

ARCHITECTURAL COMMITTEE AND RESTRICTIONS ARCHITECTURAL RULES AND GUIDELINES

No exterior changes can be made without first submitting a **Request for Architectural Approval** form to the Architectural Committee (AC). The form must be approved before any work is started. **(The forms are available in the Architectural box in the Clubhouse and on the Association's website: <http://pacificoceansidemanager.com/>)**

Complete plans and specifications showing the nature, kind, shape, color, size, height, materials to be used, location of any proposed improvements or alterations, the proposed contractor or installer, and any other information required by these guidelines shall be prepared by the owner and submitted to the AC.

These guidelines have been periodically updated due to changing circumstances. For this reason, an improvement approved in the past does not create a basis that a similar request cannot be denied.

The AC shall review the request for conformity with Article 5 of the CC&R's and these guidelines. Additional factors may be considered including, but not limited to, the safety to the dwelling structure, the design of the improvement with existing structures, the location of the improvement in relation to surrounding structures, drainage patterns, finish grade elevations, owner and contractor or installer insurance coverage, compliance with jurisdictional permit requirements, and contractor license.

A written decision as to approval or rejection, including the reason shall be sent to the submitter within 45 days of submission.

INDEMNIFICATION: A **Maintenance and Indemnity Agreement** releasing OMHOA from any responsibility or liability is required if any change penetrates the roofs or exterior of the buildings which are the responsibility of the Association. These agreements are available from the management company office or from the Association's website. The Maintenance & Indemnity Agreement must be recorded with the County of San Diego. The owner is required to complete the agreement including a notarized signature. The form is then submitted to the Architectural chairperson to be authorized and signed by the Board of Directors. The owner must then take the document to the San Diego

Recorder's Office who charges a filing fee to be paid by owner. The recorded document will be returned to the OMHOA's Board of Directors and will be kept in the property address file. No work can be started until this document has been recorded and returned to the OMHOA's Board of Directors.

5.2 Architectural Modifications:

Any architectural change or improvement to the exterior of a dwelling or any portion of a lot (including the backyard) shall be governed by the **Architectural Rules and Guidelines.**

5.3 Architectural Restrictions:

In addition to the required approval by the AC, the following restrictions apply:

5.3.1. The exterior finish, color, and architectural style of any structure shall harmonize with and be of similar materials as existing units.

Decorations or other items hung on exterior in common areas must have architectural approval. Homeowners will be held responsible for any damage to stucco or exterior walls through installation or removal of these decorations. **Unightly or excessive storage may not be accumulated.**

5.3.2. There shall be neither interference with existing grades nor any change of water flow patterns in back yards. If any grade change is required, approval must be obtained.

5.3.3. Owner Installed Elements

5.3.3.1 **Garage Door (Metal and Vinyl):** Roll up garage doors are acceptable and encouraged. The doors should match the color of the dwelling as close as possible or be painted to match. AC approval is required.

5.3.3.2 **Skylights/Solar Tubes/Solar Energy Panels:** Homeowners must submit a signed Maintenance and Indemnity Agreement prior to installation of any of these items. Homeowners are responsible for any damage to the home caused as a result of installation. Homeowners are responsible for maintenance and upkeep of all materials and equipment installed on the dwelling. Please review the Maintenance and Indemnity Agreement for clarity on this policy.

5.3.3.3 **Security Devices:** Entry gates shall be wrought iron, painted black or match dwelling color. Window or door protection items shall be of an approved design, equipped with safety releases, painted black or match dwelling color.

5.3.3.4 **Attic Exhaust Fans:** Approval and a Maintenance & Indemnity Agreement are required for any roof exhaust fan that is mounted and penetrates the existing roof or wall.

5.3.3.5 **Patio Covers:** Patio covers may be wood, aluminum, or fiberglass design and must be approved by the Architectural Committee. A wood trellis patio may be covered with a sunscreen shade material. The color of roofed patios should be in keeping with the existing roof. Patio structures should be painted to match the existing trim color or harmonize with the existing community color palette. **NOTE:** The owner shall be responsible for any and all future damage caused to the dwelling by patio attachment. This includes roof damage, termite infestation and dry rot problems.

5.3.3.6 **Awnings:** Awnings, roll-up shades must harmonize with the color palette of the community.

5.3.3.7 **Lattices and Trellises:** Location, height (**not to exceed 6ft.**), and color must coordinate with existing color palette of the community. Lattices and trellises must not touch the fence.

5.3.3.8 **Lighting/Security Cameras (Exterior):** Lighting and security cameras in the common area must have approval. This shall include all motion, safety or walkway fixtures. Cameras that penetrate the exterior require a notarized Maintenance & Indemnity Agreement. No security camera can be pointing into a neighbor's yard or into any area where privacy is reasonably expected. Colors should be white, black, brushed aluminum, brass or black and brass.

5.3.4. **Flags:** U.S. flags may be displayed from an attachment on the front of the unit. Other flagpoles are allowed only in the owner's private backyard (not visible in the common area) provided the federal regulations on how to display the flag are observed in addition to California Civil Code section 4705. No faded or tattered

flags are to be used. If U.S. flags are flown at night, illumination must be approved. Flags other than U.S. flags must be flown only in owner's backyard, not in the common area. Violations will be dealt with as per standard notice stated in the Association's Rules and Regulations.

5.3.5. **Air Conditioners and Spas or Hot tubs:** Central air conditioners, spas, or hot tubs may not be located near or adjacent to a neighbor's master bedroom. Location of air condition units, spas or hot tubs must to approved by the Architectural Committee. All piping, wiring, and metal material must be painted to match the building surfaces.

5.3.6. **Antennas and Satellite Dishes: It is strongly suggested that homeowners are sensitive to the aesthetic of the community by keeping installation of satellite dishes outside of visibility of common area.**

Satellite dishes with a diameter or diagonal measurement of 36" or less are approved. If roof-mounted, a Maintenance & Indemnity agreement is required. AC approval is required.

5.3.7. **Handicapped Access:** Exterior modifications made to facilitate handicapped access must meet California Civil Codes.

5.4. **Architectural Changes not Requiring Prior Approval:** Notwithstanding section 5.3 above, no approval shall be required for (1) repair or replacement of items in accordance with the plans and specifications previously approved by the Architectural Committee (2) backyard improvements that are not seen at eye level or attached to the building, and (3) individualizing decorations that harmonize and follow all Architectural Rules and Guidelines.

Nothing contained herein shall limit the right of an owner to paint the interior of the dwelling any color desired, or to improve or alter any improvement with the interior, provided such improvement or alteration does not impair or alter the dwelling structure, any utilities, or other systems servicing the common area or other lots.

Architectural Rules and Guidelines

Miscellaneous

Entry Areas:

Approval is required for the resurfacing of entry walkways of the Common Area.

Exterior Color and Design:

No alteration without AC approval is allowed.

Rain Gutters:

Must be painted to match existing color to which they are attached.
Downspouts located to drain on owner's property.

Moving of Buildings:

No building of any kind can be moved onto a lot without AC permission.

Street Numbers:

Shall be black, 4" high, and installed horizontally over the garage. Ceramic and other types require architectural approval.

Front Entry Doors:

Only front entry doors that face the street will need AC approval for color and design.

Wrought Iron Gates:

New gates, or additional fencing requests in the common area must have Architectural Committee approval. Please submit photo or design with request.

Window Replacement:

Vinyl replacement windows and/or sliding doors are acceptable. Applicants must submit a brochure showing manufacturer's name, style of window and/or sliding door, design and color. Window size and location may not be changed. Frame color shall harmonize with the community color palette. Should improper installation of windows cause future leakage affecting the exterior of the dwelling, the homeowner will be responsible for any damage. **NOTE:** New window construction requires a Maintenance Indemnity agreement.

Patios, Retaining Walls, etc.:

Patios and retaining walls must have AC approval. They shall be constructed to

have drainage away from the dwelling. New work shall not alter or impede the existing drainage flow of the property. Masonry retaining walls over 24" may require a permit from the city.

Decorations in Common Area:

Any items placed in front of homes to the street or where sides of homes are visible from the street must maintain the uniformity and attractiveness of the common area in our community. No items may be placed to interfere with the walkway for emergency entrance or to interfere with the irrigation system. Any maintenance required will be the responsibility of the owner. This guidance does not include holiday decorations. **The Board of Directors has discretionary approval rights for any decorative items.**

Examples (not all inclusive)

- Birdbaths and birdhouses
- Exterior decorations
- Flags (other than U.S.)
- Statues
- Hose reels
- Benches
- Flower pots (size 30" max and number will be dependent on yard). If located on sidewalk they will need a dish, so water runoff does not affect area drought tolerant landscape.

Clothes Lines:

Can only be used in private rear yard of homeowner.

Exterior Generators:

Not permitted.

Height of Fences, Rails, Hedges, etc.

Should not exceed 72" (6 feet)

Sun Rooms:

Submit plans, specs, picture and location for approval. City permit required. Copy of the permit must be provided to the Architectural Committee. Colors must match the color palette of the community.

Architectural Committee Guidelines

Article 5 of the Oceanside Manor CC&Rs

The Architectural Committee will consist of a minimum of three members with one being named chair. Members of the Architectural Committee are appointed by the Board of Directors serving for indefinite term. Consent of a majority of the committee is required for any decision. An up to date file is to be kept by Lot number or property address on all materials relating to the request's submission, Board action and final inspection.

Applications for architectural approval will be completed and placed in the box in the clubhouse. Complete plans for specifications and details, including photos as needed on the work being requested as well as the proposed contractor for the work is to be submitted with the application. A member of the Architectural Committee should check the architectural box at least two times a week to check for submissions.

The Architectural Committee will review and a written decision on approval or rejection will be given to the homeowner within 45 days of receipt. (Article 5.5.3) If rejected, the owner may submit a letter along with supporting materials to the Architectural Committee to be forwarded to the Board and the Board will respond within 30 days of receiving both the letter and supporting materials.

Work is to be completed within 30 to 45 days of application approval unless more time is explicitly requested and approved. Once complete, the owner is required to notify the Architectural Committee for their final inspection. If the final inspection shows non-compliance with regulations, the owner will be required to correct the issue and apply for a new final inspection.

The Architectural Committee has authority to make decisions without board approval on the following requests **only**:

- Replacement window installation
- Patio covers
- Satellite dish installation
- Changes to entry walk way
- Front door facing the street
- Exterior light fixtures

All items not mentioned above require confirmation from the Board of Directors prior to work beginning on the project. Please also be sure to review the community governing documents for additional information.