

Summary of Association Architectural Procedures

Section Code 4765

California law requires homeowner associations to publish a summary of the association's architectural procedures annually. This Summary complies with that law. Requirements and limitations concerning improvements and modifications are set forth within the Association's CC&Rs. In the event any construction, installation, or alterations are made without the required approvals or otherwise made in violation of the CC&Rs, the owner will be required to remove or modify the unapproved work at the owner's sole expense.

The CC&R generally prohibit any kind of construction, installation, or modification unless plans and specifications therefore have been submitted to and approved in writing by the Architectural Committee. The plans and specifications must show the nature, kind, shape, height, width, color, materials and location of the proposed construction or modification. **If you are unsure whether your proposed work requires written approval or not, please contact the management company! All approvals must be in writing. Verbal approvals are not valid or binding on the Association. All applications, plans, and specifications must be delivered to the management company and not to any Association Board member, officer or Committee member.**

The Committee approves plans and specifications submitted for its approval only if it deems that the construction, alterations, or additions will comply with the requirements of the CC&Rs and any other governing documents.

The Committee may reject any application if it determines that the applicant's application, plans or specifications are incomplete. The period of time, if any, within which the Committee must make its decision does not commence until a complete application and complete plans and specifications are received.

The Committee is not be responsible for reviewing, nor shall its approval of any plans or design be deemed approval of, any plan or design from the standpoint of structural safety or conformance with the building or other codes. The homeowner is solely responsible for obtaining all governmental approvals and permits that may be required.

In the event plans and specifications submitted to the Committee are disapproved, and if the Board of Directors is *not* serving as the Committee, the applicant may submit a request to the Board of Directors to reconsider the Committee's decision. Unless the CC&Rs or any Board adopted procedure sets forth a different procedure, the request for reconsideration shall be in writing, shall be addressed to the Board of Directors of the Association, shall be delivered to the Association's management company, and must be received by the Association's management company not more than thirty (30) days following delivery to the Owner of the Committee's notice of disapproval of the Owner's architectural application and plans. The Board of Directors shall uphold the Committee's disapproval if the Board of Directors concludes that the Architectural Committee acted within its authority under the governing documents of the Association. The Board of Directors shall render its decision on the request for reconsideration within forty-five (45) days following the management company's receipt of the request for reconsideration. Any hearing on the request shall be held in an open meeting. The failure of the Board to render a decision within the time prescribed shall be deemed a decision in favor of the applicant.

**RANCHO DOMINGUEZ TOWNHOMES
COMMUNITY ASSOCIATION**

ARCHITECTURAL CHANGE APPROVAL APPLICATION

Homeowner Name: _____

Property Address: _____

Mailing Address: _____

Work Phone: _____ **Home Phone:** _____ **E-mail:** _____

Architect, Engineer, or Contractor (if applicable): _____

Company Name: _____

Phone: _____ **E-mail:** _____

DESCRIPTION OF REQUEST: PROVIDE FULL DETAILS

YOUR REQUEST, including but not limited to - a description of architectural changes, modifications or alternations desired, type and colors of materials, location of work and dimensions, copies of any available brochures, materials or paint samples, plans, drawings, permit, contractor license and insurance information, etc. as applicable. All materials along with the application need to be submitted in one PDF file or delivered to the office.

Proposed Start Date: _____ **Proposed Completion Date:** _____

I understand that:

1. No work described on this Application may commence until written approval has been granted by the Association.
2. I shall comply with any conditions of approval as specified in the written approval.
3. I must obtain all required approvals and permits from the applicable governmental authorities.
4. Processing may take up to 30 days from the date a completed application is received by the Association.
5. Prior approval is required for any contractor to climb on any roof, flat or tile within the Rancho Dominguez Townhome Association and a Deposit of \$300.00 is required, per the Rules & Regulations. No Exceptions.

Owner's Signature: _____ **Date :** _____

Mail or Email completed form to:
Rancho Dominguez Townhomes Association
c/o Optimum Property Management Inc.
230 Commerce, Suite 250 • Irvine, CA 92602
Phone: (714) 508 9070 • E-mail:
communication@optimumpm.com

II. USE AND ARCHITECTURAL RESTRICTIONS

A. Antennas and Satellite Dishes

1. The installations of a video or television antenna, including a satellite dish, or the attachment of an antenna to a structure within the common area are prohibited, except as may be permitted by law and approved in advance and in writing by the Architectural Committee.

2. An antenna or satellite dish must have a diameter or diagonal measurement of thirty-six (36) inches or less. RDTA may impose additional reasonable restrictions on the installation of any permitted or approved video or television antenna, including a satellite dish, in accordance with applicable state and federal laws. An ACAA must be submitted to the Architectural Committee for the installation of any antenna or satellite dish.

B. Architectural Modifications and Alterations

Modifications or alterations to the exterior of any unit, structural components of the building or the common area, including any exclusive use common areas (e.g., patio areas), must have the **prior written approval** of an Architectural Change Approval Application ("ACAA") by RDTA's Architectural Committee. Examples include, without limitation, modifications or alterations with regard to satellite dishes, patio covers, patios, windows, and any work requiring a building permit. Plans and specifications for proposed improvements requiring RDTA approval must be submitted in accordance with the requirements of Article VII, Section 1, of the CC&Rs. The review of that submission and accompanying application will be conducted in accordance with Article VII of the CC&Rs. Owners violating architectural restrictions are not entitled to a written violation notice prior to initiation of disciplinary proceedings. An ACAA form may be obtained from the RDTA website (rdta.org). Below are additional Rules and Regulations regarding the following items:

1. **Garage door.** Prior written approval is required from the Architectural Committee for garage door replacement. The only approved replacement garage door models are (i) the Clopay model 4310 and (ii) "Unique Millennium Replacement Non-shadow Groove Line, Long Panel Design, No Windows, White, Steel Back". Garage door (ii) must be manufactured by Unique Garage Door Company and when ordering the door, the complete description "Unique Millennium Replacement Non-shadow Groove Line, Long Panel Design, No Windows, White, Steel Back" must be used. If such described garage doors are unavailable, an owner must request and obtain written approval from the Architectural Committee for an alternate garage door. Any wood repair to garage door (frame or sheathing) requires the door be replaced with either of the two approved steel models.

2. **Front entry door.** Owners are responsible for maintenance, repair, and replacement of their front entry door, including weather-stripping and locking hardware. To replace a front entry door, owners **must** submit an ACAA for prior written approval of

the choice of door. Application must include detailed information on the door proposed. Owner may replace their front entry door with a Masonite door, the same as the current door or with an upgraded version of another style as long as the selection is pre-approved by the Architectural Committee in writing. The preferred upgrade style is classic six-panel wood-grained textured fiberglass and the preferred material is fiberglass. Once a front entry door model and style have been properly approved, an owner may use their manufacturer and installer of choice to install and paint the door in a workmanlike manner. The entry door exterior may only be painted in a color approved by RDTA for the unit's building color scheme. RDTA shall paint the exterior of front entry door in the event the exterior color scheme of building is changed. Owners are responsible to paint their front entry door when a new door is installed.

3. Doorbell Replacement. An owner may replace a doorbell, but a replacement doorbell is subject to prior written approval of an ACAA by the Architectural Committee. The Architectural Committee has discretion to deny a replacement doorbell if in the sole opinion of the Architectural Committee the replacement doorbell does not meet the desired aesthetic of the development.

4. Screen/Security Doors. Modifications or alterations to both screen doors and security doors require prior written approval of an ACAA by the Architectural Committee and must be compatible with building style and current color scheme, except that screen doors accessing a patio area do not need prior approval.

5. Front Entry, Patio, and Exterior Light Fixtures. Replacement of the front entry, patio, and other exterior light fixtures and light bulbs requires the prior written approval of an ACAA by the Architectural Committee. The Architectural Committee shall have the discretion to approve or disapprove the proposed light fixture style. Owners shall cause such light fixture to be safely and properly installed. Currently, in an effort to minimize light pollution, the City requires owners to obtain permits when owners change any exterior light fixture or type of light bulb. Therefore, in accordance with the City's requirements, the Architectural Committee will consider whether the Owner's ACAA includes such required City permits and an owner's failure to obtain the required permit(s) and submit them to the Architectural Committee or management company is a violation subject to a fine. Any additional light, including low wattage decorative lighting, installed in an owner's patio area shall not shine onto another property and must be directed downward toward the ground. Notwithstanding the foregoing, lights that are flush with the ceiling of exterior entry areas must be replaced with the existing style.

6. Windows. The trim color of windows shall be white, and any replacement window shall be subject to the prior written approval of the Architectural Committee. Windows cannot have grids. All windows that can open must be of a sliding type. Casement windows (i.e., roll out, crank style windows) are prohibited. All windows must also use appropriate screening material that is fitted to the replacement window, non-decorative, and non-glaring.

7. Certain modifications or alterations in the Development are prohibited. These include, but are not limited to, the following:

- a. No newspaper, cardboard, foil and other reflective materials, or any other materials not designed as a window or door accessory, may be installed on any window or door of a unit.
- b. No fences, awnings, ornamental screens, screen doors, sunshades or walls of any nature shall be erected or maintained anywhere in the Development, except those which were installed in accordance with the original construction of the Development, or which are authorized and approved in advance and in writing by RDTA.
- c. No patio may be enclosed with walls, glass and/or roofs, or any other materials or improvements.
- d. Any alterations made to mailboxes, such as stickers, are prohibited.
- e. No owner shall install, attach or hang any mechanical equipment or wiring for electrical installation, machines or air-conditioning units or similar equipment or wiring in or on any portion of the common area or that protrudes from any unit or patio or through any common area wall, floor, ceiling, window or door, without prior written approval by RDTA.
- f. Existing aesthetic, non-structural or any non-structural code related architectural and design modifications within any unit or other portion of the Development are grandfathered and excepted from compliance with these Rules and Regulations if such conditions were in compliance with the then current Governing Documents. However, any full replacement of existing architectural and design modifications shall comply with the current Governing Documents. Nothing contained in this paragraph shall be deemed or construed to be approval or acceptance by RDTA of any condition (pre-existing or otherwise) which constitutes a violation of the Governing Documents or any law. In any dispute over whether a condition which violates these Rules and Regulations was pre-existing and/or is grandfathered, the burden of proof will be on the Owner who is in violation of the Rules and Regulations. Conditions which violate these Rules and Regulations and are not grandfathered under this paragraph shall be required to be corrected by the Owner in violation. It shall be the owner's responsibility to notify RDTA of such existing conditions as soon as practical.

8. Cameras. The installation and maintenance of any cameras by owners in the Development is subject to RDTA's "Security Camera Policy," which is available on the RDTA website (rdta.org) and incorporated as part of these Rules and Regulations.

C. Modification or Alteration of Common Area Designated as “Permissible License Areas”

There are certain common area locations adjacent to specific unit types which are generally inaccessible and not of general use to the membership at large. These areas, which are called “Permissible License Areas,” are adjacent to the following three (3) model types (the “License Area Units”):

1. The one (1) story end unit model Modjeska Plan 2A;
2. The two (2) story, two (2) bedroom unit model Silverado Plan 1; and
3. The one (1) story tall chimney unit Modjeska Plan 2B.

The Permissible License Area for the Modjeska Plan 2A and the Silverado Plan 1 is located inside of the low wall at the front of the unit. The Permissible License Area for the Modjeska Plan 2B is located under the overhang above the living room window. Subject to the owner complying with all terms and conditions stated below as well as those contained within the Revocable License Agreement, the owner of a License Area Unit may remove, install and maintain landscape and hardscape improvements, including irrigation, within the Permissible License Area at the owner’s sole expense.

1. No removal, installation, modification or alteration of any kind is permitted within the Permissible License Area without the prior written approval of the RDTA Board. A completed ACAA along with landscape and hardscape plans depicting all proposed landscape, hardscape and irrigation changes for the Permissible License Area prepared in accordance with all requirements established by RDTA’s Governing Documents must be submitted for initial review by the Architectural Committee. The RDTA Board retains the sole and exclusive authority to approve or disapprove proposed removals, installations, modifications and/or alterations.

2. As a condition to receiving prior written approval of the RDTA Board, the owner will be required to sign a Revocable License Agreement and a Memorandum of Agreement, both in the form prepared by RDTA. The Revocable License Agreement shall provide, among other things:

- a. That only the installations and modifications approved in advance and in writing by the RDTA Board may be made within the Permissible License Area;
- b. That the owner shall be responsible for all future maintenance, repair, and replacement of the Permissible License Area at the owner’s sole expense;
- c. That the owner shall be responsible for all damage caused by or resulting from the owner’s use (or the use of owner’s tenants, guests, licensees, or invitees) of the Permissible License Area;

- d. That the owner will indemnify and hold RDTA harmless against any claim, suit or expense arising out of any use of the Permissible License Area;
- e. That if a purchaser of the property chooses not to accept the terms of the agreement, then RDTA shall have the right, but not the duty, to restore the Permissible License Area at the owner's expense; and
- f. That RDTA shall have the right, upon thirty (30) days' notice, to revoke the owner's license and to restore the Permissible License Area at the owner's sole expense, in the event that the owner breaches the agreement.

3. The Memorandum of Agreement shall be recorded with the county recorder's officer and shall be a covenant running with the land, binding the owner and all future owners, and shall serve as notice to prospective buyers of the existence of the agreement.

D. Barbecue Use and Outdoor Fires

Given the severe risk and harm of catastrophic fires in California, including the fact that the Yorba Linda area has suffered such fires with residents of our Development advised to evacuate, RDTA has adopted these provisions regulating barbecue use and outdoor fires to help prevent fire outbreaks in the Development.

1. Outdoor fires, including but not limited to those resulting from the use of a barbecue, are prohibited in the common area.
2. BBQ and/or outdoor cooking devices (each a "Barbecue") shall not operate on combustible patio surfaces or within eighteen (18) inches of combustible material or building. Notwithstanding local governing law, the following types of Barbecues are not permitted anywhere in the Development for use: Barbecues requiring any form of charcoal, or any lighter fluids, flammable liquids, or similar items frequently used with a Barbecue (see subparagraph 5 for further permitted and unpermitted Barbecues). It is permissible to operate a Barbecue on a patio if the patio is of non-combustible construction, or if the patio, overhang, and adjacent walls are protected overhead by an appropriately fire rated automatic fire sprinkler system that has met the code requirements of the City of Yorba Linda and has been approved in writing by RDTA's Board. Notwithstanding the foregoing, it is permissible to store, but not operate, a Barbecue on a combustible patio.
3. It is not permissible to store or operate a Liquefied Petroleum Gas Barbecue with a Propane fuel container size greater than twenty (20) pounds on a combustible patio surface or within eighteen (18) inches of combustible construction, including the surrounding walls and overhang. There is no exception for automatic fire sprinklers.
4. No outdoor permanent Barbecue or fire source, e.g., installed in or above ground and unmovable, is permitted.