

**CANTAMAR HOMEOWNERS ASSOCIATION**

**ARCHITECTURAL**

**RULES & STANDARDS**

**Adopted: December, 1991**  
**All Amendments included as of: May 2007**

**CANTAMAR HOMEOWNERS ASSOCIATION  
ARCHITECTURAL RULES AND STANDARDS**

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# CANTAMAR HOMEOWNERS ASSOCIATION ARCHITECTURAL RULES AND STANDARDS

## ADOPTION

These Architectural Rules and Standards were adopted by the Cantamar Board of Directors in April, 2002, and apply to the original Doric Cantamar Development Phase 1 and the Greystone Bay Breeze Development Phase 2, hereinafter referred to as Cantamar. They were developed to maintain Cantamar's design and to preserve the original aesthetic concept of the development.

## CC&R COMPLIANCE

When you purchased your home, you took title to your Lot subject to all restrictions, easements, etc. that were recorded on your Lot as set forth in your Policy of Title insurance. You also took title to your Lot subject to all of the provisions set forth in the Covenants, Conditions and Restrictions (CC&Rs) recorded on your property as set forth by the Community of Harbor Bay Isle (Community) and the Cantamar Homeowners Association (Association.)

## COMMUNITY ARCHITECTURAL REVIEW

Owners are strongly encouraged to review the Community of Harbor Bay Isle's (Community) Rules and Standards for the specific requirements that apply to proposed property improvements. More specific Rules and Standards for use by Cantamar homeowners have been established and are contained in the Cantamar Architectural Rules and Standards. The term "Guidelines" shall have the same force and effect as the term "Rules and Standards." *This document covers those subjects not included in the Community's document, or requirement that the Cantamar Association has resolved to be more restrictive than the Community's rules and standards.*

## DEFINITIONS

(from Cantamar CC&Rs Article IV, Sections 4.9.2 and 4.9.3, pages 25-27)

**Common areas** are intended for ownership, use, and maintenance by the Cantamar Homeowners Association or by the Community of Harbor Bay Isle Association.

**Commonly Maintained Improvements** are improvements located on public right of way that are maintained by the Cantamar Homeowners Association on behalf of all of the Association homeowners as a common benefit and expense, or by the Community of Harbor Bay Isle Association on behalf of all members of the Community Association as a common benefit and expense.

**Property Improvements** include *all* improvements to the exterior surfaces of the house, including repainting, *any* building modifications, and all improvements to the land, including landscape, hardscape, or *any* structural additions to the land. When in doubt, call the Architectural Administrator for guidance.

## Additional Definitions

"CAC" - Community Architectural Committee

"PAC" - Cantamar's Project Architectural Committee

## Prior Approval Required

Architectural applications and plans must be submitted and approved by the Architectural Committee *prior* to commencing property improvement work. Architectural applications are available through the Community of Harbor Bay Isle's offices. Please check the Community Architectural Committee's annual meeting schedule on the application's back page to avoid

delays in processing your applications. The Community's Architectural Administrator is available to help you complete the application process.

### **Compatability**

Proposed improvements must be appropriate to their immediate surroundings, compatible with the architectural and landscape characteristics of the Cantamar Association.

### **Final Inspection Required**

Applications approved by the Architectural Committee are valid for one year. Owners must complete the work and notify the Architectural Administrator to request a final inspection of their installation before the application's one-year approval expires.

### **ADDITIONS TO EXISTING DWELLINGS**

*Refer to the Community's document, Section 2 – Architectural Rules and Standards - Additions to Existing Dwellings.*

Special attention shall be given to setback conditions on zero lot line properties and lagoon lot properties.

In addition to the application submittal requirements of the Community Architectural Committee, applications for room additions of any kind reviewed by the Cantamar Homeowners' Project Architectural Committee shall also include accurately drawn, typical architectural details to show clearly that proposed exterior conditions will match the existing structure.

An addition shall not be permitted when, in the judgement of the CAC and the Cantamar Homeowners Association, the proposed addition is not aesthetically compatible with the architecture of the existing dwelling.

### **Pre-manufactured additions; solariums or other types of additions (Cantamar Resolution #94-01 - 1/20/94)**

In addition to the Community's document, all new room additions to existing dwellings shall be constructed of wood framed construction to match the construction and be harmonious with the architectural character of the existing dwelling. Exterior finish materials, colors and details, such as door and window sash, roof cave, and architectural trim details of the proposed addition shall match similar details of the existing dwelling.

Solariums or other room additions constructed predominantly of pre-manufactured metal and glass components, such as aluminum window sash with glass and metal in-fill panels, are specifically prohibited, since their overall appearance tends not to be harmonious with the architectural character of homes in Cantamar.

## **Second Story Additions**

Additions to second stories, including balconies, decks and window dormers, will be considered on a case-by-case basis and must comply with City of Alameda ordinances. The proposed addition must be compatible in scale, material and color with the owner's house and adjacent properties. The addition shall not impair the views or sunlight or natural ventilation of adjacent properties. Pitched roofs must match the slope of the existing roof. *Third story additions are not permitted.*

## **OTHER MODIFICATIONS**

*Refer to the Community's document, Section 2 - Other Modifications.*

### **Air Conditioners**

Window and roof-top models are not permitted. Rear yard at-grade models that do not unreasonably impact neighboring property or create noise that interferes with concentration or sleep of neighbors will be considered. Applications for appropriately concealed and muffled air conditioners, including those based upon bona fide medical necessity, will be considered on a case-by-case basis.

### **Arbors and Overhangs**

In addition to the Community's document regarding natural wood structures, the painting of arbors or overhangs to match the house trim color will be considered on a case-by-case basis based on the design compatibility of the structure to the house and the structure's location. Redwood arbors and overhangs shall be allowed to naturally weather or may be treated with a clear sealant.

### **Attic Ventilation**

Ventilation devices shall be compatible in design and color to the existing structure. Turbines are prohibited. If mounted on a gable end, the ventilator must be painted to match the house siding or trim color. If mounted on the roof, the ventilator must be painted to match the roof color. Roof installations shall be located in the least visible side of the ridge pole.

### **Awnings**

Sun-control devices will be considered on a case-by-case basis. They shall be compatible with the architectural character of the house, and shall not adversely affect views, light, winter sun or natural ventilation of adjacent properties. Only solid color sun-control devices are permitted. Plastic, fiberglass, wicker, cloth or metal awnings are prohibited.

### **Balconies and Second Story Decks**

Must be compatible in all respects with the existing structure. On a case-by-case basis, second story balconies or decks will be considered by evaluating the impact on the overall appearance of the neighborhood and the retention of neighboring property privacy.

### **Barbecues or Firepits**

Permanent installation must be lower than the fence height and must be located in an area that will not permit smoke to unreasonably intrude into a neighboring property.

### **Chimneys, Stove Pipes, Metal Flues, Vents and Exhaust**

Must be compatible in material and color with the existing structure. If interior stoves are installed, the stove pipe protruding above the roof must be painted to match the roof color or boxed in with material matching the house siding.

### **Decks**

In addition to the requirements of the Community's document, ground level decks shall not exceed a height of twelve (12) inches from the grade and shall be no closer than six (6) inches to a fence post. The deck surface shall be a minimum of five (5) feet below the top of surrounding fences. Adequate drainage and weed control must be maintained beneath above-ground decks. Moisture and insect barriers are recommended for installation between the deck and house wall.

### **Driveways**

Extensions of existing driveways, or into landscape areas for additional parking, are prohibited. Colored coating or painting of driveways is prohibited except for clear sealant. Excessive oil or rust stains must be promptly removed.

### **Entry Doors**

The design, color or stain, and replacement hardware must match or be compatible with the existing developer-installed door or alternate design approved by the Architectural Committee on a case-by-case basis.

### **Front Entrance Screen or Storm Doors**

Front entrance screen or storm doors are permitted provided they match or are compatible with the developer-installed front door. Roll-back screen doors will be considered on a case-by-case basis. The screen material shall match the existing window screening. The door color shall match the color or finish of the front door. The door design and hardware must be compatible with the overall appearance of the house.

### **Fences**

In addition to the Community's document, new fences or replacements must be constructed of materials matching or compatible with the existing fence, such as Redwood or Western Red Cedar. Metal, fiberglass or plastic materials are prohibited. Lattice fence extensions will be considered on a case-by-case basis. The Community's Standard Details for Community Fence Extensions shall be followed precisely.

The Association may approve temporary removal of fences for a reasonable short period of time for rear and side yard property improvement installations. Owners must restore the fence to its original location and condition within two days of the installation completion. Any fence replacement shall be as originally installed.

### **Fountains**

Rear yard fountains are permitted if they do not create unreasonable noise that is discernable on other property and interferes with a neighbor's concentration or sleep. The Cantamar Board of Directors will review applications for front yard fountains on a case-by-case basis, based on lot size, improvement location and impact, if any, on neighboring properties.

### **Gates and Gate Replacements**

Gates and gate replacements must match the existing fence in design, material and finish. Application of any color paint or stain is prohibited. Hinges must not be visible from the outside. Gates or other openings are not permitted in the developer installed fences.

### **Gutters and Downspouts**

Design must match the developer-installation in size and design, and shall be painted to match the appropriate house surface color to which they are attached. Galvanized steel or aluminum gutters and downspouts are required. Plastic snap-together gutters and downspouts are not permitted. Drainage shall not adversely impact the adjacent property. New gutters and downspouts shall be painted to match the house color area to which they are attached within 30 days of their installation.

### **Painting (Exterior)**

Homeowners are responsible for repainting trim and repainting or re-coating the stucco of their homes. Owners may repaint their homes from the developer-installed paint Kelly Moore Brand paint color palette, or any paint brand's matching color. In addition, the Cantamar Board of Directors may revise and expand the Association's Paint Palette options from time to time.

Paint Palette information is available from the Community's Architectural Administrator. Color changes will be considered on a case-by-case basis for suitability and compatibility with the immediate neighborhood and the Cantamar Association. Owners must submit architectural applications for all house repainting, including repainting with the existing colors, and obtain approval prior to painting.

### **Patios**

Patios and other hardscape areas shall not exceed 65% of the total rear and sideyard area. In addition to the Community's document, acceptable patio surfaces are brushed neutral or earth-tone concrete (aggregate mix is acceptable), brick, flagstone and slate. Paint or colored coatings are prohibited, except for a clear sealant.

### **Planter and Window Boxes**

Planter and window boxes are not permitted.

### **Porches**

Screened-in porches are not permitted in front yards.

### **Security Systems**

Security boxes must be installed and operated to comply with City of Alameda Ordinance #2123, Chapter 10, which is available from the Community's Architectural Administrator. Security motion detector light bulbs must be appropriately shielded.

### **Solar Collectors**

In addition to the Community's document, solar collectors are permitted provided the Cantamar Association Board of Directors shall determine, on a case-by-case basis, whether the type of solar collector and location are acceptable.

### **Sports Apparatus**

Permanent installations are permitted provided that they do not exceed the height standards for arbors, trellises and gazebos. All such structures are not permitted in front yards. See Rules & Regulations for information about temporary basketball hoops.

### **Storage Structures**

In addition to the Community's document "Ancillary Structures" storage structures must be installed at least twelve inches from the fence. Structures shall not be higher than the fence cap unless, on a case-by-case basis, a roof line matching the house roof line creates a more compatible appearance and does not interfere with a neighbor's view. Storage structures should be located out of view of neighboring properties as much as possible and maintained by the owner in peak condition at all times.

### **Swimming Pools**

In addition to the Community's document, in-the-ground rear yard swimming pools will be considered on a case-by-case basis. Pools, if approved, must meet all City of Alameda Codes and any required enclosure fencing must be compatible with the house design and related pool equipment. In addition, the application plans must provide details of all ancillary and landscape installations, including water supply system, drainage and water disposal systems.

### **View Protection Guidelines**

The Cantamar Association Board of Directors recognizes the need for the preservation of views of common area amenities from residential lots and from public ways. However, this need to preserve such views must be balanced with other needs of property owners. Any obstruction to the view of a common area amenity created by a property owner must be justifiable by a clearly demonstrated need for privacy, adequate use of property or other substantial need of the party creating the obstruction. All such matters shall be judged on a case-by-case basis without creating or being affected by precedent. Particular attention will be given to preserving Lagoon Lot views to the extent reasonable.

### **Walkways**

In addition to the Community's document, walkway materials are limited to brushed cement or aggregate finish compatible with the house and overall neighborhood design. On a case-by-case basis, the PAC will consider other surfaces, such as flagstone or pavers. Painted surfaces or colored coatings are prohibited, except for a clear sealer. Non-plant material borders must be compatible with the existing house and overall neighborhood design.

### **Windows**

New or replacement windows and screens, including dormers, must match or be compatible with the existing dwelling. Neighbor privacy must be considered. Reflective-type window film is not permitted. The prior written approval of the Cantamar Board may permit interior window tinting of non-reflective, dark charcoal color material.

## **SECTION 2 - LANDSCAPE GUIDELINES**

### **Prior Approval Required**

No landscaping may be installed nor any existing landscaping modified without the prior approval of the both the PAC and CAC. An architectural application and plans must be submitted for approval *prior* to commencing landscape installations. Owners should review the Community's Landscape Guidelines for the specific requirements that apply to proposed property improvements. The Association created these more specific Guidelines for use by Cantamar homeowners.

### **Drainage**

Must be appropriately maintained as originally installed by the developer to avoid impacting on neighboring property, including common areas. Drainage correction requires the prior review and approval of the Architectural Committee.

### **Groundcovers**

Installations shall be in reasonable proportion to other plantings. Artificial turf of any kind is not permitted. Earth-tone, gray, beige or aggregate mix rock ground cover is permitted. White or red rock is prohibited.

### **Trees**

Installation requires prior approval of the species and planting location. Fruit-bearing trees, except for dwarf-type citrus trees, are permitted only in back yards. Tree branches shall not touch or overhang roofs. Root guards must be installed for any tree planted within six (6) feet of any structure, fence or walkway to minimize root invasion damage.

Replacement of problem trees will be considered on a case-by-case basis provided the Architectural Committee approves a replacement tree or shrub. Tree and shrub installations shall not unduly interfere with neighboring property yards or views. Trees shall be maintained in a healthy condition. If a tree's disease becomes untreatable, or it dies, the owner should contact the Association office to discuss a replacement tree.

### **Tree Replacements**

The following trees may be installed in the front yard:

**Common Name:**

Purple Leaf Flowering Plum

Evergreen Flowering Pear

**Botanical Name:**

Prunus Atropurpurea

Pyrus Kakakamii

Species other than these trees will be considered if they meet the criteria of maximum size and are compatible with the existing neighborhood landscape.

### **Vegetable Gardens**

Vegetable gardens are permitted only in rear yards and in reasonable proportion to other landscape.