

Round Hill Property Owners Association

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**PROCEDURES AND GUIDELINES**  
**ARCHITECTURAL CONTROL COMMITTEE**

**Effective December 2022**

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## 1. ORGANIZATION AND RESPONSIBILITY

1.1. The Architectural Control Committee (ACC) shall consist of three members appointed by the Board of Directors of the Round Hill Property Owners Association, Inc. (the Board). They shall serve until replaced by new members.

1.2. The ACC should include as many members as possible from the following professions:

- Architecture
- Engineering
- Law
- Real Estate Development
- Construction

1.3. The members of the ACC shall serve without compensation.

1.4. The ACC Chairman shall direct the work of the ACC.

1.5. A quorum shall consist of two members of the ACC.

1.6. As provided in the Covenants, Conditions, and Restrictions (CC&Rs), the ACC is not responsible for evaluating the structural or engineering adequacy of any proposed improvements, to or alteration of, any lot or structure, or for conformance with applicable building codes and zoning ordinances. Each owner must hold the ACC and RHPOA harmless from and against all liabilities that may arise in connection with any injury to persons or damage to property caused by construction or improvements by or for the owner, whether with or without the ACC's or the RHPOA's approval of the work.

## 2. ACTIONS REQUIRING ACC APPROVAL

2.1. ACC approval is required before any of the following actions may be taken on a member's property:

2.1.1. Erecting, placing, or keeping on any lot: a dwelling house, garage, outbuilding, sport court, or other exterior structure or device, fence, wall, driveway or hedge.

2.1.2. Making any exterior alteration to any of the items listed above, except ACC approval is no longer required for repainting or re-roofing with similar color materials, and installation of roof skylights.

2.1.3. Making significant landscaping changes and / or driveway replacements or tree removal.

2.1.4 Work on the project must not begin unless and until ACC approval has been granted and an appeal, if any, has been acted on by the RHPOA Board.

## 3. APPLICATION AND REVIEW PROCEDURE

3.1. Filing Requirements: To obtain approval for a project, the member (or a representative) must do the following:

3.1.1. Complete an online ACC application found on the RHPOA website, <https://roundhillalamo.com>.

3.1.2. The online application allows for plans to be uploaded and submitted with the application.

3.1.3. RHPOA Board and ACC Directors are notified when an application is submitted via email. The online Google form auto populates the application to a spreadsheet, and approval and communication to resident is captured in the spreadsheet.

3.1.4. The expectation is set on the website that the resident should receive a communication back within 5 business days.

### 3.2. Neighbor Sign-off

3.2.1. The applicant is required to contact all "nearby neighbors" regarding the project. The member submitting an application shall make contact with adjoining neighbors and attain approval or disapproval of the improvement. "Nearby neighbor" means the owners of all lots which adjoin the applicant's lot on the sides and rear, plus the lot across the street, its adjoining lots on both sides. If the lot is visible to the golf course, Round Hill Country Club (the owners of the golf course) must also be notified of the work to be performed.

3.2.2. The online ACC application allows for the applicant to state that their neighbors either object or do not object to the proposed project.

3.2.3. In cases where a neighbor is unavailable, the applicant must make reasonable efforts to contact said neighbor, and this shall be noted, and the circumstances explained on the application. In this event, or if a "nearby neighbor" declines to give any written statement, the project will be reviewed.

3.2.4. If the applicant notes any neighbors object to the project, the RHPOA ACC Chair will communicate with the objecting neighbor, and a hearing during the monthly RHPOA meeting may be warranted.

3.2.5. If the ACC determines that the application did not fulfill his/her obligations to contact all the "nearby neighbors", the ACC shall deny the application. The applicant may resubmit an application.

### 3.3 Projects requiring Building Permits

3.3.1. If the project requires a County building permit, a fee (up to \$250) may apply. The fee is waived if no permit is required. Fees are used to pay the expenses of processing the applications, and (if required) to pay for the assistance of construction, legal or other professionals. If the processing by the RHPOA ACC exceeds the initial deposit set forth below, the applicant will be required to post an additional deposit in the amount determined by the RHPOA ACC.

3.3.2. Applicants can upload plans and drawings with their online application. If plans and drawings are not in electronic form, the ACC may request up to four complete sets of working drawings of the proposed project for all permitted work. Three sets will be returned to the applicant marked with the decision of the ACC, and the other will be retained in the ACC files.

## 4. APPROVAL PRODEDURE

4.1. If all "nearby neighbors" have approved the project, and the applicant attests to their approval within the online ACC Application, the application will not need to be heard at a RHPOA Board meeting, and the ACC will issue its decision via email to the applicant. When one or more neighbors have objected to the project, the application will be heard at the next regular RHPOA Board meeting. A notice of the application will be heard at the meeting shall be emailed by the ACC to the applicant and to all "nearby neighbors". The notice shall be emailed at least five days before the meeting date.

4.2. Any member of RHPOA may attend the meeting and express his/her opinions about the application. The applicant (or his/her representative) must attend the meeting to answer any questions posed by the ACC or other members. Failure of the applicant (or his/her representative) to attend shall cause the application to be denied, but subject to reinstatement upon written reapplication. Failure of an objecting neighbor (or his/her representative) to attend shall be noted in the meeting minutes and may be considered by the ACC in determining the weight to be given to the neighbor's objection.

4.3. The RHPOA Board may announce its decision at the open meeting when the application is heard or may defer its decision until the application can be discussed by the Board in executive session (closed meeting). If the Board decides at its discretion that the issues pertaining to the application are sufficiently complex that it cannot decide, the Board shall prepare a written finding to that effect (which shall include a general explanation of its reasons), and the applicant will be

required to give a written extension allowing an additional 30 days for the Board to consider the application. If the applicant fails to do so, the Board will deny the application. The applicant may reapply at a later date.

4.4. The Board shall notify the applicant and objector of its decision.

4.5. In approving or disapproving the application, the Board shall not be bound by any conceptual approval the ACC may have given.

4.6. Board Approves Application

4.6.1. If the Board approves the application which had objecting neighbors, CONSTRUCTION MUST NOT BEGIN UNTIL EXPIRATION OF THE SEVEN-DAY PERIOD FOR FILING APPEALS, AND THE APPEAL (IF ANY) HAS BEEN HEARD AND DECIDED BY THE RHPOA BOARD. If the application did not have objections, the project may commence without delay.

4.6.2. The approval of an application will be valid for one (1) year from the approval date.

4.6.3. If a building permit is not issued within one (1) year from the approval date, the RHPOA approval will expire.

#### **4.7. BOARD DENIES APPLICATION**

4.7.1. If it denies the application, the ACC shall explain in general terms its reasons for the denial.

4.7.2. After a denial, the applicant may refile an application after correcting the problems identified by the ACC. Such an application shall be subject to the same fees (if applicable) and procedures as if it were a new application.

4.8. The ACC may cancel any meetings if there are no properly filed applications requiring a meeting.

#### **5. TYPES OF REVIEWS**

5.1. Conceptual (Preliminary) Review

5.1.1. The applicant may request a conceptual review by the ACC of a proposed project.

5.1.2. A conceptual review, although encouraged, is not a prerequisite to a member applying for final approval.

5.1.3. To request conceptual review, the applicant must complete an online application through the RHPOA website, <https://roundhillalamo.com>.

5.1.4. The ACC Committee requires complete details to provide approval of a conceptual project.

5.1.5. Applicants are encouraged to provide details, drawings, and plans by uploading them into the online application. If plans are not able to be electronically sent, the applicant can request to drop off physical plans by contacting the committee at [roundhillpoa@gmail.com](mailto:roundhillpoa@gmail.com).

5.1.6. The box for "Conceptual Review" on the application form must be checked.

5.1.7. No fee is required for a conceptual review.

5.1.8. If indicated on the application, or if the ACC so decides, the project shall be scheduled to be discussed at the next regular ACC meeting, which is at least 10 days after the filing.

5.1.9. No contacting of or notice to "nearby neighbors" by the applicant shall be required, (Although the ACC or the applicant may do so if either chooses).

5.1.10. Even if conceptual approval is given, construction may not begin unless and until final approval has been applied for and granted.

5.1.11. In its review of any final application, the ACC is not bound by any conceptual approval it may have given under this subparagraph, (5.1).

5.1.12. The ACC shall try to complete the conceptual review within 30 days after it is applied for; however, if it does not act within such time because of the press of other work or any other reason, it shall not be considered an approval, conceptually or otherwise, of the project. If conceptual

approval is denied, the ACC shall explain in writing the general reasons for the denial and may (but is not required to) suggest changes in the design to address the ACC's concerns.

## 5.2. Final Review

5.2.1. If a project is minor in nature, the applicant can submit for final review without going through a Conceptual (preliminary) Review. The ACC shall determine if the application is minor in nature. Examples of "minor in nature": minimal changes to landscaping, fencing change, exterior color change, replacing roof with similar look/materials.

5.2.2. To submit for Final Review and Approval, the applicant shall submit the following with his/her completed application:

1. The necessary fee for approval (if applicable)
2. Site plans indicating all property lines and setbacks
3. Landscape plans, if deemed necessary by the ACC
4. Traffic and refuse containment procedures during construction
5. A color board including chips of all materials and colors
6. Any other items requested by the ACC

5.2.3. The ACC shall issue a response to the Final Review application within 30 days of the date of its submittal.

## 6. APPEAL PROCEDURE

6.1. If the project is denied approval by the ACC, the applicant may file an appeal to the full RHPOA Board, which will review it per the approval procedure described in Section 5.

6.2. The person(s) making the appeal shall complete the online ACC application and select "Appeal" as the type of review. The applicant should submit the appeal online no later than 7 days after the ACC gives notice.

6.3. Approval or disapproval of the project by the RHPOA Board shall be final and shall be emailed to the applicant and posted in the official meeting minutes.

## 7. GUIDELINES FOR SPECIFIC ITEMS

### 7.1 New Construction

- The minimum living area (not including garages, decks, porches, unfinished basements, etc.) shall be 2,500 sq. ft. The house must be of an aesthetically pleasing design and be generally compatible with the portion of Round Hill in the immediate neighborhood.
- Minimum setbacks must be met, but more than the minimum side spacing should be allowed wherever possible.
- In determining whether to approve an application, the ACC will consider the impact of the proposed structure on the views from neighboring homes and on neighbors' privacy. The ACC may deny approval if they feel that the impact on view or privacy is unreasonable, and the applicant refuses to make design modifications which could be made to lessen this impact.
- A maximum height of 35 ft. from the lowest point of the finished ground surface around the perimeter of the house to the highest point (chimney top or roof ridge) will be allowed. This limitation may be increased moderately by the ACC for very steep hillsides. County limitations on height must be met.

### 7.2 STRUCTURAL ADDITIONS

7.2.1. Additions to existing houses must be compatible with the architecture of the house. Setback, view, and privacy requirements are as above for new construction.

### **7.3 SETBACKS**

7.3.1. All Round Hill is classified as "R-15 Zoning" by the County. This means that all lots must be a minimum of 15,000 sq. ft. in area.

7.3.2. In addition, the following front, side and rear setbacks must be met in order to obtain ACC approval and a County permit:

- Front: 20 ft. unless an easement for future street widening exists, and then it is 20 ft. plus the easement width. ACC requires a total 20 ft. in all cases.
- Side: Both sides must total 25 ft., with a minimum of 10 ft. on one side. Accessory structures (garage, tool, shed, greenhouse, and pool) may be only 3 ft. from the side property line if over 65 ft. back from the street or front easement.
- Corner lot: Principal side (front door side): 20ft.
- Other side: 15 ft. Both setbacks are in addition to street easements, if any. ACC requires 20 ft. front and 25 ft. side, in all cases.
- Rear: 15 ft. from rear property line. Accessory structures may be 3 ft. from rear of the property line if at least 65 ft. back from the street.

7.3.3. Survey Requirement: ACC has found in the past that many fences are located up to several feet from the actual side and rear property lines. In cases where the minimum setback is being proposed for any structure or fence, the ACC and the County will likely require that a professional survey be made at the applicant's expense, to determine the exact property line.

7.3.4. Variance: In some instances, extenuating circumstances might make a variance (permission to use less than the specified County setback) possible. This is a complicated and moderately expensive procedure that is specified and controlled by the County. All neighbors within 300 ft. are sent drawings by the County and may protest in writing or at the hearings. AIA (Alamo Improvement Association) holds preliminary hearings and final hearings are held by the San Ramon Valley Regional Planning Commission. AIA usually requires RHPOA approval, and the Planning Commission requires both AIA and RHPOA approval.

7.4 Decks and Porches: All decks and porches must be designed so that the following requirements are met:

7.4.1. The setback rules in Section 7.3. must be followed.

7.4.2. Exposed posts and underpinnings must be covered with lattice or other covering to ensure that no part of the underpinning is exposed when viewed from the street, golf course or a neighbor's property.

7.4.3. All decks and porches that are 3 feet or more above ground in any part must have landscaping planted so that within two years, at least 50 percent of the lattice will be covered or hidden.

7.5 Patios, Driveways and Play/Sport Courts

7.5.1. Patios, driveways, and walkways shall be in keeping with the character of the neighborhood.

7.5.2. Patios within 10 feet of the curb will not be approved.

7.5.3. Play/sport courts are to be constructed so that their appearance, if not completely blocked from neighbor or golf course view, is in keeping with the theme of the community.

7.5.4. Drainage systems shall be constructed so that water from the court shall have no impact on the neighbors or golf course.

7.5.5. Any lighting shall be as described in Section 7.13. Hours of use shall not be prior to 8AM or after 10PM. Consideration of neighbors shall be considered within the hours of operation.

### **7.6 SWIMMING POOLS AND SPAS**

- 7.6.1. Swimming pools and spas will be reviewed by the ACC regarding location and the impact of the location on the neighborhood.
- 7.6.2. The setbacks shall be as described by the County.
- 7.6.3. All pool equipment shall be screened from the neighbors and- golf course by either fencing or landscaping. The fencing or landscaping must be approved by the ACC.

**7.7 SOLAR PANELS:** The installation of solar panels must be approved by the ACC. The following guidelines apply:

- 7.7.1 Solar panels not on the roof of a building must be installed at least 5 feet from a side or rear lot lines and must comply with front and corner setback rules as listed in Section 7.3.
- 7.7.2 These panels must be concealed from neighboring or street view. If necessary, a fence or wall not higher than 5 feet shall be installed to effect the concealment.
- 7.7.3 Rooftop solar panels must be on or below the plane of the roof (not elevated above the roof on a structure). The panels should be of a rigid, dark colored material.
- 7.7.3. Aluminum or other metal trim must be bronze-anodized or otherwise color treated to make it inconspicuous.
- 7.7.4. Professionally drawn to scale construction details shall be provided with the application for solar panels. Proposed location of the panels on the lot or building, and location of new pumping equipment and piping must be shown.
- 7.7.5. All piping must be concealed or painted the color of the house.
- 7.7.6. A sample or a brochure description of the proposed panels shall be submitted with the application.
- 7.7.7. The ACC may require alternative combinations of solar panels in smaller groupings, when large areas of closely grouped panels are considered by ACC not to be aesthetically pleasing.

## **7.8 ROOFING**

- 7.8.1. The ACC must approve all new or replacement roofs.
  - 7.8.2. The ACC will approve all choices of roofing materials and colors as long as they are in harmony with the character of the neighborhood, and comply with all applicable laws (for example, a new State law requires use of fireproof materials, or treatment with a fire retardant, for new roofs or replacements of over 50% of existing roofs).
  - 7.8.3. No neighbor sign offs for roofing are required unless requested by the ACC.
- 7.9. Video, Television, and Satellite Dish Antennae
- 7.9.1. No video, television or satellite dish antennae may be installed outside the interior of any dwelling unit without the prior approval of the ACC.
  - 7.9.2. To request approval from the ACC, the property owner/applicant shall submit to the ACC the following information:
    - Complete descriptions of the equipment to be installed, including all dimensions of the equipment.
    - Description of the exact location outside the interior of the dwelling where the antennae and all related equipment will be installed.
    - Description of any modifications to the roof or other portions of the structure, which will be required to install the antennae, and related equipment.
  - 7.9.3. No antennae shall have a diameter or diagonal measurement of more than twenty (20) inches.
  - 7.9.4. No modifications of the roof or any other portion of a structure shall be made which would deviate from the standards and restrictions pertaining to such items as provided elsewhere in these



Guidelines or in the Declaration of Covenants, Conditions and Restrictions, which govern the property.

7.9.5. The ACC may nevertheless approve a proposed installation which fails to meet one or more of the above minimum requirement if the applicant demonstrates to the satisfaction of the ACC that the antennae or related equipment cannot be installed or disguised in accordance with the requirements, or that the cost of doing so would significantly increase the cost of installing the antennae and related equipment, or that doing so would significantly decrease the efficiency or performance of the antennae and related equipment.

7.9.6. No antennae which have a diameter or diagonal measurement of over 20 inches shall be allowed under any circumstances.

7.10. Landscaping, Fencing and Walls and Retaining Walls: The ACC must review plans for:

- All significant landscaping visible from the street, golf course, or adjoining properties.
- New, replacement, relocated or differently designed fences or walls or retaining walls. See Section 7.11.
- Retaining walls over 3'0" in height or visible from the street/golf course.

## **7.11. FENCES**

7.11.1 Fences are divided into five categories as follows, and in all cases the proposed construction will be evaluated as to its compatibility with the character of the neighborhood and its aesthetic impact. In this section "fences" will mean "fences, walls, or golf ball screens.":

7.11.2. Fences that face the street

- The character of Round Hill community is such that there is a feeling of openness, engendered by the lack of fencing close to the street. Ours is not a walled-in community, but rather there is a "country open" character demonstrated in the lawns, landscaping, and fencing.
- Most fencing that faces the street is hidden or softened by plantings. Decorative fencing is generally in good taste and in harmony with the neighborhood. The ACC will consider these principles in review of fencing applications.
- Fences that face the street must have a finished surface facing the street. Shrubbery should be planted to cover at least 50% of the surface area of the fence.
- Concrete block walls are acceptable only if faced with a material such as stone, brick, or stucco.
- The location of fencing must comply with the setbacks listed in Section 7.3., except for decorative fencing.

7.11.3. Guidelines for Fences that face the street

- If 10ft. or more from the curb, the maximum fence height is 7 feet which includes a maximum of 1 foot lattice at the top.
- Shrubbery to cover at least 50% of the fence surface area.
- If less than 10 feet from the curb, 30 inches maximum height, and shrubbery as above. No portion of the fence may be closer than 3 feet from the curb.

7.11.4. Fences that Adjoin the Golf Course:

The current mix of fences that face the golf course is such that it is in the best interests of the community to set general guidelines for new and replacement fencing:

- All fencing must have a finished surface on the side facing the golf course. Concrete block walls must have a facing such as brick, stone, or stucco.
- Wrought iron or equivalent fencing may be left open to the golf course; the owner has the responsibility to maintain his/her yard and landscaping in condition commensurate with the Round Hill Country Club and RHPOA landscaping standards.

- Wire fencing or golf ball screens of any type are not permitted unless they are completely covered by landscaping.
- All fencing must be kept in good repair and adequately painted/finished.
- Shrubbery on the golf course side of the fence is not permitted.
- Applications for new or replacement fences will be submitted by the ACC to Round Hill Country Club for comments.
- If the owner plans to relocate his/her fence closer to the golf course, the ACC will require a professional survey, at the applicant's expense, to locate the property line that adjoins the golf course.
- Access by contractors' equipment and personnel must be via the owner's yard and not via the golf course. Any exception must be negotiated with Round Hill Country Club.

#### 7.11.5. Fences that Divide Properties (Side and Rear Boundary):

Fences in this category must meet the following guidelines:

- Solid fencing must have its finished surface on the side facing the neighbor.
- Maximum fence height is 7 feet which includes a maximum of 1 foot lattice at the top. Attention is directed to the County ordinance that requires fencing around swimming pools to be a minimum height of 5 feet in height, with self-locking gates.
- Wire or chain link fences must be heavily landscaped with dense leafed, low maintenance, drought resistant shrubbery that will hide the fence completely within two years.

#### 7.11.6. Other Fencing

Some fencing is erected entirely inside the boundaries of the owner's lot. Normally, the ACC is not concerned with such fencing; however, if it is visible from a neighbor's home or yard or from the street or golf course, these guidelines must be followed and an application made to the ACC for review.

#### 7.11.7 Fencing Used During Major Renovations to Home

All building materials, equipment and machinery are to be delivered and remain within the fenced homesite. This requirement includes all building materials, earth moving equipment, trailers, generators, mixers, cranes, etc. and any other machinery to remain onsite overnight.

### **7.12. AIR CONDITIONING UNITS, UTILITIES, SPINKLER JUNCTIONS AND GENERATORS**

7.12.1 Air Conditioning Units and Generators must not be visible from the street, golf course, or neighbor's direct view. They may be hidden with a lattice or a fence.

7.12.2 Air Conditioning Units and Generators shall not cause a noise disturbance. Should the Air Conditioning Unit(s) or Generators produce enough sound to be a nuisance, the RHPOA ACC will request for remediation.

7.12.3. Utilities (Gas, water, power, etc.) lines and pipes should not be visible from the street, golf course, or neighbor's direct view. They may be hidden with a lattice or fence.

7.12.4 Sprinkler junctions should not be visible from the street. They should be covered with a junction box or other cover.

### **7.13. LIGHTING**

7.13.1. Exterior lighting, if properly installed, will provide beauty, safety, pleasure and lasting value to the owner, neighbors, and the community. Generally, exterior lighting is in three categories: sports areas, landscape, and security.

7.13.2. Review of all lighting plans by the ACC is required, particularly for any high intensity area lighting in the yard or on the structure (such as for sports courts).

7.13.3. Indirect lighting is required. The light source must be covered and of low wattage to prevent spill over onto neighboring properties. External lights shall be shielded or hooded and must be located and constructed so that they do not create a nuisance or hazard. The lighting footprint must project downward and cannot project beyond the property boundaries. Fixture locations must be shown on the elevation plans. No fixture may be placed more than a maximum height of 10 feet above the adjacent walking surface.

7.13.4 Acceptable exterior lighting may include the following:

- Concealed Light Source: The light bulb shall not be visible from the sides of the light fixture.
- The opacity of the fixture and intensity of the light shall be reviewed on a case-by-case basis.
- Floodlights: A canopy-type floodlight cover, of an approved color, that shields the light source is acceptable provided the light is directed straight down.
- Motion Detectors: If lights are to be on the sides or rear of a structure, motion detectors must be used. The automatic light durational setting must not exceed five minutes and the sensitivity to movement must be properly adjusted so as not to create an annoyance.
- Low voltage landscape lighting is encouraged in all areas of the yard and home. Lighting shall not invade the privacy of any neighbor.

## **7.14. EXTERIOR PAINTING**

7.14.1. The ACC must approve color choices for new construction and for the repainting of existing homes. Generally, the ACC will approve colors chosen by the owner, as long as the colors are in harmony with the neighborhood.

## **7.15. TREE REMOVAL**

7.15.1. The removal of any trees requires prior approval of the ACC.

7.15.2. The general policy of the ACC is to preserve all trees listed in the County Protected Trees Ordinance, Article 816-6.6, (See Protected Trees in Appendix).

7.15.3. Only in cases where it is necessary to remove trees because of safety or disease, or because there is no other option (e.g., necessary for new construction or extension of an existing home, or pools), will the ACC consider the removal of trees acceptable.

7.15.4. Dead trees must be removed.

7.15.5. To submit an application for removal of a tree, an arborist report will be required that complies with the County requirements for completeness. Even if a protected tree is to be removed due to disease or other reasons, an arborist report must be submitted with the application prior to removal.

7.15.6. Removal of trees taller than 15 feet must be made only by licensed contractors, who, in case of damage to neighboring properties, must be financially responsible and insured. Please note that violations to these guidelines will be reported to Contra Costa County for prosecution.

## **7.16 PARKING AND PORTABLE MOVING AND STORAGE CONTAINERS**

7.16.1. All vehicles must have visible license plates and valid registration. Vehicles must be fully operational. No vehicle repair is allowed on the home site in view of the street, neighboring plots or the golf course.

7.66.2. RV's, campers, trailers, golf carts, boats, and recreational vehicles must be concealed from view from street, the golf course and adjoining plots. Recreational vehicles are only permitted to be in view for a maximum of 72 hours for the express purpose of movement. A recreational vehicle is described as a motorhome, house car, travel trailer, truck camper, camp trailer with or without motive power; designed for human habitation or other occupancy

7.16.3. Portable moving or storage containers i.e., PODs, are permitted for the purpose of moving household goods to and from storage. Portable moving or storage containers may be on property for a maximum of seven days per visit for loading and unloading. Portable moving or storage containers are not allowed to remain on premises during construction unless they are 100% concealed from view of the street, golf course and adjoining plots

7.16.4. The board has the power and authority to enforce these restrictions including, but not limited to, imposing fines and sanctions pursuant to Article 7, Section, 7.9 (Imposing sanctions) of the CCRs for violations

## **8. MAXIMUM LOT COVERAGE**

8.1. Types of lot coverage allowed: Lot may be covered in several ways. Coverage can be grouped into three types: structural coverage, hardscape coverage and landscape coverage.

8.1.1. Structural Coverage: House, garage, and accessory buildings.

8.1.2. Hardscape Coverage: Driveways, uncovered parking spaces, roofed porches, entries, lanais, porticos/patio covers, swimming pools, tennis courts, and play courts, uncovered patios and decks, walkways and step, gazebos and pergolas, solar panels.

8.1.3. Landscape Coverage: Landscaped and planted areas, yard, grass and open space areas; dirt, natural areas, mulch areas, and decorative stone gravel areas not used for parking of vehicles.

8.2. Lot coverage allowed: The combined total of structural coverage as described above (of the first floor only), shall not exceed twenty-five percent (25%) of the gross area of the lot.

8.2.1. The maximum lot hardscape coverage in the front yard setback shall be limited to forty percent (40%). The remaining sixty percent (60%) of the front yard setback area shall be covered by landscape as described above.

8.2.2. The maximum lot coverage includes the total of all structures as measured to the exterior wall lines thereof but shall not include ordinary roof overhangs or roofed porches, entries, lanais, or other architectural recesses which are attached to the main building, provided that such roofed porches, entries, lanais, or other architectural recesses are open on at least one side and do not exceed in area ten percent (10%) of maximum lot coverage allowable.

8.2.3. Accessory structures may be in addition to the maximum lot coverage requirement of 25% in the event a second story of 50% of the ground floor area is not added. See County ordinances for a definition of an accessory structure.

8.2.4. The total square footage allowed by the size of the lot may be all in a single level home or it can be in a two-story home; so long as the second-floor square footage does not exceed fifty percent (50%) of the lower floor area.

8.2.5. Exceptions: In a few instances, existing structures in the community may exceed these structural coverage and daylight plane guidelines. Application for exterior improvements to existing structures will be evaluated against the guidelines. Should an application be made for the replacement of an existing structure that did not previously meet the lot coverage and daylight guidelines described herein, the ACC will review the application using the original structure lot absorption and daylight envelope of the structure as a baseline for evaluation of replacement application. These exception applications would be for replacement of a structure due to fire, natural disaster, or other unusual circumstances.

8.3. Building Heights and Envelopes (Daylight Planes)

8.3.1. Maximum height: The height limit on a single-family lot is 35 feet measured to the peak or any portion of the roof from the existing grade before the site is elevated or from the excavated grade if the site is cut. In addition to the 35-foot height limit, all structures (including buildings, patio covers, trellis, etc.) are subject to a daylight plane limitation.

8.3.2. Daylight Plane: A daylight plane is a height limitation that when combined with the maximum height limit, defines the building envelope (see Appendix, Figure 1). All new structures or additions must fall within and be contained by this envelope, except for permitted protrusions as described herein.

8.3.3. It is important to remember that the daylight plane reference point is measured from grade at the midpoint of each side of a structure. Furthermore, an average is taken between the grade on the property and that at the closest point to the daylight plane limits.

8.3.4. The building envelope is defined by side yard and front and rear yard daylight planes. For the side yards, the sides of the envelope are ten feet high at the property lines, and then extend upward at a 45-degree angle until reaching the 35-foot height limit. With a 45-degree angle, it is easy to determine how tall your building can be at any point from the property line. For each foot of distance from the property line, one may extend up an additional foot above the ten feet starting point. For example, a building setback of ten feet from a property line may be twenty feet tall at the set back line. Figure 2 illustrates the side yard daylight planes.

8.3.5. For the front and rear daylight plane, the vertical sides of the envelope are sixteen feet high at the setback lines and extend upward at a 60-degree angle until reaching the 35-foot height limit. Figure 3 helps to visualize the daylight plane from the front and rear yards.

8.3.6. Features allowed to protrude into the daylight plane:

- There are allowances in the rules for various features to protrude into the daylight plane. Roof overhangs and storm gutters may project into the side yard daylight plane a maximum of two feet and into the front and rear yard daylight plane a maximum of four feet.
- Additionally, architectural features, such as donnors or gable, may extend into the daylight plane provided that the features or a combination of features measures no more that 15 feet in length at the point of intersection with the daylight plane and are no more than 24 feet in height. The 15-foot intrusion for one or more of these features is allowed to the front, rear, and both side yard daylight planes. The following diagrams (Figures 4 and 5) illustrate the protrusions allowed.
- A and B must not exceed 15'0".

## 9. REAL ESTATE AND OTHER SIGNS

### 9.1. Real Estate Signs Displayed on Property Listed for Sale

9.1.1. One sign (Appendix, Figure 6) can be installed in the ground upon the property for sale or for rent during the time of active listings. Specifications for sign listed below.

- 2 x Redwood face/background, sandblasted 1/2" deep
- 2 - 4 x 4 douglas fir posts with dado cut grooves and beveled tops, dado 1/2" into posts to accept main face
- Optional rider boards 2 x 6 X 18" KD redwood backgrounds, sandblasted 1/2" deep
- All sandblasted areas, posts, returns, and backs painted latex standard PMS Green 335
- All copy and borders White enamel.

9.1.2 "Open House" signs are permitted only on the property listed for sale. Signs that are not on the property listed for sale will be folded and returned if they are identified by RHPOA members.

9.1.3. Standardized realtor directional open house signs are not permitted. Signs will be folded and returned to the house if they are identified by RHPOA members.

9.1.4. Contra Costa County Unincorporated Zoning Ordinances allow one sign on each property for the purpose of advertising. The ordinance also states that no open house signs are permitted in the public right-of-way, which includes the street, and generally extends 10 feet out from the street from the face of the curb.

9.2. Other signs, such as those for contractors or subcontractors that are hired to perform work on homes or properties are prohibited.

## **10. WORK RELATED HOURS**

10.1. Work shall begin and conclude as follows:

- Monday through Friday: 08:00am-06:00pm
- Saturday: 08:00am-05:00pm
- Sundays and Holidays: No work permitted
- These rules apply to homeowners, tenants, and employees of homeowners.

10.2. Exceptions: On Sundays and Holidays, homeowners may work on their own property, but no noisy or heavy equipment (bobcats, excavation equipment, shredders, root grinders, jack hammers, compressors, carpet cleaners, generators, etc.) may be used.

10.3. Emergency work (e.g., flood or fire damage, etc.) is allowed 24 hours a day, seven days a week.

10.4. Contractors must comply with CC&R quiet hours.

## **11. DURATION OF ACC AGREEMENT**

11.1. ACC Agreement approval is for one year.

11.2. Improvements must be completed according to the following schedule:

- Structural additions or new construction: One (1) year from date of approval
- Swimming pools and spas: Nine (9) months from date of approval
- All other improvements: Six (6) months from date of approval

11.3. If improvements are not completed within these timeframes outlined in Section 11.2, another application (including neighbor signoffs where required) must be submitted.

11.4. No additional fees are required unless the scope of work changes from the original submittal.

## **12. JOBSITE APPEARANCE AND PARKING**

12.1. During the course of any improvements, effort must be made to maintain a clean and orderly jobsite. The ACC Committee reserves the right to assess the jobsite's appearance and request cleanup.

12.2. Trash and jobsite debris must be stored in a dumpster or trailer meant for hauling it away. If rubbish and jobsite debris is not stored in a dumpster, it may not be piled up where it cannot be seen from the street, neighbor's view, or golf course. Fines may be imposed on the homeowner if this guidance is not followed.

12.3. Stored construction materials, if visible from the street or golf course, should be stored for as short a duration as possible. If longer than 7 days, the RHPOA ACC Board requests that the RHPOA member provide an estimate on the duration.

12.4. Landscape materials (dirt, rock, sand, mulch, etc.) should be stored on owners' property wherever possible, and where not possible; removed from the street within 72 hours of delivery. Any residue must be removed from the street within 48 hours. Cones (orange) or landscape flags should be placed around debris in the street.

12.5. When debris boxes cannot be placed on owners' property and must be placed on the street, they shall be removed at least once a week. All debris boxes placed on the street shall have the proper safety equipment (warning signs, lights, cones, etc.).

12.6. Parking of construction related vehicles (workers vehicles, concrete and material delivery trucks, etc.) shall be arranged to create as little impact as possible on normal vehicular and pedestrian traffic. It is advised that all construction vehicles associated with the same job site park on the same side of the street.

12.7. Portable toilet facilities must be positioned on the lot to cause minimal intrusion to neighbors and should be hidden from street view if possible.

12.8. Commercial construction signs are prohibited.

### **13. RUBBISH, RECYCLE AND COMPOSTING BINS**

13.1. No portion of a property shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste.

13.2 Rubbish, trash, garbage or other waste is to be kept in sanitary containers. All equipment for the storage or disposal of materials must be kept and maintained in a clean and sanitary condition.

13.3. All bins and equipment for the storage and disposal of materials must be screened from view of neighboring plots, streets and golf course except to make available for collection and then only for the storage shortest time reasonably necessary to effect such collection.

Appendix

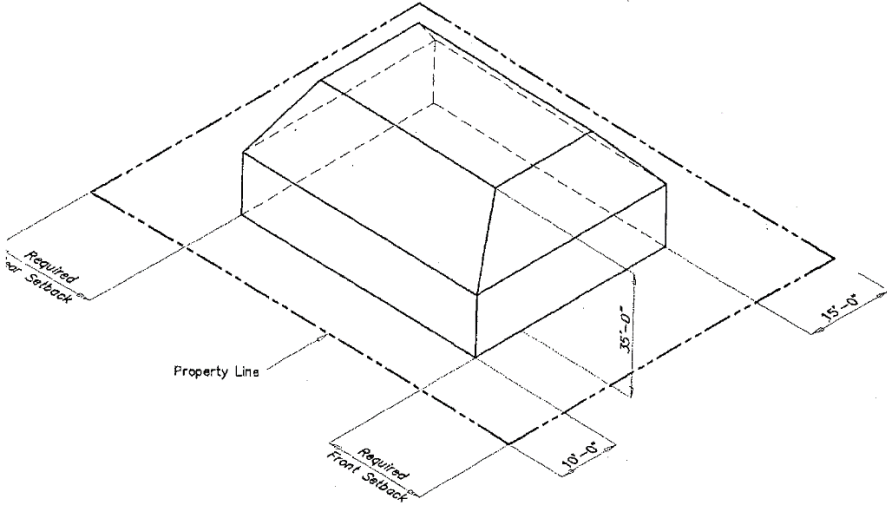
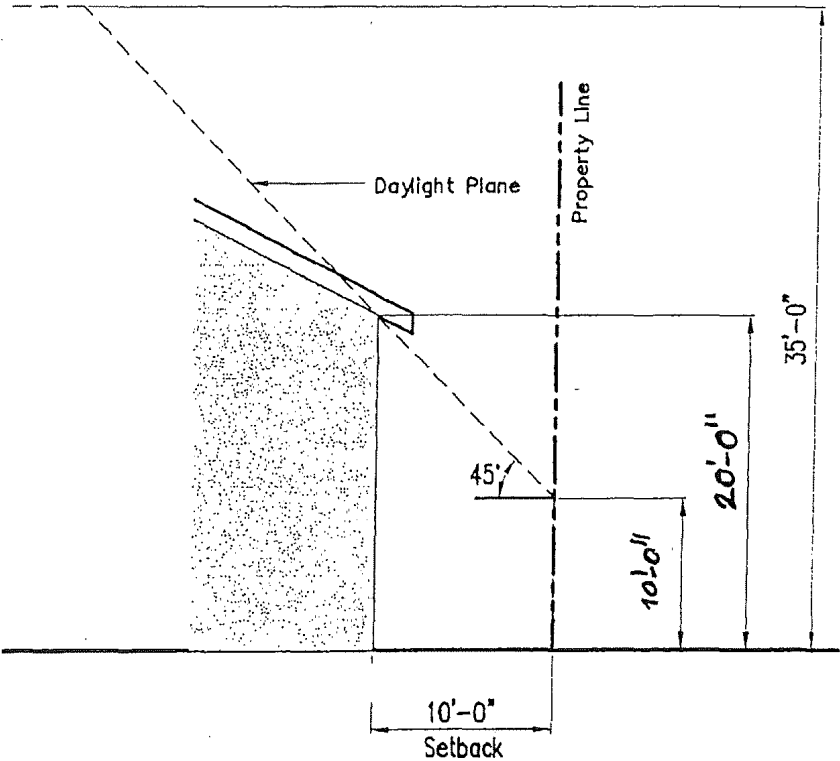
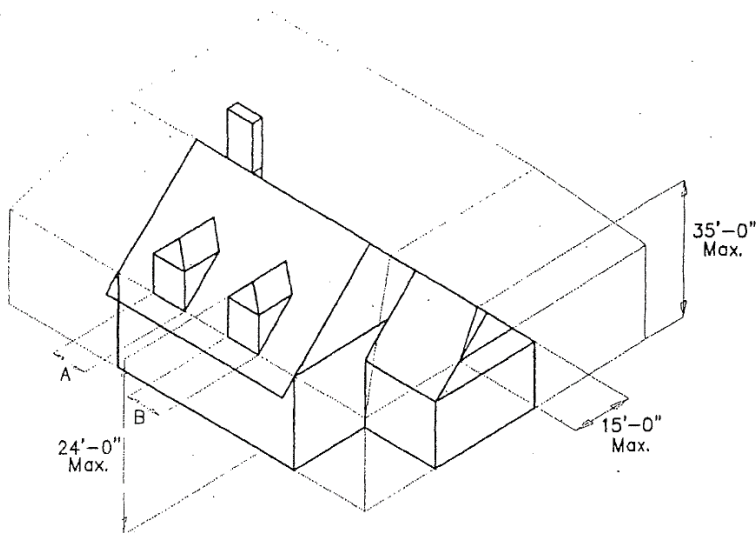
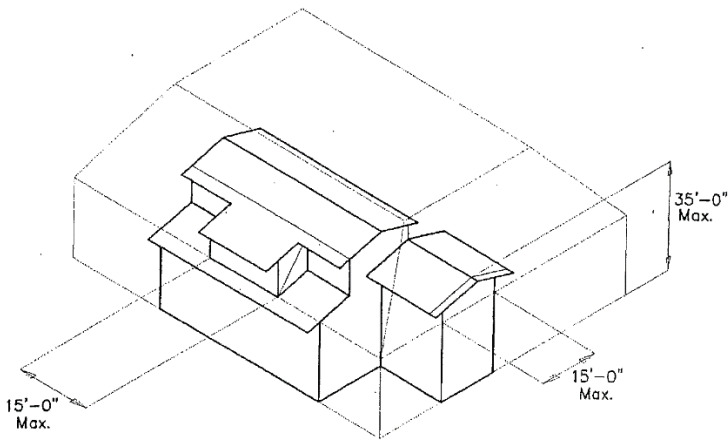
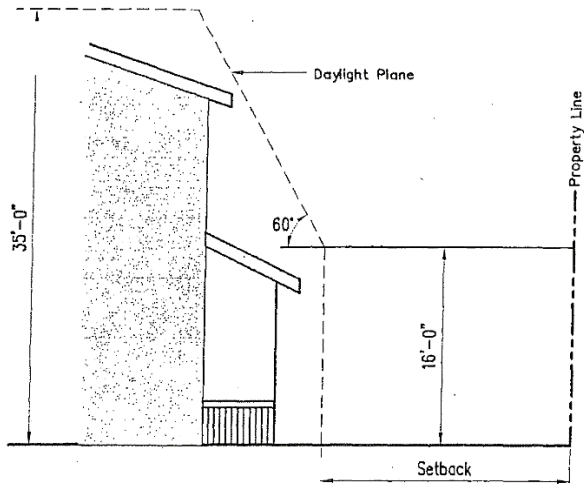


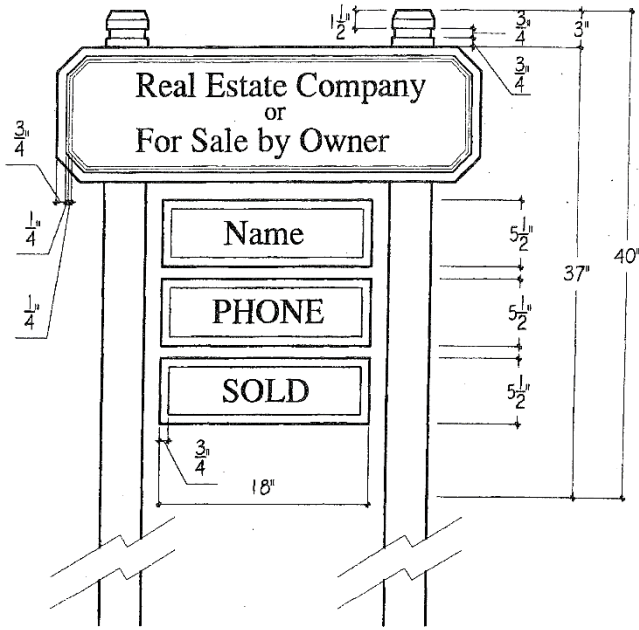
Figure 1 Sample Building Envelope







**Figure 5 Allowable Daylight Plane Protrusions**



**Figure 6 Approved Real Estate Sign**

**Protected Trees:**

Common Names

Big Leaf Maple, Box Alder, California Buckeye, White Alder, Madrone, Toyon, California Black Walnut, California Juniper, Tan Oak, Tan Bark Oak, Knob Cone Pine, Dinner Pine, California Sycamore, Fremont Cottonwood, California or Coast Live Oak, Canyon Live Oak, Blue Oak, Blue Oak, California Black Oak, Valley Oak, Interior Live Oak, Yellow Willow, Red Willow, Arroyo Willow, Coast Red Alder Berry, Coast Redwood, California Bay or Laurel