

VILLA ANTIGUA HOA
POLICY RESOLUTION NO. 05†
Architectural Change Guidelines

WHEREAS, Article III § 3.5 (b) Operating Rules, of the Declaration of Covenants, Conditions and Restrictions gives the Board of Directors powers to adopt reasonable rules and restrictions, and

WHEREAS, CA Civil Code § 5310(a)(10) requires that the association must issue a summary of requirements for approval of any architectural or physical changes made by homeowners to their unit, and

WHEREAS, any procedures shall be made pursuant to CA Civil Code §4765 and §4765(c) which requires that these procedures be distributed annually to homeowners, and

WHEREAS, it is the intent that these rules shall be applicable to any violation of the governing documents by an owner/member, tenant of a member or guest of a member; this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED THAT this resolution will supersede and consolidate all previous related resolutions, and that the following architectural changes require prior written approval by the Architectural Control Committee and/or the Board of Directors:

- All requests for any change or installation, such as those listed below, that will directly affect the exterior of the unit or common area, or may be seen from the common area, must be submitted to the Association Manager on an **Architectural Request for Change (ARC)** in order to obtain approval prior to beginning work. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco or Hardie board attributed to any installation.
 - An Architectural Request for Change (ARC) must contain complete information including: building permits, if required; contractor's name, license number & proof of insurance; all plans, specifications, drawings, blueprints, brochures; and are to be submitted at least seven (7) days prior to the next Board meeting. If property lines are involved, the property setback and plot map must be included. **Contact the Association Manager at 858-268-0929 via e-mail at office@villaantiguahoa.net with any questions or to obtain an ARC form.**
 - The ARC obligates the homeowner to obtain any necessary building permits; to accept responsibility for any water intrusion or other damages done, and/or any costs or losses incurred that may be attributed to installation; and also to accept responsibility for any subsequent maintenance, repair or changes related to installation. **To find out if your project needs a permit, call the City of San Diego (619) 446-5000.**
1. **Gates:** Black wrought iron gates at privacy walls. The Association will maintain original gates. Homeowner becomes responsible for repair and painting if the original gate is or has been replaced.
 2. **Rear or Side-yard Fencing:** All fences must be free standing and must NOT be attached to the unit or to any common privacy wall. Fence installations must be 6 feet or less in height, and of one of the following materials:
 - a. Cedar: natural wood, 6" or 8" dog eared fence boards, 4"x4" galvanized posts, staining or painting must obtain HOA approval
 - b. Vinyl-coated chain link fence framed with cedar or coated metal: black or green
 - c. Wrought iron: black or green
 - d. Vinyl or composite material: natural wood color, almond, beige (NOT white)
 - e. Glass may be used for rear fencing only
 - f. HOA Shared Fences: Specs must match those in line item #a, finished side must face the common area
 3. **Patio Slabs & Walkways attached to unit:** materials may include concrete, brick, tile pavers, concrete & redwood headers, colored concrete, stamped concrete.
 4. **Patio Decks attached to unit:** materials may include redwood, cedar, or high-quality composite.

5. **Trellises attached to unit:** materials may include Douglas fir, cedar, or other engineered wood, painted to match existing wood trim OR high-quality composite aluminum alloy with wood embossed baked enamel finish, color to match adjacent surface.
6. **Retaining Walls & Planter Boxes attached to unit:** A City of San Diego Building Permit may be required for retaining walls over 3 feet high. Materials may include brick, block, stucco, slump block, wood, railroad ties, or adobe brick. Stucco walls should match the unit color. When built near the wall of neighbor's unit, there must be a divider at least 2" from wall so no dirt touches wall or covers weep screed.
7. **Landscape, Irrigation & Underground Drainage Systems:** Ask your Contractor if a City of San Diego building permit is required for in-ground lawn sprinkler installations. All drainage systems must drain to front of lot. All drain flow lines should slope a minimum of one percent, with core cut curb and gutter as required to drain to the street. No additional plants of any kind can be added to the front area outside the privacy wall. Trees and plants must be planted and maintained to avoid damage to property or adjacent properties as they mature. No vine type plants that will grow up the walls or encroach on neighbor's yard are permitted. Trees and plants with root systems that may cause damage to property, structural foundations and footings should not be planted.
8. **Windows, Sliding Glass Doors & Skylights:** Homeowners have the responsibility for the maintenance and upkeep of windows, sliding glass doors, French doors and skylights. A City of San Diego building permit may be required. Window or sliding door frames may be metal or vinyl (color: almond or tan not white). Upper floor slider door installation requires additional proof that the pan sill flashing has been inspected and determined it is in an acceptable condition. If the sill pan is unserviceable and fails to transition and terminate the waterproofing system into the door, it must be replaced. An inspection will be required by HOA personnel to verify the condition of the pan sill flashing. See management contractors guidance sheet. Skylight frames and transparency must be bronze in color. French doors must have prior approval from the board. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco, balcony decks or Hardie board attributed to installation.
9. **Yard/Patio Accessories:** No items may be attached to the unit or privacy walls without prior Board approval. No items may be placed in the front area outside of the privacy wall. **A freestanding/detached item within yard does NOT require Board approval.**
10. **Patio Covers & Roof Overhangs attached to unit:** A City of San Diego building permit may be required if the structure is more than 300 square feet, or higher than 12 feet above grade. Structure to be constructed to match the unit in style and materials. Structure may not encroach into adjacent yards. Awnings and exterior shades are subject to Board approval. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco or Hardie Board attributed to installation. **Corrugated plastic covers are prohibited.**
11. **Front Doors:** Picture must be submitted of replacement doors. Color must be approved.
12. **Screen & Security Doors:** Picture must be submitted of screen or security door. **Color:** Black, brown, dark bronze or almond, NOT white. Any screens attached to front gate must be black.
13. **Exterior Light Fixtures attached to unit:** Picture must be submitted of replacement fixture. Color may be black, dark bronze, brass, or brushed nickel, NOT white. Use of motion sensors is OK.
14. **Gutters/Downspouts:** Homeowners have the responsibility for the maintenance and upkeep of gutters/downspouts. Colors to match adjacent surface of stucco, fascia or Hardie Board.
15. **Venting:** Must be painted the color of the adjacent surface.
16. **Solar Installations:** All installations of roof-mounted photo voltaic or heating units must be consistent with Federal and California State Civil Code, section 714 Guidelines. No trees or shrubs may be cut except on said owner's property. Any penetrations in the stucco or Hardie Board must be sealed, and any exposed electrical conduit or wires should be encased in conduit compatible with California code and painted to match the adjacent surfaces. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco or Hardie Board attributed to installation.
17. **Room Additions & Remodels:** Additions or remodels are to be constructed to match the unit in style and materials and be in accordance with submitted plans. The homeowner should obtain, in writing, adjacent unit owners' approval for remodel and present copy to the Board. A copy of the building permit and the final approved City inspection must be furnished to the Board. Construction must be completed within ninety- (90) days of commencement.

18. **Central Air Conditioning:** Placement of unit must be pre-approved. Any penetrations in the stucco or Hardie Board must be sealed, and any exposed electrical conduit or wires should be encased in conduit compatible with California code and painted to match the adjacent surfaces. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco or Hardie Board attributed to installation. **Window units are prohibited.**
19. **Roofs, Roof Jacks and Fascia:** Homeowners have the responsibility for the maintenance and upkeep of the roof, roof jacks, and all fascia, including painting. For certain installations, a City of San Diego building permit is required. See Specifications in Association Office for types and colors of shingles that are acceptable. All installations must follow the most recent Uniform Building Code adopted by the City of San Diego. Contractor must provide insurance certificate showing homeowner and association as additional insureds.
20. **Satellite Dishes & TV/Video Antenna:** Size must be 36" or less in diameter or diagonal measurement. Whenever reasonably possible, every effort shall be made to ensure that it cannot be seen from the street and is screened from adjacent properties. Any penetrations in the stucco or Hardie Board must be sealed, and any exposed electrical conduit or wires should be encased in conduit compatible with California code and painted to match the adjacent surfaces. The homeowner shall be responsible for any repairs and/or water intrusion in the stucco or Hardie Board attributed to installation. Installations must follow Federal, State, Local laws.
21. **Garage Doors:** Homeowners have the responsibility for the maintenance and upkeep of garage door. The door must meet the following specifications:
- a) 24-gauge steel sectional garage door
 - b) Color: New Replacement garage doors after April 2015 may be Almond or match the unit paint color scheme with architectural approval.
 - c) Four horizontal and four vertical panels ONLY
 - d) Windows with plain or opaque glass are acceptable.
 - e) No reflective tints or window coverings of any kind are permitted.
22. **Signage/Flags: Board approval is NOT required if adhering to these rules:**
- a) No sign of any kind shall be attached to the unit.
 - b) Decorative plates or address numbers should be no larger than 12" x 18" and should NOT penetrate or be permanently attached to the privacy wall.
 - c) "Beware of Dog" or "No Solicitors" signs may be attached to the front gate.
 - d) Non-commercial signs or posters such as political, rent, sale, lease or security signs are to be freestanding, no higher than five feet off the ground or more than nine square feet.
 - e) Non-commercial flags or banners are to be no more than 15 square feet in size.
 - f) No more than two (2) or a combination thereof, signs or flags may be displayed at each property.
 - g) Any flags or signs deemed to be in poor condition by the Board or Management must be removed or replaced when instructed.
 - h) Per Civil Code §4710 signs, posters and flags displaying crude or offensive language or images, or fighting words, are prohibited.
 - i) Campaign signs or flags may not be displayed earlier than 60 days prior to an election and must be removed 2 weeks after the close of the election polls.
 - j) Holiday decorations and lights may NOT be permanently affixed to the unit or common walls. There should be NO penetration of stucco or Hardie board. Decorations can be displayed no earlier than four (4) weeks prior to the holiday with the exception of the winter holidays, which can be displayed the day after Thanksgiving. All decorations are to be removed within one week after the holiday, with the exception of the winter holiday decorations, which are to be removed by January 7th.
23. **Unit Color Scheme:** The Association is solely responsible to paint, maintain, repair and replace exterior building stucco, wood trim and other items such as caps on some unit privacy walls and rails on some balconies. *Hardie Plank Siding has replacing wood trim and has a 35-year warranty against termite and dry rot damage.* The color scheme, as adopted by the Board at the October 1998 meeting, is binding and mandatory. See specifications in Association Office & on website.

24. **Mailboxes:** There are two locking mailbox options available to owners to install without needing to go through the ARC approval process: [Mailsafe Black, Large, Plastic, Locking, Post Mount Mailbox](#); [Mail Boss: Mail Manager Street Safe Black Post-Mount Mailbox Gibraltar Mailboxes](#). The 3rd option is a higher security mailbox for which Architectural approval must be obtained. This is because a special post must be installed that can support the new mailbox. Neighbors must be in agreement For this option, neighbors must be in agreement to install if your share your post. If you elect to go with this 3rd option, you are accepting responsibility for the install of the improvement and all future maintenance & repairs. <https://www.mailboss.com/shop/curbside-mailboxes/mail-manager-pro/>
25. **Exterior Security Devices (Excluding Light Fixtures see item #13):** Picture must be submitted of proposed device. Color of device and any attached solar panel may be white or black. Any penetrations in the stucco or Hardie Board must be sealed, and any exposed electrical conduit or wires should be encased in conduit compatible with California code and painted to match the adjacent surface.