

Ironwood Homeowners Association IX
(Aka, "The Highlands")
Architectural and Landscape Guidelines
And Association Rules

Introduction

Scope of These Guidelines

There are five types of projects an owner might undertake with respect to property located within the Association and with respect to which these Guidelines may or may not apply, namely:

- Improvements to the interior of a house already built. The improvements are not readily visible from the exterior of the property, including from adjoining home sites.
- Changes to the landscape that is exterior to the house and within the property lines,
- Changes to the appearance of an existing house, e.g., changes in color, trim, or the appearance of windows and doors.
- Major remodeling of an existing house, e.g., adding walls and living space.
- New home construction, i.e., from the ground up.

Changes to the interior of a house that are (a) not readily visible from the exterior of the property, including adjoining home sites and (b) do not significantly change the outer appearance of the house, **do not require review and approval of the Architectural Committee**. However, contractors working on the project must comply with the housekeeping rules of the Association and ICA, as referred to later in these guidelines.

Significant changes to the landscape that is exterior to the house and within the property lines require review and approval since they must blend in with the landscape of other property in the area and cannot unreasonably obstruct a scenic view from adjoining property. The term "landscape" includes all exterior areas including, among other things swimming pools, decorative pools, walls, barbeques, and fire pits as well as the planting of trees and other sizable items of vegetation. **Minor changes such as the planting of flowers and small plants do not require review or approval.**

Changes to the appearance of an existing house, such as painting with a substantially different color, adding shutters and creating a cover for a patio, require review and approval. Painting a house with the same color, adding trim, etc., may require approval and should be submitted to the Architectural Committee in advance if there is any doubt.

Major remodeling of an existing house that entails, for example, adding walls, increasing floor space, or dramatically changing the outer appearance of the house, etc., always requires Architectural Committee advance approval.

Finally, all of the plans of a new construction on either a vacant lot or what remains of a teardown should be submitted as early as possible during the planning stage.

Homeowners desiring to make an architectural or landscape change in their home that could require approval should contact the Association Manager or any member of the Association Board and ask for a copy of the appropriate "Request for Review and Approval" form (copies attached). This form should be completed and returned to the Association Manager or to the Chairman of the Architectural Committee, together with any appropriate plans and relevant documents.

The Architectural Committee has the authority to declare a variance with respect to any rule or guideline if it deems it appropriate.

Governing Documents

It should be noted that essentially all of the Associations within Ironwood have Architectural Guidelines; some are very restrictive. In addition, the Ironwood Community Association (ICA) has applicable guidelines. Finally, the Declaration of Covenants, Conditions and Restrictions (CC&Rs) of Ironwood Homeowners Association IX provides for an Architectural and Landscape Committee appointed by the Board. The Committee is responsible for considering and acting upon all proposals or plans submitted to it,

- a) insuring that any Improvements constructed on privately held property within the Association conform to plans approved by the Committee,
- b) adopting Architectural and Landscape Guidelines
- c) performing other duties imposed by the CC&Rs.

California Civil Code Section 1378 recognizes the right of a homeowners association to require that members obtain approval before making a physical change to their property.

The CC&Rs of Association IX, Article 7, Section 7.3, provides that

"no building, fence, wall or other structure or Improvement shall be constructed or maintained nor shall any exterior addition, change or alteration be made in, on or to the Development, or any part thereof, including without limitation painting, repainting and landscaping and all Improvements referred to herein, until the plans and specifications, locating plat and color scheme showing the nature, shape, dimensions, materials and location of the same shall have been submitted to and approved in writing by the [Architectural] Committee. Approval shall be based, among other things, on conformity and harmony of design and location in relation to surrounding Improvements, effect on location and use of Improvements and landscaping on neighboring property, aesthetic beauty, assurance of adequate access to the Association in connection with the performance of its dutiesand conformity with Rules and Regulations and/or architectural guidelines adopted by the [Architectural] Committee."

Article 1, Section 1.10 of the CC&Rs, reads as follows:

“For purposes of the Governing Documents [i.e., the CC&Rs], the term ‘Improvement’ includes, without limitation, the construction, installation, alteration, or remodeling of any buildings, mailboxes, walkways, sprinkler pipes, irrigation systems, garage, walls, patios, gates, garage doors, skylights, lighting and lighting fixtures, fences, swimming pools, spas, recreation facilities, driveways, screening walls, retaining walls, stairs, decks, landscaping, landscape structures, hedges, ornamental lighting, drainage facilities, utility lines, air conditioners or air conditioning systems, solar energy systems, or any structure of any kind. In no event shall the term “Improvement” be interpreted to include projects which are restricted to the interior of any Residence.”

Structural Changes and Alterations

General Construction Standards Architects, contractors and/or landscape architects used by Homeowners must be licensed in California. Homeowners must make certain that consultants and contractors comply with plans approved by the Architectural Committee.

In general, the following criteria will apply to all changes by the homeowner:

- They must relate harmoniously with the natural environment;
- They must conform to all applicable Association Rules, government codes, and ICA rules and regulations;
- They must complement existing community design, style, colors and quality;
- They must have a favorable impact on residence orientation and neighbors in terms of access, view, sunlight, ventilation, drainage and scale;
- Any approved architectural changes that are not completed within the time period specified in the approval will be reviewed on a case-by-case basis and are subject to Board action.

Certain structures may require a building permit. It is the Homeowner’s responsibility to check with the City’s Building Department and all local regulations regarding the requirements for a Building Permit and any other applicable rules and regulations.

Application – Request For Approval

Overview Each Homeowner must submit a completed signed application for each change in the architectural structural design of a home, or change in the color scheme of a home, extensive landscape changes or additions, or the coverage of a substantial portion of the area adjacent to the home with concrete, asphalt, or brick, rock or tiles. Any improvements made to the exterior of the home without an approved application may be required to brought into compliance at any time. Hence, advance approval is strongly recommended.

No plans will be approved which might, in the opinion of the Architectural Committee, render any home site or portion thereof, unsightly or detrimental to any property in the vicinity or to its occupants.

Any changes to plans that have previously been approved will again require the approval of the Architectural Committee. Upon completion of all approved work, the Homeowner is to notify the Committee so that an inspection of the completed work and comparison to the approved plans may be scheduled.

Copies of Plans Two copies of improvement plans must be submitted to the Architectural Committee with each application for approval. The plans must be drawn to scale and must show the location and dimensions of existing structures, driveways, sidewalks and fences and, when appropriate, grade elevations and drainage.

Plans must show the location, size (length, width, and height), color, materials to be used and the design of proposed improvements, including but not limited to, patios, patio covers, landscape areas, walls and fences, gazebos, screens, structures of any kind, sports apparatus, spas and pools. Plans must also indicate setback distances from existing property lines and structures. In addition, plans must also show the location and design of existing structures drawn to scale. Samples of materials and colors should be provided if possible.

Submitted with the plans should be an estimate of the date on which construction will begin and the time required to complete the project.

Time To Respond Within 30 days of receipt of a complete Application for approval, the Architectural Committee will review the plans and render a decision that is reasonable and made in good faith. It shall grant written approval, written denial or a written request for additional information. Any plans submitted which do not comply with these guidelines may be rejected by the Committee. Such rejection will be accompanied by a written statement of deficiencies that must be corrected prior to re-submission to the Committee, an explanation of why the proposed change is disapproved, and a description of the procedure for reconsideration.

Denial/Appeal If a request is denied, within 30 days of receipt of the denial the homeowner may appeal to the Board in writing for reconsideration of the denial. All decisions regarding a Homeowners request must be in writing.

Improvements To Houses

Roofs Roofs shall maintain as low a profile as possible and roofing materials shall be non-glossy and in colors that blend with adjacent surroundings. Metal roofs are not permitted. Sheet metal work should be kept clean and simple with the minimum of exposed metal and should be painted to blend in with surrounding materials.

Doors Exterior doors should be consistent with each other. Similar jamb and head details should be used around the entire exterior of the house. All garage doors should be matching.

Paints Maintenance of the exterior of the house, or repainting in the original color **does not require approval**. Changes in color schemes do require advance approval.

Improvements to Accessory Structures

Walls Adding or replacing freestanding walls or walls forming part of a house requires the approval of the Architectural Committee insofar as height, location, design and color are concerned.

Approval With Respect To Property In Escrow The Committee may review and act upon plans submitted by prospective owners prior to close of escrow. Any such action by the Committee for prospective owners shall be conditioned upon such prospective owner acquiring ownership of the property described in the plans. Such approval is not applicable to any other property without the express written consent of the Committee. Any improvement projects approved prior to close of escrow by the Committee may not be commenced until after close of escrow.

Any improvements made to the exterior of the home landscape or home site without an approved application may be required to be brought into compliance at any time,

Specific Construction Provisions

Building Materials Accessory structures (Gazebos, pools, patios, sunshades, arbors, etc.) shall be made of materials that are consistent with the existing materials used in the Ironwood community, i.e., finished wood, masonry, stucco, stone and tile construction only. No sidewalls or solid covers of any kind will be permitted on attached patio covers.

As a condition of approval, any visible material on an accessory structure that is in need of replacement or repair, as determined by the Architectural Committee, must be brought into compliance at the owner's expense.

Lattice and Trellises Lattice and trellises should not extend above existing fence heights and should not be visible from streets, common areas or neighboring home sites.

Sunshades Exterior sunshades will not be approved due to the difficulty in creating uniformity of aesthetics with the community.

Animal Structures Structures for the care, housing or confinement of any animal should be screened so that they are obscured from view from neighbors and must be completely below the top of the existing fences. Such structure must be maintained in a sanitary condition.

Mailboxes Mailboxes and mailbox structures cannot be modified without approval from the United States Postal Service and the Architectural Committee. Mailbox structures are not to be used as community posting boards per requirements of the United States Postal Service.

Play Structures Play structures must be installed in compliance with City height and setback restrictions and must be fully screened from view from the street, common area and from adjoining neighbors with mature, non-deciduous landscaping. “Fort” style or tree house structures will not generally be approved as they pose a privacy issue to adjoining neighbors. Setback minimum is 10 ft. from side and rear yard walls.

Sheds Sheds must be installed in compliance with City setback requirements and must be at least 5 ft. from the side and rear walls and fully screened from view from the street and from adjoining neighbors with mature, non-deciduous landscaping. Shed structures may not exceed 100 SF in total floor area and may in no case be constructed with the intent to use as a habitable dwelling.

Side Elevations Except for approved sheds, and in the case where a wall on a main dwelling forms a natural enclosure to some or all portions of a side elevation, all side elevations for any accessory structure should not be enclosed in any manner whatsoever.

Statues, Fountains, Water Features No statue, fountain or water feature taller than four (4) feet will be allowed at the front of the lot without approval from the Architectural Committee. There is a limit of two (2) yard ornaments per lot unless additional ornaments are approved. No rear yard ornamentation should exceed the height of the wall. Fountains and water features should not exceed four feet (4 ft) maximum unless otherwise approved by the Architectural Committee.

Front, Rear and Side Yard Setbacks Generally, both side and rear setbacks for all structures (patio covers, gazebos, arbors, sheds, walls of houses, etc.) have been established by the Association as 20 feet minimum. Prior to submitting plans to the Architectural Committee, homeowners should contact the City’s Building Department to confirm that proposed improvements meet the City’s setback requirements as well. The Architectural Committee may apply more restrictive setback requirements if the proposed alteration is determined to have a negative effect on neighboring properties.

Easements Some lots are subject to land use or utility easements. Homeowners should refer to the Plot Plan for their home before locating any structures. This information is also shown on the Recorded Final Map for the community.

Satellite Dishes and Similar Devices Each Homeowner is entitled to one (1) satellite dish or similar device. No satellite dish over 18” will be allowed. Antennas extending beyond the roofline are not allowed.

Basketball Standards – Permanent No permanent basketball standards are allowed.

Outside Lighting No exterior yard lighting without adequate and proper shielding should be installed on any residence or erected in any yard without approval of the Architectural Committee. Such lighting, if approved, should not be installed so that it shines directly into neighboring yards or windows. No permanent colored lighting should be installed outside the home. Any lighting added to the exterior of the home, which is visible from neighboring lots or streets must be approved by the Committee. Only clear or white bulbs are allowed in these locations.

Utility cables and Wiring No lines, wires or other devices for communication or transmission of electric current or power, should be constructed, placed or maintained anywhere in or on any home site, unless contained in conduits or cables underground or concealed in, under or on buildings or other approved structures, excluding temporary power or telephone services incidental to construction of approved buildings.

Landscape Changes and Alterations

In General, No approval is needed for minor changes to existing landscaping, including the planting of additional flowers, bushes, plants, shrubs, and the replacement of existing trees, shrubs or plants (with the same kind of tree, shrub or plant), addition of several large accent rocks and/or stepping stones, potted plants, or the installation of temporary Holliday decorations. The substitution of pavers for existing cement or other similar material **does not require approval**.

Timing No landscaping subject to approval should be undertaken until plans and specifications have been submitted to and approved in writing by the Architectural Committee pursuant to the CC&R's. Approval is required for major changes to existing landscaping including, but not limited to, deletion or addition of turf or the deletion or addition of trees, rocks, concrete, stone work, structures or improvements requiring electricity (i.e., lamp posts, spot lights, vapor lights, etc.).

Trees Trees will not be removed for improvement of views at Association expense. Homeowners may, upon Architectural Committee recommendation and Board approval, and at their expense, have trees removed for improved views, provided that a plan is submitted indicating which trees are to be removed, signed release letters from affected homeowners, and the trees will be removed by an Association-approved contractor.

The height and width of trees, vines and/or shrubbery within exclusive use common areas must be maintained as follows: (a) maximum height of any growth, with the exception of palm trees, shall not exceed 20 feet, (b) width or spread of branches must not extend to overhang buildings, eaves, roofs or patio walls. It is the Homeowners' responsibility to maintain their trees, vines and shrubs. If the height and width cannot be maintained by trimming, the tree or shrub must be removed at the Homeowner's expense.

Housekeeping During Construction

Receipt/Storage of Materials No material is to be delivered and placed in the street. Material is not to be stockpiled on adjacent property. Contractors will be required to place all pallets, cement and other materials in homeowner's driveway, yard or garage. Any material stockpiled in the driveway is to be left in such a manner that it will not be an annoyance, visual distraction or hazard to surrounding homeowners. Access to mailbox will not be allowed. Materials left on driveways must be covered with tarps after working hours

Trash and Debris All trash and debris is to be picked up and the street cleaned daily. Homeowners and contractors shall work with the Association with respect to the regular day the streets are cleaned. When a hazard has been created, such as an open trench, hole, exposed wiring, etc., it must be barricaded in such a manner as to minimize the likelihood of injuries and accidents.

Parking of Vehicles During the course of work, all vehicles shall be parked on the same side of the street so congestion will not be created. No parking in the driveways of surrounding homeowners is permitted.

Radios Radios and stereo equipment may not be played at the worksite.