

## REQUESTS FOR MODIFICATIONS AT THE RIDGE

Minor exterior changes to buildings and other site changes that maintain and do not disrupt the existing architectural continuity of development at the Ridge require approval of minor modifications to the Original Design Permit for the applicable neighborhood. Condition C.I.j (Exhibit B, page 29) of Resolution 89-63 for the Northeast Ridge states that “minor modifications” may be approved by the Planning Director. Brisbane Municipal Code Section 17.42.070.A.1 provides that the authority to approve minor modifications to a Design Permit may be delegated to the Zoning Administrator subject to the procedures and findings required in Sections 17.42.020-040.

The first step in this process is to obtain written approval from the applicable Homeowners Association.

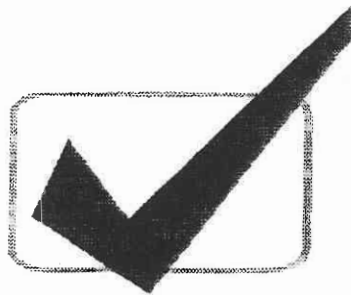
The second step is to apply for approval of a Minor Modification. A City of Brisbane Planning Application must be completed and submitted to the Community Development Department. The application fee for such minor modifications is the same as that required under the minor modification provisions in BMC 17.56.090. The following should be submitted with the application and fee:

- [ ] SITE DEVELOPMENT & ARCHITECTURAL PLANS- 5 full-size legible sets and 1 reduced (to 8 ½” x 11” or 11” x 17”), legible and reproducible set of completely dimensioned, scaled site development and architectural plans, with bar scales, showing:
  - [ ] Existing and/or proposed structures with floor plans, roof plans, and elevations of all sides of the existing and/or proposed structures, identifying colors and materials as appropriate;
  - [ ] Accurately dimensioned property lines, setbacks, structures on adjacent properties, and streets;
  - [ ] Location of existing trees by size (circumference measured 24 inches above grade) and type indicating those proposed for removal, and all other landscaping;
  - [ ] Other details as may be appropriate to the specific proposal.
- [ ] MATERIAL AND COLOR SAMPLES- if any changes to the existing materials or colors are proposed.
- [ ] PHOTOGRAPHS of the site.

The third step is to hold a public hearing at which the Zoning Administrator will render a decision on the application.

Note that extensive changes may require Planning Commission/City Council approval of a PD Permit Amendment/Modification per BMC Section 17.28.120.

**LANDMARK AT THE RIDGE  
OWNERS' ASSOCIATION**



**Rules & Regulations**

## INTRODUCTORY PARAGRAPH

These Rules and Regulations are adopted by the Board of Directors (the "Board") of the **Landmark at the Ridge Owners' Association** to establish the rules and procedures for all Owner, family members and other occupants, including lessees and tenants at **Landmark at the Ridge** under the Declarations of Covenants, Conditions and Restrictions for the **Landmark at the Ridge Owners' Association** (CC&R's). These Rules and Regulations are enforceable in accordance with the provisions of the CC&R's.

## **GENERAL APPLICABILITY**

### **1.1 Persons Included**

All residents of **Landmark at the Ridge**, whether Owner, family member, lessee, tenant, employee, or other category, are subject to the Declaration of Covenants, Conditions, and Restrictions ("CC&R's"), the By-Laws, the Articles of Incorporation, and these Rules and Regulations.

### **1.2 Exceptions**

Any exception of these Rules must be approved by a majority of the Board sitting in a duly constituted meeting. Any such exception must be made part of the minutes of such meeting. Any exception shall be granted at the sole discretion of the Board.

### **1.3 Responsibility of Owners and Residents**

Owners and all other Residents are responsible for ensuring that their employees, contractors, tradesmen, guest and all other visitors (their 'Invitees') have knowledge of, understand, and abide by these Rules. Owners are liable for any loss or damages which may occur as a result of their Invitees' failure to observe these Rules. Owners are responsible for ensuring that their leasees, tenants, and all other Residents have knowledge of, understand and abide by these Rules. All violators shall be liable for all losses and damages, including after notice and hearing by the Board, fines which may be levied by the Board as a result of failure to observe these Rules. Owners and all other violators shall be responsible for all losses and damages.

## ARCHITECTURAL STANDARDS

Living in a planned community such as **Landmark at the Ridge** offers many privileges. In order to maintain these privileges certain restrictions are required. In order to preserve the architectural integrity of **Landmark at the Ridge**, standards have been incorporated in addition to the Covenants, Conditions and Restrictions ("CC&R's"). The Architectural Review Committee is vested with the power to enforce the Architectural Standards on all new construction and ALL improvements in **Landmark at the Ridge**.

The guidelines that follow are for the benefit of the whole community. It is to every resident's benefit to take the time and carefully read the following information. Please note that these guidelines support the CC&R's but do not cover that entire document. The CC&R's should also be read carefully.

The Architectural Review Committee does not seek to restrict individual creativity or personal preference, but rather to assure a quality of design that will enhance the appearance of **Landmark at the Ridge**.

Prior to the beginning of any construction, or doing any improvement, modification, decoration, redecoration, or reconstruction of any type you must have the approval of the Architectural Review Committee. Failure to obtain the approval of the Architectural Review Committee may constitute a violation of the CC&R's and shall require modification or removal of existing work or improvements at your own expense. In addition, a building permit may be required by the City. The approval of the Architectural Review Committee does not assume any responsibility for city approval, or the structural engineering of the application

## ESTABLISHED GUIDELINES

In order to maintain the architectural character of the community it is necessary to provide guidelines that are more exacting than are presented in the CC&R's and By-Laws of the Association. These guidelines have been established to protect your investment and keep **Landmark at the Ridge** attractive to all residents.

For any improvement to the exterior of your home, you must submit an architectural application, below are guidelines to help you understand what types of alterations and improvements the Architectural Committee at Landmark at the Ridge Owners' Association may approve.

### 1.1 Landscaping

- NO owner shall grade or fill or otherwise alter the slope or contour of any Lot, construct or alter any drainage pattern or facility, construct or alter any foundation or permanent structure (including, but not by way of limitation, irrigation system, swimming pools, ponds and spas), or perform any earth work without first (I) Obtaining written recommendations, plans and specifications from a soils engineer, civil engineer or landscape architect, as appropriate, duly licensed in the State of California, regarding such proposed work, (II) submitting a completed architectural application to the Architectural Committee, and (III) obtaining the written approval of the Architectural Committee. No owner shall perform any work except in conformance with the recommendations, plans, and specifications of such engineer.

### 1.2 Vehicle Towing

- Vehicles improperly parked in fire lanes and marked/posted towing zones will be towed at owner's expense.

### 1.3 Play Equipment

- Children's play equipment shall be permitted in rear yards ONLY. Play Equipment must be commercially purchased and not to exceed 10 feet in height. It is not to be permanently placed in concrete and must not affect the drainage of the lot.

### 1.4 Dog Houses / Runs

- Dog houses / dog runs in the rear yards only. All dog houses must be constructed so that no single dimension exceeds 48 inches. Chain-link fence dog runs shall be approved in rear yards, provided that the fence is no higher than five feet, and must not affect drainage of the lot.

### 1.5 Electronic Insect Traps

- Electronic insect traps shall be permitted in rear or back yards ONLY.

### 1.6 Garden Sheds

- Garden sheds and similar structures shall be permitted in rear or side yards ONLY, provided they shall not exceed six feet in height or be larger than 64 square feet in size.

### 1.7 Spas / Hot Tubs / Pools/Other Water Features (ponds, waterfalls, fountains)

- NO owner shall grade or fill or otherwise alter the slope or contour of any Lot, construct or alter any drainage pattern or facility, construct or alter any foundation or permanent structure (including, but not by way of limitation, irrigation system, swimming pools, ponds and spas), or perform any earth work without first (I) Obtaining written recommendations, plans and specifications from a civil or geotechnical engineer, as appropriate, duly licensed in the State of California, regarding such proposed work, (II) submitting a completed architectural application to the Architectural Committee, and (III) obtaining the written approval of the Architectural Committee. No owner shall perform any work except in conformance with the recommendations, plans, and specifications of such engineer.

### 1.8 Patios / Decks

Patios and decks in rear yards, subject to current City code and setback requirements and as long as the work includes NO land filling and does not affect the drainage of the lot. Above-ground decks not exceeding 12 inches in height are allowed, provided foundation landscaping is installed. This restriction shall not prohibit walkways less than three-and --a-half feet wide in side yards, where appropriate.

### 1.9 Gazebos

- Gazebos and similar structures shall be permitted in rear or back yards ONLY, subject to prior approval of the City and current City Code setback and height requirements. In addition, no gazebo or similar structure shall be constructed or otherwise placed on any lot if the structure is located within five feet of any side yard fence. No gazebo or similar structure shall exceed nine feet in height without the written consent of all adjacent owners, and in no event shall any such structure exceed 12 feet in height. Gazebos shall be painted to match trim or body of main house or stained a neutral wood tone.

**1.10 Patio Covers**

- Patio covers shall be permitted, subject to prior approval of the County and current County Code setback and height requirements provide that the following requirements are satisfied:
  1. The height of the patio cover does not exceed 12 feet in height of the nearest exit door area by more than one foot.
  2. The patio cover does not extend more than 15 feet from the dwelling into the rear yard area.
  3. The patio cover does not extend beyond the side of the dwelling.
  4. The patio cover does not exceed 200 square feet in total.
  5. The patio cover is painted to match the house trim cover or stained a neutral wood tone.

**1.11 Trellis**

- Trellis in rear yards, subject to prior approval of the County and current County code, setback and height requirements; also that trellis be no taller than 12 feet from the deck surface.

**1.12 Water Softeners**

- Any water softeners installed on a Lot must be commercially serviced. No Owner shall deposit or dispose, or permit to be deposited or disposed, any salts or other chemicals from water softeners in the sewage systems and must be in the garage.

**1.13 Fences**

- All fences visible from the roads as originally installed by Declarant.

**1.14 Concrete**

- All applications of concrete in rear or back yards which do not effect drainage as follows:
  - a. Color Concrete
  - b. Stamped Concrete
  - c. Decorative Concrete
  - d. Bricks
  - e. Concrete

**1.16 Colors for Exterior Surfaces**

- Exterior surface colors. The exterior of all structures must be painted in its original color as painted by Declarant unless approved by the Architectural Committee.



**1.17 Satellite Dish Antennas Policy.**

- Satellite Dish Antennas Policy and Procedure as follows:
  1. To the extent it is possible to receive a signal, the Association will require that all satellite dishes of one meter or less in diameter and antennas be placed in the backyards or back of the home. If an owner believes that a sufficient signal cannot be obtained in the backyard, the Association reserves the right to seek an outside opinion from someone well versed in the industry on the particular type of antenna desired.
  2. The Association reserves the right to require painting or reasonable screening of the antenna or satellite dishes if it must sit in an area where it can be seen from the street or common area.
  3. TV antennas posted on masts 12 feet above the roof line will be prohibited.

**1.18 Window Coverings**

- Window Coverings shall be white, off white earth tone, and natural wood finishes.

**1.19 Clothes Lines**

- No outside clothes lines or racks are permitted anywhere in the project

**1.20 Trash Disposal**

- Trash, garbage or other waste shall be kept only in sanitary containers. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition, and shall, except on the day of collection, be kept in the garage of the residence or within the enclosed yard area, appropriately screened from the view of neighboring lots, common area and streets.

**1.21 Holiday Decorations**

- Holiday Decorations, including holiday lighting, can only be displayed 30 days before and 30 days after the designated holiday.

# Landmark at the Ridge Homeowners Association Architectural Application

Name(s): \_\_\_\_\_ Date: \_\_\_\_\_

Address of Affected Property: \_\_\_\_\_

**Important Note:** Homeowners are reminded that no owner shall grade, fill or otherwise alter the slope or contour of any lot, construct or alter any drainage pattern or facility, construct or alter any foundation or permanent structure (including, but not limited to, irrigation systems, swimming pools, ponds and spas), or perform any earth work without first obtaining written recommendations, plans and specifications from a soils engineer, civil engineer or landscape architect, as appropriate, duly licensed in the State of California for such work. As a result, the association has adopted a two-tracked system of architectural application, one track for applications that relate to the above requirement, and the other for all other applications. Please see the Association's Architectural Guidelines to determine which track to follow in submitting your approval.

<u>Applications Relating to Grading Restrictions and Drainage</u>	<u>All Other Applications</u>
<p><b>Step 1:</b> Obtain two copies of the signed, "As-Built" plans for your lot from the City of Brisbane Building and/or Engineering Division.</p>	<p><b>Step 1:</b> Neatly write a complete description of the improvement or modification you are requesting below. Include all relevant information about colors and materials. Attach additional pages if needed. If a drawing is necessary to help us understand, then attach a scale drawing to this application. Submit to Landmark at the Ridge Homeowners Association, c/o The Helsing Group, 2000 Crow Canyon Place suite-380, San Ramon, CA 94583.</p>
<p><b>Step 2:</b> Provide a copy of the <b>Landmark at the Ridge Homeowners Association Architectural Guidelines</b> to your designer, if appropriate, and have your improvements drawn to scale on one of the copies of the "As-Built" plans received from the City of Brisbane.</p>	
<p><b>Step 3:</b> Obtain written recommendations, plans and specifications for your proposed landscaping and improvements from a soils engineer, civil engineer or landscape architect, as appropriate, duly licensed in the State of California for such work.</p>	
<p><b>Step 4:</b> Have a licensed soils engineer, civil engineer, or landscape architect, as appropriate, sign the following statement on the copy of the "As-Built" plans containing your proposed landscaping and improvements: "I have examined this landscaping/improvement plan and, in my professional opinion, the proposed modifications will not adversely affect the drainage or slope stability in the area."</p>	
<p><b>Step 5:</b> Submit this form, the signed "As-Built" plans received from the City, the proposed improvements drawn upon a copy of the "As-Built" plans, and any written recommendations from the engineer/architect to Landmark at the Ridge Homeowners Association c/o The Helsing Group, 2000 Crow Canyon Place suite-380, San Ramon, CA 94583.</p>	

**Architectural Committee Decision:**

- Approved       Disapproved  
 Approved with the following conditions:

\_\_\_\_\_   
 Architectural Committee Signature

**Before beginning work, please check with the City of Brisbane to determine whether any City permits are required for your proposed modifications. See other side for more information.**