

Hampton Park Homeowners Association

C/O C & C Property Management

Architectural Standards and Guidelines

Adopted March 7 2023

I. Purpose

The Board of Directors of Hampton Park Homeowners Association has adopted these Standards and Guidelines for the purpose of keeping the Hampton Park Homeowners Association an attractive Community and to ensure that the value of the property increases in accordance with the market. These standards are adopted with the intent of effecting the provisions of the Covenants, Conditions & Restrictions (CC&R's). The CC&R's obligate the Directors to lead by representing the interests of the Owners. The use of the Architectural Review Process is a necessary component contributing to the success of planned communities such as Hampton Park Homeowners Association.

II. Architectural Review Objectives

Hampton Park Homeowners Association Architectural Review Process considers all aspects of each design, concentrating on the following objectives:

A. Landscape and Environment

Prevention of unnecessary destruction of the natural landscape or of the neighborhood environment as achieved by the Developer.

B. Relationship of Structures

Assure that the existing developed areas are maintained in an attractive and harmonious relationship with any new improvements proposed by homeowners.

C. Protection of Neighbors

Protect neighboring homeowners by making sure that reasonable provisions have been made for:

1. Surface water drainage
2. Sight and sound buffers
3. Preservation of view
4. Light and air access
5. Improvement's effect on surrounding property values
6. Visibility with respect to existing structures

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III. Improvements Requiring Approval

No building, fence, wall, pool, spa, obstruction, outside or exterior wiring, balcony, screen, patio, patio cover, tent, awning, carport, carport cover, trellis, improvement of structure of any kind shall be commenced, installed, erected, painted or maintained upon the Project, nor shall any alteration or improvement of any kind be made there to or to the exterior of any residence until the same has been approved in writing by the Board.

- A. Plans and specifications showing the nature, kind, shape, color, size, materials and location of such improvements, alterations, etc., shall be submitted to the Board for approval as to quality of workmanship and design and harmony of external design with existing structures, and as to location in relation to surrounding structures, topography, and finish grade elevation, including consistency with the design of the Project as approved by City in the original design review and approval of the Project by the City.
- B. Before commencement of any alteration or improvements, the Owner shall comply with all appropriate governmental laws and regulations, including that there shall be no material variances from the design of the Project as approved by the City in original design review and approval of the Project as approved by the City in original design review and approval of the Project by the City. Approval by the Board does not satisfy the appropriate approvals that may be required by any governmental entity with appropriate jurisdiction.

All requests will be reviewed for adherence to the establish Architectural Standards and Guidelines and compatibility with surrounding structures. All external modifications will require City Approval.

IV. Application Process

Homeowners wishing to make any alterations, which will affect the appearance of the exterior of their residence, must submit an official Architectural Application, including copies of detailed plans and specifications, prior to obtaining a building permit and prior to beginning the proposed work. It is important to note that should the application be denied approval, and the work is in progress or is completed, the Association may require or cause the improvement to be corrected at the Homeowner's expense.

A. General Information

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In order to conform to the governing documents, each proposal/Architectural Application must be reviewed by the Association. Requests for Architectural review and approval must be submitted in writing as designated below

B. Procedure

Each proposal for improvement must be submitted to the Management office via an Architectural Application. The description of the Project should include all information necessary to determine compliance with the established Standards and Guidelines.

Necessary data would include the height, width, length, size, shape, color, material and location of the proposed improvement, as outlined on the Architectural Application. Photographs or sketches of similar completed projects would aid in the review process. If the proposed modification would in any way change the existing drainage pattern, it must be clarified in the Application. Solutions for maintaining the correct drainage pattern must be included with the application.

No work may commence prior to receiving written approval of the modification. Nothing may be installed which is not in compliance with building codes. It is the responsibility of the applicant to apply for all required building permits following approval of the Architectural Application and prior to commencement of work.

V. The Review Process

Upon receipt of the written request to the manager, the request will be forwarded to the Board of Directors to determine whether or not the modification should be allowed.

- A. If the Board determines that the application meets the intent of the Guidelines, the Board will give a conditional approval to the requesting owner.
- B. If the Application is not within the Standards and Guidelines it will be denied.

If the proposal is denied, the applicant is free to request reconsideration. Owners are encouraged to present new or additional information, which, might clarify the request or demonstrate its acceptability

Grounds for reconsideration can be:

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- A. The applicant believes that the policies of the Association have not been applied correctly; or
- B. The applicant believes that the Association should amend the existing policies to allow approval of such proposals. It shall be the obligation of the Member requesting reconsideration to prepare and make such argument, as they believe to be in support of their decision. The requesting Member shall respond with such other information as is necessary for review. It shall not be the duty of the Association to prepare the Member's request for review.

VI. Conformance

The failure of a completed modification or addition to conform to the plans, specifications and conditions approved by the Board of Directors, or failure to complete the approved project within the specified time limitations, shall be deemed a violation of the Architectural Standards.

Important Note: Conformance with the following Architectural Standards does not relieve the homeowner from the application process. All exterior modifications must be approved prior to installation.

VII. Architectural Standards

A. Landscaping/Physical Improvements

No landscaping or other physical improvement or additions shall be made to any patios, yards or portion of Lots which are visible from the street until plans and specifications showing the nature, kind, shape and location of the material have been submitted to and approved in writing by the Board.

Driveways

No Owner may add concrete or any other paved surfaces in the front yard without prior approval from the Board. Concrete driveway extensions to allow greater accessibility are allowed, but are limited to not wider than three (3) feet on one side of the existing driveway, subject to the following:

1. Concrete must be plain gray to match existing driveway
2. Owner must bear the cost of relocating sprinkler heads as needed, which shall be done by the HOA's landscape contractor.
3. The extension may not be used to park additional automobiles/trucks.

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Decorative Landscape Rock

No owner may replace any section of their front yard with decorative rock without prior approval from the Board. Rock may be used in place of bark in the planting beds subject to the following:

1. Rock must be a neutral brown color. Bright white rock and lave rock are not permitted.
2. No section of the front lawn may be replaced with rock.
3. Rock must be of an aggregate size of not less than one and one half (1 1/2) inch average size. Pea gravel is not permitted.
4. No rock, bricks, pavers, or stones, may be used as a border strip between the lawn and planting bed areas.

Artificial Turf

Artificial lawns must look real. "Astroturf" or other synthetic green carpet-type materials are not allowed. The application to install artificial lawn must include the following information:

1. Color: Three-color turf provides the most realistic looking grass.
2. Color Retention rating/warranty period: The colors in artificial grass will fade over time because of exposure to UV sunlight. Because nylon tends to break down faster than other materials, nylon turf will not be allowed.
3. Pile and Weight: The product must be a minimum of 60 oz. face-weight. The pile must be a minimum of 1.5 inches deep.
4. Toxic Materials: No materials, including infill products, that use lead or any other heavy metal materials will be allowed.
5. Permeability: The product must have completely permeable backings so that drainage through the turf is uniform and complete.
6. Water Absorption: Products that absorb water and other liquids will not be allowed. If the product absorbs water, it will absorb pet urine creating odor and discoloration.
7. Infill Materials: In-fill products shall not be absorbent, raise the temperature of the product (such as rubber), or contain heavy metals.
8. Base and Drainage: Artificial turf cannot be installed over the top of existing grass. Sod and dirt must be removed and an aggregate base and soil stabilization fabric installed to allow for proper drainage. Therefore, all instillation must be professionally done.

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9. Product must be professionally installed.

The Association will not perform any landscaping work on any maintenance area where artificial turf has been installed. Owner will be responsible for all maintenance, including removing debris, repair and replacement. Owner must notify any successive owners of that responsibility.

Fences

Replacement of fences is subject to the following:

1. No fence shall be erected, placed or altered on any Lot nearer to any street than the minimum building set back line.
2. No fence shall be more than six (6) feet tall from the base of the fence.
3. Approved fencing material is limited to redwood or cedar.
4. The following are approved fence styles:
 - a. Board on board (as was originally installed) or Dog Ear

Statues or other Decorative Structures

No Owner may add any statues, bird-baths, benches, fountains, or any other decorative element to their front yards without prior approval from the Board. No noise-making yard art, i.e., wind chimes, whirligigs will be approved. One decorative element may be allowed. The dimensions of the structure may not exceed 3 feet in height, width, or, length, and must be of a neutral color.

Maintenance alterations

No improvement or structure of any kind shall be commenced, installed or erected, painted, repainted or maintained upon any Residential Area, nor shall any alteration or improvement of any kind be made thereto until the same has been approved in writing.

Antennas/Satellite Dishes

Except in accordance with Civil Code §1376, no television or radio poles, antennae, microwave or satellite dish, aerial, cables or other device shall be constructed, used and operated by an Owner without the prior written consent of the Board

Exterior Lighting

No Owner shall install lighting which causes excessive light intrusion into the interior of a neighboring home.

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Exterior Painting and Color

No permission or approval shall be required to repainting the same colors of the Developer's scheme.

Color Policy

As stated above, repainting with the same existing colors is considered regular homeowner maintenance and does not require approval, however, any change in colors, however minor, MUST be approved using the procedure described in Section III above prior to commencing work.

1. The application must include a sample of the proposed colors.
2. The application must include the placement of the colors for the body of the home, the trim, and the accent.
3. Garage doors shall either match the approved body color of the home, or remain the original white color.

Maintenance of Adjoining Masonry Wall

The following shall apply to the maintenance of the masonry wall along the Lots 1-15, 74-76, that back up to the adjacent Diamond Grove Subdivision:

1. Climbing plants such as ivy, passion vines, Virginia creeper, wisteria, and creeping fig vines shall not be planted on the masonry wall. These plants can damage the wall. Acceptable climbing plants are trumpet vines, bower vines, potato vines, and any variety of jasmine vines. The preferred method of growing vine to cover the wall is to use a lattice or trellis of some kind, spaced 10 to 12 inches away from the wall.
2. A raised planter bed abutting the masonry wall shall not exceed a height of 18 inches above the top of the wall's foundation. To prevent moisture damage and protect the integrity of the masonry block wall, a vapor barrier shall be installed between the wall and the planting soil. The vapor barrier shall be a product equal to or better than either Thuroseal, Bituthene System 4000 by Grace Construction Products or Deep Root Water Barrier.
3. No trees shall be planted within seven (7) feet of the masonry block wall, to prevent damage from roots.
4. There shall be no structures or objects other than plants attached to the wall.
5. The wooden side yard fence shall abut the wall, but may not be attached to the wall.

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VIII. Enforcement of Architectural Policy

A. Notice and Hearing Procedures.

The following notice and hearing procedures will be used whenever the Board meets to consider an alleged violation which could result in corrective action against a Member.

1. Notice of Hearing. Notice of the hearing will be sent at least ten (10) days prior to the hearing and will be given either personally or by prepaid first-class mail to the most recent address shown in the Association's records. The notice shall contain, at a minimum, the date, time, and place of the meeting, the nature of the alleged violation for which a Member may be deemed responsible, and a statement that the Member has a right to attend and may address the Board at the meeting.
2. Opportunity to Be Heard. Members have the right to send a letter, send a representative, or appear in person to present evidence as to why they should not be held accountable. Members also have the right to bring an attorney with them to advise them or to speak on their behalf. The hearing will be held in executive session unless the member requests otherwise.
3. Rescheduled Meetings. Upon timely, written request and for worthy cause, an accused party may be granted a continuance to a new hearing date. In the event a person fails to appear for a hearing, the Board will review the evidence presented and make its decision accordingly.
4. Notice of Decision. Within fifteen (15) days of the Board's decision, Member will be given written notice of the decision.
5. Conflicts of Interest. If members of the Board have a conflict of interest (i.e., they filed the complaint, or the complaint was filed against them) such person may not vote on the issue.

B. Remedies for enforcement. To enforce the governing documents, the Board may impose one or more of the remedies described below as it deems appropriate to be effective. The selection of one remedy does not preclude the Association's right to pursue others.

1. Warning letters
2. Monetary penalties
3. Suspension of membership privileges
4. Alternative dispute resolution (arbitration or mediation)
5. Litigation

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Failure to pay fines within thirty (30) days may result in legal action to collect the fines. If the Association is forced to retain an attorney to ensure compliance, collect fines, etc., the owner shall be liable for these attorney fees and all related expenses in addition to the fines.

C. Fine Schedule

Violation of the Association's governing documents may result in a warning letter, fine, suspension of privileges and/or continuing fines as the Board may determine to be appropriate to the situation and as provided for in the fine schedule below. In addition to fines, the Board may file a lawsuit seeking judicial relief. The imposition of penalties and suspension of privileges will be subject to the notice and hearing procedures.

1. 1st violation, Warning Letter or a fine of \$50.00
2. 2nd violation, same offense: \$75.00
3. 3rd violation, same offense: \$100.00
4. 4th and additional violations, same offense: \$125.00.
5. Continuing violations: fines up to \$100.00 per day may accrue until the violation is cured.
6. Safety violations may receive a warning or a fine of up to \$500.00, depending on the violation
7. Special Reimbursement Assessment may be issued for the actual cost of bringing a member into compliance

The Association may pursue one or more remedies simultaneously. The selection of one remedy does not preclude the Association's right to pursue others.

IX. Conclusion

Hampton Park Homeowners Association provides these ARCHITECTURAL REVIEW STANDARDS AND GUIDELINES in an effort to eliminate questions concerning individual modifications to a Unit. Every effort has been made to allow as much individual discretion as possible within the constraints of acceptable community standards. The Board of Directors views this process as evolutionary and invites Homeowners to make comments and to provide constructive input. It is hoped that Homeowners, working together within a fairly administered structure to reasonable guidelines, will help create a greater sense of community at Hampton Park Homeowners Association.