

**COWELL HOMEOWNERS ASSOCIATION, INC.  
ARCHITECTURAL GUIDELINES**

**Table of Contents**

<b>Architectural Guidelines</b>	<b>Page 2</b>
<b>Authority, Procedure, Appeal</b>	
<b>Use Restrictions of Lots as Stated in the CCRs</b>	<b>Page 3</b>
(Covers Article 2, Sections 1, 2, 3, 5, 10, and 13)	
<b>Architectural Guidelines</b>	<b>Pages 4-8</b>
<b>Section 1, The Dwelling</b>	<b>Pages 4-5</b>
(Front Doors, Painting, Garage Doors, Replacement Windows)	
<b>Section 2, Dwelling Additions and Attachments</b>	<b>Page 5</b>
(House Additions, Decks, Overhangs, Attachments)	
<b>Section 3, Free Standing Structures</b>	<b>Page 6</b>
(All Free-Standing Structures, Fencing, Mail Boxes)	
<b>Section 4, Roofing and Roof Modifications</b>	<b>Pages 6-7</b>
(Roofing, Skylights, Solar Panels, Satellite Dishes)	
<b>Section 5, Other Property Considerations</b>	<b>Pages 7-8</b>
(Driveways, Swimming Pools/ In Ground and Portable Spas, Holiday Decorations Skate Board Ramps, Basketball Hoops)	
<b>Property Maintenance Standards</b>	<b>Page 9</b>
Covers Dwelling; Property; Vehicular Parking, Repairs and Storage	

# **COWELL HOMEOWNERS ASSOCIATION, INC. ARCHITECTURAL GUIDELINES**

Revised January 2003

## **AUTHORITY**

The Architectural Committee, authorized and established by Article IX of the Association CC&RS, is responsible for reviewing for approval or denial all external changes to the properties in the development. This would include structural additions and deletions on each property, as well as such changes as painting, fencing, decking, roofing, double pane windows. Planting plans for the properties do not need Architectural approval unless they include items other than the plants themselves, such as, walkways, retaining walls, small fences, concrete accent borders, decking etc. For the purposes of this committee the reference to Landscaping in Article IX, Section 1 shall mean "fencing". Full definitions of the Committee authority are listed in Article IX of the CC&RS.

The Architectural Committee has adopted, and the Homeowners' Association Board of Directors has approved, guidelines to be followed in examining submitted requests. These guidelines have been submitted to all homeowners in compliance with the CC&RS. It was the Committee's intent to make the rules general enough to give the homeowners flexibility in design, but specific enough to safeguard the standards of the community.

## **PROCEDURE**

Homeowners considering an exterior adjustment to their home must submit a written request to the Architectural Committee through the Business Office. The committee meets once each month on a regularly scheduled date. All properly submitted requests will be reviewed at the regularly scheduled meetings and a committee decision rendered within 60 days of receipt of all necessary and requested information. Committee decisions will be provided in writing to the requesting party. (If further information is needed by the Committee in order to make a decision, no final action will be taken on the request until the meeting following the receipt of requested information.) Special meetings of the committee will not be held to review requests. Specifics for the requested work must be submitted to the Association Manager at least 5 days prior to the meeting for inclusion on the agenda.

## **APPEAL**

Decision of the Committee may be appealed to the Homeowners' Association Board of Directors. Board rulings are final and homeowners are responsible for correcting all deficiencies noted by the Board within the time period provided. Should required corrections not be made, the Board may take legal action.

## **USE RESTRICTIONS OF LOTS AS STATED IN THE CC&Rs**

**Article II, Section 1:** No residence shall contain internal partitions and duplications of facilities, separate entrances or other incidents of a duplex or multiple family dwelling.

**Article II, Section 2:** All buildings erected or constructed on any Lot shall conform to the ordinances and statutes pertaining thereto.

**Article II, Section 3:** No building shall be located on any Lot near the front Lot line nor side street line, nor nearer to the side or rear yard line of such Lot than shall be permitted by the ordinances and regulations of the applicable governmental agency governing the same, nor in any event closer to the front and side yard lines than established by the original construction of such building yard set-back shall be required for a garage or other permitted accessory building located Thirty (30) feet or more from the front Lot line.

**Article II, Section 5:** No garage, bar, or any other out-building erected on any Lot described herein, including "granny units" or in-law quarters shall at any time be used as a residence, temporarily or permanently.

**Article II, Section 10:** No radio or television receiving or transmitting antennae or external apparatus shall be installed on any Lot. Normal radio and television installations wholly within a building are accepted. Satellite dish installations are allowed within the guidelines stated on page 6 herein.

**Article II, Section 13:** Certain of the Lots located within the Development have been conveyed with easements over adjacent property or subject to easements for benefit of adjacent property or both

- (a) Allowable uses are restricted to landscaping (flowers, plants, lawn, sprinklers, hose bibs and so forth), swimming pool decking and use as a general recreation and garden area or any other use at ground level that will allow the Owner of the land (servant tenement) access to any underground construction and to the walls and roof of his or her home for maintenance and repair and further does not impede surface drainage in the area. All such improvements in the easement area must be submitted to the Architectural Control Committee for approval prior to installation.

# **ARCHITECTURAL GUIDELINES**

**Homeowners must submit an Architectural Request Form for the Architectural Committee through the Business Office. The association manager may immediately approve projects that meet authorized conditions, for example approved roofing materials, or approved paint colors. Projects that proceed without approval must be corrected upon committee request. Be sure to submit your request with ample time for review by the committee as they only meet once per month.**

*---All items listed below are subject to Committee approval---*

## **Section I**

### **PAINTING**

All painted exterior surfaces must be maintained in good condition.

All exterior home repainting must be submitted in writing to the Architectural Committee for approval. The Association has a color book available for check out and review from the Association Business Office. Combinations from this book using the colors shown are approved immediately once an application is submitted to the Association offices.

All other requests will be reviewed at the next committee meeting held after submittal of the application. Applications must provide all information requested and include color samples. **All color samples must be at least 8.5 inches x 11 inches minimum, preferably on a 2 ft. x 2 ft. wood surface.** Colors must be harmonious and complementary to surrounding structures and the development. The Architectural Committee has full authority to deny a color based on their assessment of its incompatibility to the balance of the houses in the development. When a painting request is provided to the committee with the statement "base color" the committee understands that the stucco or siding and any exposed concrete foundation will be included in this area. Concrete driveways and walkways shall remain unpainted. Gutters must be painted to match the trim color of the house and downspouts must be painted to match the color they rest against on the home (typically, the base color). Unpainted and unstained surfaces such as rock, brick, or fencing shall remain so. Any changes to this must be noted in the painting request and approved for change.

Garage doors must meet the paint requirements set forth in these Architectural Guidelines under the sub-heading: "Garage Doors".

All completed painting jobs must look professional, neat and clean.

### **FRONT DOORS**

Any new door must be in keeping with the style of the home, exterior paint colors, and the architectural character of the community.

## **Section 1 (cont'd)**

### **GARAGE DOORS**

Garage doors, including new pre-painted doors are to be painted to match either the base color of the house or the color of the trim of the house. **The garage door can have only one color.**

### **REPLACEMENT WINDOWS**

Replacement window frame color must either closely match the color of the existing trim and/or base color so as to provide a soft color contrast, or must be the same color as the existing trim or base color. Windows should be the same type and style all around the home. Shutters, if used, should fit the proportion of the windows. No window or wall type air conditioners or water coolers shall be permitted to be used, erected, placed, or maintained on the outside of any residence. Burglar bars on windows or doors require approval. Treatments to existing windows and glass doors must have prior approval of the Architectural Committee.

## **Section 2**

### **HOUSE ADDITIONS**

All changes, permanent or temporary, to the exterior appearance of a dwelling unit or lot are subject to review and approval by the Architectural Committee. All applications must be submitted with a complete set of drawings for Committee review. As proposed, the size, scale, color, design, quality, and materials of the structure must be architecturally and aesthetically compatible with the home, the lot, and the community. As proposed, the roof structure, gutters, downspouts and splashguards associated with the structure must be i) functional and ii) appropriate to mitigate water run-off and potential drainage impact on neighboring properties or common areas. Only exterior materials compatible with the architectural design character of the community will be approved. No windows shall be added that would affect the privacy of neighboring homes. The impact to neighboring homes needs to be considered.

### **DECKS, OVERHANGS & ATTACHMENTS**

All decks, patios, attachments and overhangs must be submitted for committee approval. Decks and patios are acceptable in the rear of the house not to extend closer than 5 feet to all adjoining property lines. In the front of the house, decks and patios are not to extend past the farthest forward extension of the house. Any material used must be compatible with the existing structure and submitted to the committee for approval. Attachments and overhangs must be a maximum height of a single story, not to extend closer to adjoining property lines than 5 feet. If a plastic cover is being contemplated, only clear smoked color will be considered. Second story balconies will be reviewed for approval only after considering the impact to immediate neighboring homes.

### **OTHER HOUSE ATTACHMENTS**

All other house attachments must be of a material compatible with the existing structure. Roofline gutters must be painted to match the trim of the house or if pre colored vinyl gutters are used they must be selected so that they match the existing trim color. Wood stove piping must be painted to match the surface it is attached to. Roof vents and turbines must be painted to match the color of the roof. Downspouts must be the same color as the background against which they lie.

## Section 3

### **FREE STANDING STRUCTURES**

Any freestanding structure visible from neighbors' property, roadways or common areas needs approval of the Architectural Committee. All building codes must be followed. Examples include tool sheds, sandboxes, playhouses, swing sets, etc. Materials must be compatible with the adjacent structures, preferably wood. Structures must be a minimum of 5 feet from the property lines, and not in the easement areas. Generally, such equipment must be placed rear yards. All elements of the equipment must be within the homeowner's lot boundaries. The impact to neighboring homes needs to be considered.

### **FENCING**

Front, rear and side yard fencing must be redwood or cedar. No galvanized or chain link fencing will be approved. Wrought iron or bricking may be considered for use depending on its compatibility to surrounding structures. Maximum height of rear and side yard fencing shall be 6 feet. The committee will consider fence extensions on an individual basis. All fencing should preferably have finished material on both sides. All side and rear yard fencing will follow the existing good neighbor design. If only one side has finished materials, this must face the public side of individual lot. Front side yard fences must allow for an 18" setback from the walkway. Front yard fencing may not exceed 2 1/2 feet in height. Other fencing may be considered for approval if the design is in conformity with the architectural design of the community.

### **MAILBOXES**

For maintenance of property values and consistency, all mailboxes must be maintained in excellent condition, be of "standard" size and shape, and be in keeping with the architecture of the community.

## Section 4

### **ROOFING**

Detailed re-roofing information (revised 09/02) is available at the business office. Wood shake is no longer allowed as a re-roofing material. Any and all changes to the existing shake roofing on the home must be submitted for approval. There are several types of roofing materials that have been approved for usage in the development. A list is available for homeowner review at the business office. A request (application) must be submitted prior to commencement of any work. **House colors must be included with request to ensure compatibility with proposed roof color.**

### **SKYLIGHTS**

All installations must include anodized framing to match to the roofing on the house. Skylights that are 2 feet by 2 feet in dimension or smaller may be white opaque in color. Any skylight larger than 2 feet by 2 feet must be clear, bronze or smoked in color. It is an Association policy that the small tubular skylights that have reflective pieces that extend up into the glass must be mounted on the house so that they are not visible from the street. The metal collar of the tubular skylights must be painted to match the roof.

## **Section 4 (cont'd)**

### **SOLAR PANELS**

Energy conservation equipment is encouraged as long as it does not significantly detract from existing architectural design. Flat panels are preferred. High standing metal structures are not allowed. Variances to solar panels may be issued depending on the location, at the discretion of the Board of Directors.

### **SATELLITE DISHES**

Satellite dishes of no more than one meter in diameter may be installed wherever signal reception of acceptable quality is best, unless there are concerns over safety. No dish larger than one meter in diameter will be considered for Board approval. The satellite dish must be for personal use of the owner or resident of the Lot upon which it is installed. Installations should be planned so that the dish is as unobtrusive as possible from the front of the home. The satellite, wiring, and any other associated apparatus used to install the dish may not encroach on any portion of property that is not within the owner's exclusive use and control.

## **Section 5**

### **DRIVEWAYS**

Any drive or parking area must be added with a curb cut so that the area is a completed and permanent addition. Runners or gravel drives added in the front side yard for access to parking a vehicle behind the side yard fence, are not to be used as an additional front yard parking area. It is Association policy that in the front yard, paved areas shall not exceed landscaped areas.

### **SWIMMING POOLS / IN GROUND and PORTABLE SPAS**

All installations are subject to city codes and required permits.

### **HOLIDAY DECORATIONS**

Holiday decorations must be taken down within 30 days of the end of each Holiday season.

### **SKATEBOARD RAMPS**

Skateboard ramps may be used on the property as long as they are fully portable. When not in active use, ramps must be stored out of sight from the street and Greenbelt either in the garage or behind the fence.

## **Section 5 (cont'd)**

### **BASKETBALL HOOPS**

Basketball standards are defined as "freestanding", "portable basketball hoop systems", "hoops", "backboards", and "devices". Standards must be totally portable and not cemented and therefore not a permanent fixture on the property. Basketball standards affixed to home walls or roofs must be removable. Only one standard is allowed per house.

#### **APPEARANCE**

Basketball standards must be maintained as intended by the manufacturer and kept in good repair.

- No base materials can show through.
- Brackets must not be missing, broken, or bent.
- Rust must not be evident anywhere on the standard.
- Nets must be installed and not frayed.
- Chain nets must not be rusted.
- Hoops must be as originally intended by the manufacturer and not bent.

#### **LOCATION**

Basketball standards must not be placed in such a way that the base or backboard extends or overhangs the sidewalk edge of the owner's property line. **Basketball Standards are not allowed on the sidewalks or in the street** as stated in City Ordinance 4202 so as to create an obstruction. This ordinance states: Public Right-of-Way Obstructions

No person shall place anywhere upon any Public Street, way, or sidewalk any boxes, barrels, wood, or any other thing obstructing the free use or passage of such street, way, or sidewalk.

#### **CONSIDERATIONS WHEN DETERMINING LOCATION:**

All owners placing a portable standard should take into consideration the following factors with regard to the neighboring properties:

- Basketball standard should be placed in the least prominent position from the curb view of the home.
- Consider the neighbor's view of the standard from its backside.
- Consider positioning the standard in a place that would cause the least amount of noise to the neighbors from rebounding balls hitting objects and causing crashing sounds.
- Consider the neighbors landscaping and potential damage to their landscape.

#### **NON-USE**

Standards not being used should be stored out of sight.

# COWELL HOMEOWNERS ASSOCIATION INC. PROPERTY MAINTENANCE STANDARDS

Revised January 2003

All residents benefit from the planning and design that has been a part of our development. The intent of the architectural policies is to assure residents that the standards of design quality will be maintained. This, in turn, protects property values and enhances the development's overall environment.

The Association enforces the required maintenance of individual properties as outlined in Article VI of the CC&Rs and the property maintenance standards listed here. The Architectural Committee is responsible for assisting with the enforcement of Article VI of the CC&Rs, which addresses maintenance of the individual properties. If individual properties are not maintained properly, the Association can take any recourse available through the governing documents to include binding arbitration, and legal recourse.

Any other condition not covered herein, but which contributes to the general negative appearance or disrepair of a property, may be addressed by the association, or to the Association by any Homeowner, or on an individual basis

## DWELLINGS

1. The exteriors of dwellings shall be maintained and painted as needed. **Painting is required when there is evidence of staining, chipping, cracking, flaking of paint, or wood is exposed. Prior to any exterior repainting any repainting a written request must be submitted to the Architectural Committee.** See architectural guidelines under painting.
2. Appurtenances, including but not limited to decks, overhangs, lights, attic ventilators, gutters and downspouts etc, must be properly maintained and promptly repaired.
3. Broken windows, screens garage doors and entry doors must be repaired or replaced within 30 days of breakage.

## PROPERTY

1. All properties must be landscaped. Said landscaping of every kind and character including lawn, shrubs, trees and plantings shall be trimmed, cultivated, weeded and maintained continuously so as to provide a safe clean and groomed appearance and so as not to encroach on the sidewalk or street.
2. Trees and shrubs, which overhang on public walkways, streets etc. shall be trimmed so they are fully clear of the sidewalk, and to provide for full clearance. The minimum clearance shall be 8 feet above the sidewalk and 12 feet above the street. (City Code Section 4302, Ordinance 809)

3. Strips of land between fences and public walkways, and between the street and public walkways are the property owners' responsibility and shall be kept landscaped, neat and weed free. Street corner cut out strips shall be kept landscaped and weed free, street gutters shall be kept weed free.
4. Fences, gates, sidewalks, driveways, mailboxes, storage sheds, and yard decorations shall be properly maintained. All damage shall be properly repaired within 30 days unless otherwise authorized by the Board of Directors.
5. Accumulation of rubbish, wood etc. visible from other properties and the street shall not be allowed for more than 7 days (next scheduled trash pick up). Rubbish shall be disposed of at the regular weekly trash pick up.
6. Trash, garbage and recycling containers must be stored out of sight in the garage or behind a fence. Trash and recycling containers should be visible only on trash collection days.

## **VEHICULAR PARKING, REPAIRS & STORAGE**

Article II, Section 9 of the CC&Rs state that trailers, boats, motor homes or other recreational vehicles, and non-operational vehicles are not to be parked in the driveway or the street for more than 72 consecutive hours. This is pursuant to Concord municipal Code Sections 10813.3217 and California Vehicle Code Sections 22651 (k), 22702.

1. Automobiles, motorcycles, pickup trucks and vans three-quarter ton capacity or less, which are fully operational and currently registered, are allowed to park in paved driveway and other areas lawfully designated for the parking, but are prohibited from parking in front yard areas between the street and any section of the front wall of a building. Vehicles may not be parked on gravel or dirt areas of the front yard or front side yard. (Ord. 620, 787, 1206, 1253, 86-14, 92-14)
2. Vehicles being repaired shall not be left in the driveway or Lot for over 24 hours. No person shall construct, repair, grease, or dismantle any vehicle or any part thereof upon any public street. (Concord municipal Code Section 3254)
3. Commercial vehicles may not be stored or parked at any residential property. Commercial vehicles may only be parked during the course of providing a service or making deliveries to the residential property. A commercial vehicle is any vehicle currently registered or required to be registered as such with the Department of Motor Vehicles, and is used promptly in the conduct of business as opposed to private family or individual use (Concord Municipal Code Section 10813, Ord. 92-14)
4. Permanent storage of any vehicles, machines, supplies or materials that could degrade the health, safety, general welfare or aesthetics of any area is not allowed in the driveway or the front yard of any property (Concord Municipal code Section 10813, Ord. 620,787,1206,1253, and 86-14).