

# Patios

## General Guidelines

Any permanent or affixed changes to the exterior of the unit or patio requires Board approval. A color rendering and sketch of the proposed change must be submitted to the Board along with the appropriate architectural request form. Items included, but not limited to, are patio floor coverings, air conditioning units, windows, affixed decorations, etc. At no time will the Association be responsible for lost, stolen, or damaged patio items. Any damage caused by the homeowner, their guest, or tenant to the patio, its infrastructure, foundation, plumbing, patio walls, common area, etc., will be the responsibility of the homeowner. When notice is given, the homeowner is required to move all patio content away from the walls and/or clear all patio content (as deemed necessary by the Board), in order to accommodate HOA work being performed. The HOA will not be responsible for any damaged items left on the patio during HOA repair and maintenance.

1. **Interior Patio Appearance:** to preserve the integrity of the complex's overall appearance, patios are to be maintained in a neat and clean fashion. "Must be placed out of sight" means it should not be visible from any of the main sidewalks.
  - a. Removal of leaves, pet waste, cobwebs, wasp nest, and other pest related items, is the responsibility of the homeowner.
  - b. Patios are not to be used for large item storage. Storage containers for smaller items are permitted to be on the patio but must be kept in good repair, be placed out of sight, and may not exceed the lowest patio wall in height.
  - c. Trash, newspaper, appliances of any kind (operational or not), construction materials and debris, shopping carts, etc. are not permitted to be stored or left on the patio.
  - d. Brooms, mops, carts, wagons, drying racks, etc. must be placed out of sight and may not exceed the height of the lowest patio wall.
  - e. Toys, shoes, clothing racks, towels, exercise equipment, bicycles, and other sporting equipment are to be kept out of sight at all times. Clothing, towels, rugs, mats, etc. may not be hung from the patio eaves or left on the patio walls or gate railings.
  - f. Patio coverings of any type are not permitted. Free standing umbrellas are permitted so long as they are kept in good repair, do not contain logos, and are placed within the interior patio area.
  - g. Window air conditioning units are not permitted
2. **Patio Decorations:** Patio decorations are permitted so long as they are not affixed to Association property, are kept in good repair, are not offensive in nature, and do not cause a nuisance.
  - a. Decorative flags, planters, macramé, mobiles, wind chimes, etc. may be suspended from the eave overhanging the interior of the patios only.
  - b. A small bird feeder may be hung from the eaves under the patio area or under the kitchen window, so long as it does not obstruct the unit number. Nothing hung beyond the kitchen window should obstruct the building number.
  - c. No more than 6 small decorative figurines may be placed on the patio wall and may not be offensive or obscene in nature. The figurines must be heavy enough to withstand

Santa Ana wind conditions. Damaged and deteriorating figures must be removed or repaired immediately.

- d. American flags are permitted within the patio area, provided they comply with the requirements of the proper treatment and handling outlined in Civil Code 1353.6.
3. **Patio Landscaping:** Plants, trees, shrubs, etc. located within the patio area are the sole responsibility of the homeowner.
  - a. All plants located close to the roofing must be maintained below eave level. At no time may a tree or plant be permitted to come in contact with the roofing, be attached to the building, or any patio wall, gates, downspouts, etc., or extend into the common area, Association landscaping, or a neighboring patio.
  - b. Dead or diseased plants must be removed immediately. Large patio and landscaping debris may be placed in the back southwest corner, Acacia/Walnut dumpster only, to preserve limited refuse space in high traffic dumpsters. A homeowner, resident, or guest found dumping large patio or landscaping debris in unauthorized dumpsters will be fined immediately in accordance with the Association Violation Fee Fining Schedule. Large patio furniture will still require residents to call for large item special pick-ups before items are placed by the dumpster.
  - c. Small plants may be placed on the patio wall so long as they are placed in decorative pots and are heavy enough to withstand strong Santa Ana Wind conditions. However, the planters and plants may not be so large as to create an extension of the wall. Empty pots, dead plants, or unkempt plants are not permitted.
  - d. Vining plants, Bougainvillea, Ficus Trees, or any other plant, tree, shrub with invasive rooting systems are not permitted. Removal of unpermitted plants is the sole responsibility of the homeowner. Failure to remove an unpermitted plant will result in its removal by the Association Landscapers and will be charged to the homeowner by the Association, as will any damage caused by the plant.
  - e. Board approval is required prior to placing trees (potted or planted) within the patio areas.
  - f. Association Landscapers are not permitted to do work within the Exclusive Use Common Areas. Patio landscaping is the sole responsibility of the homeowner.
4. **Patio Floor Coverings:** all affixed patio floor coverings must be approved by the Board and must be of a non-slip material of neutral earth tone colors (browns, tans, creams, greys, etc.). All patio flooring is to be kept in good repair and will be the sole responsibility and liability of the homeowner.
  - a. Non-affixed patio floor coverings are subject to the same restrictions and limitations outlined for affixed patio floor coverings. The Board reserves the right to restrict the use of non-affixed patio floor coverings found not to be in compliance with the overall scheme of the complex.
5. **Patio Gates:** a request to install or replace a patio gate must be submitted to the Board in writing, following the architectural change request procedure outlined above.
  - a. All patio gates and railings must be the same height as the patio wall, have a 1 to 6 inch clearance from the ground, comply with current health and safety coding, and be painted black.

- b. Gate post Installation is not permitted in the Common Area, all posts must be installed in the concrete located on the patio.
  - c. Blackout screens, Plexiglas, or black plastic coated wire mesh may be affixed to the inside of the patio gate or railings, so long as they are attached in a neat and safe fashion and are attached to the gate/railings only. Installation of such barriers are subject to Board approval. Wood and other materials are not permitted to be placed on patio gates.
  - d. Gates, railings and blackout screens are to be maintained in good repair at all times and are the sole responsibility of the homeowner.
6. **Patio Lighting:** Porch lighting is the responsibility of the homeowner. LED lighting is to be kept to a maximum 60 watts or equivalent and may not be so intrusive as to affect a neighboring unit's peaceful enjoyment.
- a. Non-holiday decorative string lighting is permitted with Board approval. An architectural form and color printout of the intended lights are to be provided for Board approval. Lights must be attached to the eaves, not the fascia boards or rain gutters and may not extend past the interior patio area.
7. **Holiday Decorations:** Holiday decorations and lighting are permitted; however, outward facing spot lighting is not. All decorations must be taken down within two (2) weeks following the holiday. At no time is the Association responsible for lost, damaged, or stolen decorations. Any damage caused to Association property or structure will be the responsibly of the homeowner.
- a. Decorations may not be placed in the Common Area, in Common Area planter beds, or on Common Area shrubs, trees, etc.
  - b. String lighting may be hung under the patio eaves only, they may not be nailed or stapled into the fascia boards, rain gutters, door frames, or window frames. Nor may the lights extend outside of the patio area.
8. **Patio Cameras:** personal security cameras affixed to the unit or Association property requires Board approval, in accordance with the Architectural Change Request process outlined above. At no time may a camera be attached to the fascia or capture the Exclusive Use Common area or Private Use area of another resident.
9. **Pets:** pets are not permitted to be crated, boarded, or fed on the patio. All pet waste must be cleaned/washed down immediately and a warning sign must be displayed advising of the presence of a pet. Any damage caused or nuisance created by a pet to the Association, another person or their property, is the sole responsibility of the homeowner. Damage caused by a tenant's pet will be the homeowner's responsibility.
- a. Pet food may not be stored on patios.