the first Hearing/Fine, the established policy of sending Courtesy Letters, Second Notice/Hearing Notice need not be repeated. A fine of up to \$100 may be levied at the will of a majority of the Board without further notice. Such fine may be repeated every thirty (30) days until the issue is resolved."

IN WITNESS WHEREOF, we the Members of the Board of the Carriage Hills Resident's Association hereby affirm, approve, and adopt the foregoing Amendment in accordance with Article X, Section 10.2.1 of the Declaration, by means of a Board Resolution requiring the signatures of the President and the Secretary of the Association.

DATED: May 25, 2006

CARRIAGE HILLS RESIDENT'S ASSOCIATION:

President, Kaye McKleroy

Secretary, Lin Conrad

MOTION CONCERNING COMMERCIAL VEHICLES August 28, 2003

- THAT WE LEAVE UNCHANGED THE RULE AND DEFINITION REGARDING COMMERCIAL VEHICLES IN OUR CC&RS.
- THAT WE NOTIFY HOMEOWNERS IN VIOLATION OF THIS RULE THAT THEY MAY PARK LEGALLY IN THE STREET BUT MUST COMPLY WITH THE CITY OF RICHMOND PARKING CODES LISTED BELOW.

14.44.110 PARKING IN A RESIDENCE DISTRICT

"No person shall stop, stand or park a motor truck having a manufacturer's rated capacity in excess of two ton, bus, semitrailer or truck tractor on any street, alley or parkway in a residence district as defined in California Vehicle Code Section 515, unless such vehicle is active engaged in the delivery or receipt of appliance, equipment, furniture, household goods, materials, merchandise, passengers or supplies at an adjacent commercial establishment, designated loading area, lot or residence and then only for such period of time that the loading or unloading operation is actually in progress."

14.44.080 ALL NIGHT PARKING OF COMMERCIAL VEHICLES PROHIBITED

"No person shall stop, stand or park a commercial vehicle over 84 inches in width or over 78 inches in height on any street for a period of time longer than one hour between the hours of one a.m. to six a.m. of any day; provided, that this section shall not apply to a vehicle of any regularly licensed physician when actually engaged in making professional calls."

Carriage Hills PARTY FENCES Policy

As most of you know first hand, the original fences in our association are in need of replacement. The majority of residents share a party fence with a neighbor and the replacement cost is shared between neighbors. Some of you share a back fence with EBMUD or East Bay Regional Parks. Those entities will not participate in replacing fences. Some of you share a back fence with the homeowner's association (CHRA) known as Parcel A and B. There is no process in place regarding the replacement of party fences shared with the CHRA. The potential cost to the CHRA is huge, so the following policy has been adopted by the Board of Directors to facilitate the replacement of party fences.

The CC&R's state: 3.4. Ownership of Party Fences: Any fence originally constructed and placed upon a common lot boundary line shall be a "party fence." Each Owner of a Lot upon which a party fence is situated shall own to the center of the party fence.

In order to fulfill the CHRA's responsibility and to remain financially responsible, the Board of Directors has adopted the following policy regarding replacement of "party fences" bordering the Common Area known as Parcel A and B.

The CHRA will only participate in the necessary replacement of ten (10) party fences and/or use a maximum of \$10,000 from the Reserve account per fiscal year, whichever occurs first. The owners must be in good standing with the CHRA. Replacement costs will be considered on a first come first serve basis. Home owners who have already replaced their fences or those whose fences have fallen down will get first priority in 2008. Any requests beyond the number or dollar limit, will be first in line for the following year.

The owner must provide CHRA with THREE estimates before beginning the replacement. The CHRA will only consider compensation for the basic fence: rough redwood fence grade known as con-common. The CHRA reserves the right to request more estimates if needed.

Once the fence is replaced, the owner must provide a final detailed bill (material and labor) clearly indicating the costs for the rear party fence only. Upon receipt of the final bill and verification of work completed, replacement compensation will be paid by the CHRA. (Insurance reimbursement must be deducted from the total cost before submitting the final bill.) Homeowners who wish to be on the list for 2008 can contact Common Interest after April 15, 2008 when the new policy will go into effect.

Carriage Hills Homeowners Association

533 Moraga Rd #200
Moraga, CA 94556

February 9, 2006

To: All Carriage Hills Residents on Reno Lane

From: Board of Directors

The HOA has become aware of the serious parking congestion on Reno Lane. Some households have five cars or more, which results in too many cars being parked on the street. In a cul-de-sac, this creates a safety issue for fire and police response as well as a neighborhood concern about limited parking.

The rules and regulations of the HOA (CC&Rs) govern the parking in the driveways and the Richmond city parking codes govern the parking in the street.

In order to clarify: Carriage Hills North CC&Rs state:

- o Cars parked in the driveway must be in operable condition with current registration.
- o No commercial vehicles, including taxis, may be parked in the driveways.
- o No recreation vehicles or boats may be parked in the driveway. There is a 24-hour limit for loading and unloading.

Richmond city codes for the streets state:

- o No parking longer than 72 hours is allowed.
- o No parking in front of a fire hydrant is allowed.
- o No large commercial vehicles or recreation vehicles are allowed.
- o Cars must be also be operable and have a current registration.

There are some vehicles on Reno Lane that are in violation of the above rules. We ask you to comply as soon as possible. We also urge all the residents on Reno Lane to consider their neighbors and to park as many of your cars as possible in the garage or driveway, thereby leaving room on the street for delivery vehicles, guest parking and access for fire and police response. Your cooperation with your neighbors would benefit everyone.

Sincerely,

The Board of Directors