

Landmark Yorktown Community Association

The Landmark Yorktown Community Association (hereinafter Landmark Yorktown or LYCA) neighborhood falls under the California State Law for Condominium Guidelines which provides for the establishment of architectural standards and procedures in our community. All residents and homeowners are subject to the provisions of the Architectural Committee standards that are developed using LYCA's Declaration of Covenants, Conditions, Restrictions and Easements (CCR's) and the California State Condominium Law, for the benefit of all.

The Architectural Committee (hereinafter also "AC") is responsible for administering the *Architectural Standards and Procedures*. The intent of the architectural review process is to assure residents and homeowners that the standards of design within the community will be observed and maintained. This process protects property values, maintains esthetic harmony, and enhances the overall environment of the community for everyone.

According to Civil Code 1378, there are certain procedures that homeowners' associations must take into account in setting architectural approval procedures.

The objectives, responsibilities and standards for the Architectural Committee are described in the Landmark Yorktown Community Association CCR's in Article VII, Sections 7.01 through 7.09.

The *LYCA Architectural Committee Standards and Procedures* became effective on January 1, 2017 and supersede all previously issued or articulated guidelines, standards or procedures. The *Standards and Procedures* also reflect *California State Condominium Law*, which is subject to change by the Legislature from time to time. The standards described in this document address common improvements and are not intended to be all-inclusive.

The LYCA has sole and complete discretion to approve or disapprove an alteration requiring approval. The association, acting through the Architectural Committee, shall approve an alteration only if it makes an affirmative finding that the alteration of LYCA property (i) will not impair the structural integrity of any part of the property, (ii) will not interfere with any mechanical system, (iii) is consistent with the governing documents, (iv) will not detract from the appearance, harmony, attractiveness and enjoyability of the property and/or neighboring properties, and (v) will not impose an unreasonable maintenance burden on the association.

Objectives of Architectural Standards

The objective of this Standards and Procedures document is twofold. First, to inform and guide homeowners and residents, as well as members of both the Architectural Committee and the Board of Directors (hereinafter also BOD), in maintaining and enhancing the environment of the Landmark Yorktown community. Second, to provide consistency for both homeowners and the Architectural Committee in the architectural review and approval process. The standards and procedures described herein address improvements and changes for which homeowners most commonly submit applications to the Architectural Committee; they are not intended to be all-inclusive or exclusive, but rather to serve as a reference regarding changes and alterations that may be permissible. The specific objectives of the standards are as follows:

- To protect and enhance the value of the community by preserving and enforcing the Declaration of Covenants, Conditions, Restrictions and Easements (CCR's).
- To increase residents' awareness and understanding of the CCR's.
- To describe the organizations and procedures involved with the architectural requirements established by the CCR's.
- To illustrate design principles which will aid residents in developing exterior improvements that are in aesthetic harmony with the community as a whole.
- To assist residents in preparing an acceptable application for submittal to the Architectural Committee.
- To provide uniform standards and procedures for reviewing homeowner applications.

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PROCEDURE FOR SUBMITTING AN APPLICATION FOR EXTERIOR ALTERATIONS TO PROPERTY

The exterior structure of each unit is the property of the LYCA. Prior to commencement of any exterior alterations (structural or cosmetic) to a dwelling or property, homeowners must submit an application to, and receive approval from, the Architectural Committee. A homeowner submitting a request to the AC must allow sufficient time for the committee to complete the review process before the planned alteration may begin. The process for approving some changes, such as installation of an air conditioner or new windows and doors, could require 30-60 days to complete.

An individual approval-request form is required for each separate alteration. The *Application for Architectural Committee Approval* form may be obtained from the current property management company. A sample form is included with this document. The application form is

specific as to the information required prior to review. If the submitted form is not complete, it will not be considered

Since alterations may affect neighboring units, homeowners are urged to discuss their plans with their neighbors prior to filing an application for Architectural Committee approval. All applications require the signatures of two (2) adjoining homeowners, and possibly one (1) additional property owner, who may be visually or otherwise affected by the proposed alteration. The signatures of the affected neighbors do not reflect approval of the proposed project, but do serve as an indication of their awareness of the proposal. Concerns about the proposed project must be made in writing to the Architectural Committee. Any homeowner affected by the proposed project may contest a proposed project (in writing) within ten (10) days after the approval of the project by the Architectural Committee.

Complete applications should be sent by mail to:

Landmark Yorktown Community Association
c/o Powerstone Property Management
9060 Irvine Center Drive, #200
Irvine, CA 92618
Phone: (949) 716-3998 (M-F 9 a.m. – 5 p.m.)

Or by electronic mail: - - Please obtain the email address for the current Powerstone Property Manager responsible for the Landmark Yorktown Community Association.

Note: Applications and all attachments that are submitted by e-mail must be in 8-1/2" x 11" PDF format.

The Architectural Committee will act upon complete applications within thirty (30) days of receipt. Applications which are approved by the Architectural Committee will be submitted to the BOD for concurrence at the next regularly scheduled meeting of the BOD. Preconstruction approvals granted by the Architectural Committee and concurred with by the BOD are deemed to be approved as described in the application.

If the homeowner has not received a written approval or rejection from the Architectural Committee within thirty days of submission, it is incumbent upon the homeowner to contact the property management company for a status on the application. Notification of an incomplete application will be provided no later than two weeks after receipt of the application by the Architectural Committee.

Any exterior alterations made without prior Architectural Committee approval shall be considered in violation of these rules and will be subject to enforcement action by the Association.

Timeline of Review and Approval Procedures

Step 1: After receipt of a completed application, the Architectural Committee has 30 days to approve or deny a fully-completed application. If information pertinent for the review of the application is missing, the incomplete application will be returned to the homeowner and the missing information must be submitted before the Architectural Committee will consider the application for approval. If the application is complete, the review process will begin based upon the procedures set forth in this document.

Step 2: The Architectural Committee will use its best efforts to send notification of approval/disapproval to the property management company within seven (7) days after the application was reviewed. The property management company will record the decision and forward the results to the homeowner within an additional seven (7) days. The approval/disapproval of the Architectural Committee will be sent by letter to the address on the application.

Step 3: Applications which are approved by the Architectural Committee will be submitted to the BOD for concurrence at the next regularly scheduled meeting of the BOD.

Step 4: The homeowner must ensure that all approved alterations be completed within 180 days of the date of concurrence by the BOD. If the alteration cannot be completed within this period, a written extension request must be filed with the Architectural Committee prior to the expiration of the 180 days.

Modifications: Once an alteration has been approved, modifications to the original request must be submitted in writing to the Architectural Committee (with the original alteration request) for additional review/approval by the Architectural Committee. The modification/change approval must be in place prior to beginning the modifications.

Step 5: The homeowner/applicant must notify the Architectural Committee in writing within 30 days after completion of the improvement in order to request approval of the completed project. At this point, the Architectural Committee will review the finished project to ensure that it meets the specifications set forth in the approved application.

Once the Architectural Committee grants approval of the completed project, the approval will be recorded within the files of LYCA.

Non-Compliance: If an owner (1) commences exterior alterations without receiving written approval; or (2) completes unapproved modifications without seeking Architectural Committee modification-approval, then the Architectural Committee, the Association, or any Member can recommend appropriate legal action to the Board of Directors.

Appeals will be heard if the applicant or those affected can demonstrate that the Architectural Committee failed to meet any of the following criteria:

- *To follow proper procedures during the administration and review process, and/or*
- *To provide a fair hearing to the applicant and any other affected residents, and/or*
- *To render a decision that was rational and not arbitrary.*

Enforcement/Penalties for Violations

Subject to the decision and discretion of the Board of Directors.

STANDARDS FOR ALTERATIONS

Replacement Windows and Doors

The replacement of either originally-installed windows and/or sliding glass doors or previously replaced windows and/or doors is a change to the exterior structure of the unit and must be approved by the Architectural Committee. The homeowner must submit an approval-request application form with all the information about the proposed location of the replacements, the style and construction of the replacement, and any other information that may be requested.

- The exterior color of the replacement windows or doors must be ALMOND or an acceptable facsimile thereof; color samples can be obtained from the Architectural Committee. The Architectural Committee will determine if the proposed color is acceptable.
- The homeowner is responsible for any damage to the stucco, wood trim, or roofing incurred during removal of old windows/doors and installation of new windows/doors.

Garage Doors and Entry Doors; Screen and Security Doors

Garage Doors: Replacement of garage doors requires approval by the Architectural Committee. Where the replacement is made necessary by damage to the door such that the door is rendered inoperable, approval will not be unreasonably delayed.

- The replacement door must be the same design and composition as the door being replaced.
- The exterior color of the replacement garage door must be ALMOND or an acceptable facsimile thereof; approved color samples can be obtained from the Architectural Committee. The Architectural Committee will determine if the proposed color is acceptable.

Entry Doors: Replacement or color change of entry doors to the unit or garage requires approval by the Architectural Committee. The replacement door must be consistent and compatible with the exterior design and color of the LYCA community.

Screen or Security Doors: The original design of LYCA units did not include entryway screen or security doors. The addition of screen and/or security doors to entryways is a change to the exterior of the unit and requires approval of the Architectural Committee. Screen and security doors must be either white, almond, black or bronze.

Skylights

Skylights or “solar tubes” may be installed in LYCA units but they are a change to the exterior structure of the unit and require prior approval by the Architectural Committee.

- Skylights may only be installed in a portion of the roof of the unit that is NOT visible from the street.
- The homeowner is responsible for damages to the roofing or other parts of the structure that are incurred during installation of the skylights.
- Skylights should have a low profile with a flat or slightly curved panel.

Fixtures and Exterior Decorative Objects

Architectural Committee approval is required before addition or attachment of any fixture or decorative object to the exterior of a unit. The Architectural Committee defines a “fixture or decorative object” as any item mounted to or located near the unit that exceeds thirty (30) inches in height OR eighteen (18) inches in width or depth. This includes natural and man-made objects such as wagon wheels, sculptures, fountains, stumps, poles, and outdoor chairs.

Decorative objects may only be attached to wood surfaces; they will be considered based on their size, color, scale, appropriateness with the surrounding area, and their visual impact on adjoining units and common areas. The decorative objects must be in good taste as assessed by the Architectural Committee and by the BOD.

Approval is not required for seasonal plants, flowers, or temporary seasonal objects or decorations. Holiday decorations may not be displayed until 30 days before the respective holiday and must be removed within 15 days after that holiday. The holiday must be a nationally recognized public holiday or religious holiday. **Only fasteners that do not cause damage to the structure and which allow for easy attachment and removal should be used for hanging holiday decorations; those fasteners may be attached only to the wood frame trim on the unit. Nails, tacks, staples, and screws are not acceptable fasteners.**

No exterior carpeting, synthetic grass or similar synthetic materials is permitted in front of an owner's unit outside the exclusive-use common area. Door mats at the entryways of a unit are permitted; any lettering/verbiage/image that is part of the door mat shall not imply or explicitly state derogatory or inflammatory comments or images. Door mats and other materials that may be used to cover front-door landings or patio deck areas shall not be glued or fixed to the surface in any manner so as to result in damage to the doorstep or deck surface when removed.

At no time, should any fixtures be attached to the exterior stucco surfaces of any unit. Already existing address placards and lighting at the door entrance areas of each unit are the only exceptions for attaching to exterior stucco surfaces.

A completed *Architectural Committee Approval Application* for a fixture or exterior decorative object must include:

- A diagram or site plan showing the relation of the object to the owners unit and adjacent neighbors units.
- A picture/photo and/or drawing (including dimensions) of the object must be provided.
- The color and type of material of the object
- The method of attachment

Flagpoles

Permanent, freestanding flagpoles will NOT be considered for display on association property. Architectural Committee approval is not required for homeowners wishing temporary flagpoles which do not exceed six (6) feet in length and which are attached to the wood trim surface at an incline to the unit and do not interfere with viewing of the unit address placard that is attached to the stucco surface.

Gutters and Downspouts

Any change impacting the orientation of existing gutters and downspouts requires Architectural Committee approval. Types of changes include, but are not necessarily limited to the following:

- Changing the existing routing
- Removing existing sections
- Redirecting the existing flow of water

- Performing any modification to the unit that requires changing the existing orientation of any segment of gutter or downspout.
- Temporary extension of downspouts during rainy periods does not require approval but must not interfere with the drainage of water from other units and must be removed when no longer in use.

Patio Covers, Awnings, Canopies, Trellises, and Other Sun Control Devices

Architectural Committee approval is required for installation of all patio covers, awnings, canopies, trellises, and other sun mitigating devices that attach to the exterior of the unit. Patio covers, awnings, canopies, and other sun mitigating devices are permitted only for the exclusive-use common area of a unit; a patio cover, awning, canopy, and other sun mitigating device that would intrude into the common area is not permitted.

Patio covers are defined as fixed constructions (of wood or other material) that are attached to the exterior of the Unit and which extend over all or a portion of the exclusive-use area. The patio cover must attach only to the wood portions of the exterior, NOT to the stucco exterior. The patio cover may not rest on the wall of the exclusive-use area; supports must be part of the structure. The patio cover must be consistent with the character of the LYCA unit's style, color, and design.

Awnings and Canopies (hereafter Awnings) are defined as structures, which may be fixed or adjustable, constructed of canvas or other similar material supported by a wood or metal framework which may extend over all or a portion of the exclusive-use area. No aluminum, fiber glass, plastic, or other material is permitted. Fixed awnings must comply with the same conditions as patio covers. Adjustable awnings, that are designed to be extended when in use and retracted when not in use, must match and/or be consistent with the dominant color of the unit. The AC will determine if the proposed color and/or material are acceptable. Awnings may only be attached to the wood portion of the unit exterior.

Trellises are defined as structures intended to screen portions of the exclusive-use area and/or provide support for plants. Trellises are normally not attached to the unit or to the walls of the exclusive use area.

No freestanding screening or other structure of any sort shall be permitted without the approval of the Architectural Committee. Temporary canopies or awnings erected for special occasions shall be permitted, but may not remain in place for more than a fourteen-day period.

The location of any awning, canopy, or trellis must not adversely affect views, light, or natural ventilation of adjacent units.

Satellite Dishes and Other Reception Devices

Installation of antenna and satellite dishes requires the submission of an application to the Architectural Committee. Satellite dishes and attached wiring must be installed in a location that is not visible from the street.

Alteration of the Surfaces of Exclusive-Use Common Areas

The original surfaces of the exclusive-use common area patios and walkways is concrete. Changes to the surface of these areas and/or removal and replacement of such patios and walkways requires approval by the Architectural Committee. Changes, alterations, or replacement of the existing surface by installation of pavers, brick, flagstone, or other surface material must consider and avoid the following:

- Creation of an uneven surface between the altered area and any adjacent surface that could constitute a “trip-hazard” or otherwise interfere with safe and unimpeded transit.
- Creation of a surface that would be slippery when wet.
- Creation of a change in water drainage that could cause damage to the homeowner’s unit and/or adjoining units.
- Raising the surface of the patio or walkway to a level that impedes air circulation in the exterior walls of any unit.
- Covering sewage drain-cleanout access points.

Removal of the concrete patio or walkway, in whole or in part, will require, in addition to approval of the Architectural Committee and BOD, notification of all neighbors at least three days prior to the start of work and provision of any protections requested by adjacent homeowners to prevent damage and excessive noise.

Exterior Lighting, Security Lighting and Electronic Insect Traps

No person shall change the exterior lighting of any home without approval by the Architectural Committee. The exception to this rule will be for standard low-voltage landscape lighting which does not require Architectural Committee approval. Installation of **unique** low-voltage lighting (i.e., colored lights, odd shape, excessive quantity or size) requires approval by the Architectural Committee. Low-voltage lights may only be located within the unit’s exclusive-use common area. If in doubt, please submit an application. In all cases, spotlights and floodlights must have approval from the Architectural Committee.

Exterior lighting, in addition to that initially provided on the unit, may be desired to enhance a deck or patio or to improve visibility on a driveway, path, or walkway. Lights added to the front of a house, porch or garage must either (a) match or complement existing lamp styles or (b) the existing lamps that are visible on the same side of the unit, must be replaced with a new lamp fixture representing a matching style. Lighting installed specifically for security purposes is exempt from this requirement.

- Ground level lights bordering a driveway, paths, or walkways are not allowed
- Lighting, decorative, security or otherwise, in the front, rear, or side yard must be placed so that light does not shine outside the property in a manner that could disturb neighbors. In particular, care must be taken in arranging the angle of the light.
- Motion detectors added to existing exterior lighting (or manufactured as part of a lighting fixture) do not require an application.
- Sodium or mercury vapor lights/lamps are not allowed.
- Electronic insect traps are permitted only within the area defined by the exclusive-use common areas and will be regulated based on the same criteria as external lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from the noise or light intrusion.

Applications for the addition of exterior lighting, security lighting or electronic insect traps must include the following information:

- A written explanation of lighting addition and/or revision.
- A site plan showing the relation of the insect trap or lighting to house, property line, and adjacent neighbors.
- A picture and/or detailed drawing of the insect trap or lighting including dimensions and height of fixture above ground.
- A written description of lamp wattage to be used and color of lamp. (i.e., warm white, soft white, cool white, daylight).

All lighting installations must comply with City, State and National Electrical Code including California State Title 24.

Where possible, all electrical conduit must be installed so that it is not visible on exterior walls. If electrical conduit is visible, it must be painted to match the existing wall color. Each

light fixture must have an electrical disconnecting means for servicing. (i.e. switch and/or circuit breaker).

Air Conditioning

It is mandatory that the homeowner submit an Application for Architectural Committee Approval form prior to the installation of any air conditioning system. Window-mounted air conditioners are not allowed and will not be approved. The application must include a diagram or site-plan drawing showing the location of the outside air conditioning condensing unit. Please note, the process of air conditioning approval can take 45-60 days.

- The air conditioning condensing unit must have an "operating sound level" **below 74 dBA**.
- There must be an on-site meeting with the homeowner, installation contractor, and a member of the architectural committee to discuss installation details and requirements prior to architectural approval.
- When possible, all electrical conduit must be installed where it is not visible on exterior walls. If electrical conduit is visible, it must be painted to match the existing wall (stucco and/or wood) paint color.
- The Architectural Committee requires that an electrical and mechanical permit be obtained by the homeowner and/or installing contractor prior to installation. The installation must comply with all city, state, and national codes.

Hot Tubs and Jacuzzis

Hot tubs and Jacuzzis are not allowed and will not be considered.

LANDMARK YORKTOWN COMMUNITY ASSOCIATION APPLICATION FOR ARCHITECTURAL COMMITTEE APPROVAL

Homeowner Name(s): _____ Document date: _____

- ☐ Please submit your application well in advance of your anticipated construction date, allowing the allotted time frame, per your CC&R's, for a response. The Board of Directors holds regular meetings only once each month. Approval of the Board must be obtained prior to commencement of construction.

I/We _____

At (Address) _____

within the Landmark Yorktown Community Association, submit this application and the attached drawings and specifications for proposed improvements and/or architectural alterations to my/our property:
Describe the proposed improvements and attach copies of drawing(s), color swatches, and/or manufacturer's brochures showing:

1. type of construction,
2. dimensions,
3. type of materials,
4. colors, and
5. the location on the lot (drawing should be close to scale.)

(Description)

(Attach additional papers as necessary)

If the proposed work requires any changes to the exterior structures, i.e., window and/or door replacement, skylights, patio trellis, etc., include the following if appropriate:

1. Contractor's name and State License Number
2. Verification of Contractor's Worker's Compensation Insurance coverage
3. Building or other required permits.

I/We have discussed the proposed improvements and/or alterations and the attached drawings and specifications with homeowners most affected, whose signatures appear below. I have secured their consent without objections except as noted. (Please note: an affected homeowner is defined as next-to, behind, or in-front-of, if applicable).

Neighbor's Signature/Address/Date (circle one) [No objection] [Object/Reason]

Neighbor's Signature/Address/Date (circle one) [No objection] [Object/Reason]

Neighbor's Signature Address/Date (circle one) [No objection] [Object/Reason]

Neighbor's Signature Address/Date (circle one) [No objection] [Object/Reason]

Homeowner Name(s): _____ Document date: _____

I/We have read and understand the Association's ARCHITECTURAL APPROVAL STANDARDS AND PROCEDURES, and I/we acknowledge receipt thereof and agree that all provisions therein are made a part of this application, including all homeowner obligations and liabilities as specified.

I/We agree to pay for or reimburse the Association for costs incurred in replacing damaged roof tiles or repairing stucco; also for moving sprinkler lines and heads, plants and trees, electrical lines or fixtures, replanting of plants or grass destroyed during the construction, or any other expense that the Association incurs to correct construction damage.

Initial _____

I/We understand and agree that Architectural Committee and/or Board of Directors approval is limited to authority granted under the Governing Documents of the Association and is an endorsement of architectural compatibility without waiver of applicable ordinances or city permit requirements. Any city permits, or other jurisdictional permits, that are required prior to construction are at the expense of the homeowner. Any and all such permits must be submitted to the Architectural Committee and/or Board of Directors prior to commencement of construction.

Initial _____

I/We understand that failure to comply with the terms, conditions, restrictions, and promises set forth in the ARCHITECTURAL APPROVAL STANDARDS AND PROCEDURES and with qualifications for approval of this application by the Association Architectural Committee subjects me/us to liability for any deviation. I/We agree to indemnify the Association for any monies spent pursuant to the correction of any such deviation. I/We understand that the Architectural Committee shall make final decision of what constitutes compliance and/or deviation from the plans and specifications as approved.

Initial _____

I/We understand that if approved, this agreement will be transferred with title when the property is sold and future owners must abide by the terms set out in this agreement.

Initial _____

I/We agree to indemnify the Association for all costs and/or attorney's fees expended to enforce the provisions of this agreement.

Initial _____

Proposed Start of Construction _____

Completion Date _____

Signature of Owner (s) _____

Date _____

Contact email address(es) _____ Telephone Number _____

Best time to call: _____

Preferred method of contact: _____

Homeowner Name(s): _____ Document date: _____

LANDMARK YORKTOWN COMMUNITY ASSOCIATION ARCHITECTURAL COMMITTEE
FOR COMMITTEE USE ONLY

RECOMMENDATION

_____ **Approved** as presented

_____ **Approved** with the following qualifications: _____

Rejected for the following reason(s):

This approval is valid for the following number of days. [_____ Days] If the work is not completed within this time frame, an extension can be requested.

For the Architectural Committee

Date

For the Board of Directors

Date

For the Board of Directors

Date

For the Board of Directors

Date

LANDMARK YORKTOWN COMMUNITY ASSOCIATION

NOTICE OF COMPLETION

*Please complete this form and submit it to Powerstone Property Management, 9060 Irvine Center Drive., #200 Irvine, CA 92618 within thirty (30) days of completion of Improvement(s). All Improvements must be completed within **six (6) months** of receiving approval from the LYCA Architectural Committee.*

Owner's Name: _____

Mailing Address: _____

Property Address: _____

Telephone Number: (Home) _____ (Work) _____

Email Address: _____ Preferred Method of Contact: _____

Improvement(s): _____

CHECK ONLY ONE (1):

- ☐ I hereby notify the **LYCA Architectural Committee** that the Improvements noted above were completed in substantial conformance with the plans and specification approved by the Architectural Committee.
- ☐ The above-referenced Improvements have not been completed within six (6) months of approval for the following reason(s): _____

Anticipated Date of Completion: _____

Owner's Signature: _____ Date: _____

ARCHITECTURAL COMMITTEE USE ONLY

The above-referenced Improvements have been inspected by a duly authorized representative of **the Landmark Yorktown Community Association** and the completed work is hereby:

- ☐ In compliance with approved plans ☐ Not in compliance with approved plans

CONDITIONS/COMMENTS: _____

Signed: _____ for the Architectural Committee

Name: _____ Date: _____