

## **Proposed Changes to CC&Rs and Bylaws**

-Key Changes-

### **Maintenance of Residences and Lot Improvements**

Current: No requirement for Owners to maintain their property in a good state of repair such as fences, exterior paint, shutters, windows and doors, outdoor structures, etc.

Proposed\*: New CC&Rs would establish such a requirement

### **Parking**

Current: Owners shall park their cars in the garage and may park on the driveway

Proposed: The garage shall serve as the primary parking facility; Owners vehicles must be wholly parked in the garage and driveway

Current: Garages may not be converted to residential uses, especially living quarters

Proposed\*: Residents may use the garage for personal storage, workshops, exercise equipment, etc. as long as such uses do not reduce the space required to park a vehicle.

Current: Vehicles that are not functional or in disrepair may not be parked on the driveway

Proposed: Dilapidated, inoperable and vehicles registered for non- operation must be parked in the garage

- Also Proposed: Vehicles covered with tarps must be parked in the garage

Current: Commercial vehicles must be parked in the garage and not on a driveway

Proposed: Add definition of a “commercial vehicle”

Current: No mention of parking in the street

Proposed: No vehicle including trailers, recreational vehicles, boats, or commercial vehicles shall be continuously parked in the street for longer than seventy two (72) hours

Current: No vehicle maintenance is permitted

Proposed\*: No vehicle maintenance is permitted except in a garage

### **Rentals (New Article)**

Current: An Owner or Builder may rent a Lot

Proposed: Owners may rent their entire lot after living in the Residence for two years

## **Rentals (Cont.)**

Current: No owner occupancy requirement for renting

Proposed: Owners may rent an Accessory Dwelling Unit (ADU ) or a room as long as they live in the non-rented portion of the Residence (from new ADU Rule)

Current: No mention of subleases

Proposed: Owner may only have one lease per Lot and no subleases area allowed (from new ADU Rule)

Current: No mention of renting out guest houses, cabanas, pool houses, garages, and the like

Proposed: These types of rentals would be prohibited

Current: No mention of need to provide tenant information

Proposed: Owners would need to submit names of each tenant and members of tenant household

## **Accessory Dwelling Units (ADUs)**

Current: Not mentioned in the CC&Rs; Board has adopted new Rules

Proposed: Construction requirements incorporated into Design Guidelines; HARC approval required before submitting plans for an ADU to the City; rentals subject to CC&R restrictions above.

## **Child and Residential Care Facilities**

Current: No mention

Proposed: Must abide by the governing documents and all local and state laws; No residential care facility serving more than 6 people allowed; child care must provide prior written notice before starting operation; both types of facilities must name the Association as an additional insured

## **Pets**

Current: Dogs must be kept on a leash when outside the Lot of its Owner

Proposed: Dogs must be on a leash at all times when outside a yard that is not fenced or in a public area

Current: Constant barking of dogs not specifically addressed; neighbors that are annoyed are referred to County Animal Control

Proposed\*: After a Hearing, Board could require that dogs that are disturbing a neighbor's quiet enjoyment of their property be removed

- Also Proposed\*: Board could, after a Hearing, prohibit the keeping of an animal that is deemed to be a nuisance or threat to persons, other animals or property.

## **Landscaping.**

Current: Landscaping shall be maintained in accordance with the Design Guidelines and City requirements; landscaping shall be maintained in a clean, attractive, and well-kept condition

Proposed: All new and existing landscaping shall be maintained in a clean, attractive and well-kept condition similar to other well-maintained yards in the Development through regular trimming, mowing, watering and fertilization

Current: No requirements addressing sparse yards

Proposed: Areas of bare ground should be vegetated and/or covered with mulch, except large areas of only bark or rock are not allowed per the Design Guidelines

Current: No specific requirements for care of City street trees on a Lot

Proposed: No City street tree shall be “topped” or severely trimmed in a manner that will permanently damage the structure and appearance of the tree

## **View Corridors**

Current: No trees or tall hedges shall be located or allowed to reach a height that interferes with the primary view (as defined by the Board) from any Lot

Proposed: Per existing law, owners do not have the right to an unobstructed view and the Association is not required to take any action to preserve or provide for a view

## **Safety and Security**

Current: No mention

Proposed: Board does not have police powers; neither the Association or Board is responsible for ensuring the safety and security of residents

## **Portable Basketball Hoops**

Current: Basketball hoops may not be placed on a Lot or attached anywhere on the house (Design Guidelines)

Proposed: Portable hoops would be allowed in front yard, but must be stored overnight in the side or back yard; portable hoops not allowed in the street

## **HARC**

Current: Detailed steps for submitting plans and specifications to HARC for review are described in the CC&Rs

Proposed: Move these procedures to the Design Guidelines and update Design Guidelines to reflect current process used by HARC

Current: There is a minimum floor area for Custom Homes (2,500 sq ft)

Proposed: Should there be a *maximum* floor area as well, e.g., 6,500 sq ft?

### **Homeowner Dues**

Original CC&Rs: Annual increases limited by CPI for Bay Area (usually around 2-3% per year)

Current: As a Common Interest Development operating under State Davis Stirling Laws, dues can be increased by up to 20% a year

### **Election of Directors (Bylaws)**

Current: Ballots must be sent out no matter if the number of candidates is equal to or less than the number of open positions on the Board

Proposed\*: If number of candidates equal to or less than the number of open positions, new Directors may be appointed by acclamation without the need to send out ballots

Current: Quorum for election of Directors is 100 ballots

Proposed: There would be no Quorum; the results would be based on the ballots submitted

### **Amendments to Governing Documents (Bylaws)**

Current: Quorum is one third of members

Proposed: Quorum would be one quarter of members

*Asterisk (\*) indicates provision found in another associations CC&Rs, i.e., Fairway Villas, Reflections, Summit or Village*