

# ARCHITECTURAL CONTROL GUIDELINES



## ' Bennett Valley Heights

### INTRODUCTION

The Bennett Valley Heights Homeowners' Association has established an Architectural Control Committee to assist in the encouragement and implementation of the finest aesthetic design principles of architecture, construction and landscaping for the project.

It is the Committee's goal to protect the inherent beauty of the natural oak woodland setting through forms of architecture and landscape which are indigenous to the area and respectful of the climate of the Santa Rosa valley foothills.

The Committee will encourage individuality and excellence of design through consistent adherence to the standards, recommendations and instructions contained in this booklet. Consideration will be given to any design proposal as long as the Architectural Control Guidelines are observed.

Owners are urged to secure the services of licensed professional architects and designers.

### **1.0 DEFINITION**

- 1.1 "ARCHITECTURAL CONTROL COMMITIEE" or "Committee" shall mean the committee created pursuant to Article II of the CC&R's of Bennett Valley Heights, and charged with adhering to the Architectural Control Guidelines of the Project.
- 1.2 "ARCHITECTURAL CONTROL GUIDELINES" or "Guidelines" shall mean the written architectural review standards promulgated by the Committee as provided for in the CC&R's and as officially adopted by the Board of Directors of the Homeowners' Association of Bennett Valley Heights
- **1.3 "ARCHITECTURAL STYLE"** is the form of residential architecture that is encouraged in the subdivision. It is a style that reflects the mood, climate and lifestyle which is endemic to Santa Rosa and northern California. The building materials should be those that are native to the region and blend with the surrounding landscape.
- **1.4 "CITY OF SANTA ROSA REVIEW"** The City of Santa Rosa shall have the right, but not the duty, to enforce the Project Documents in a manner provided in law or in equity, and according to the provisions of these Guidelines.
- **1.5 ''PROJECT DOCUMENTS''** shall include, but not be limited to, the submittal documents required by these Conditions. '

### 1.6 "BUILDING ENVELOPE"

- 1.6.1 The Building Envelopes applying to Lots #1 through #5, #7, #8; and #71 through #77 shall be defined as an enclosure described by building setback lines and shall be further restricted in that no structures exceeding 30-inches in height shall be allowed outside the building envelope with the exception of side yard fencing.
- 1.6.2 The Building Envelopes applying to Lots #30 through #57 shall be defined as an enclosure described by building setback lines and shall be further restricted in that no building projections, fences, grading, decks, hedges or walls are allowed outside the building envelope, with the exception of open wire fencing. Grading and improvements related to front yard walks and driveways shall be exempted.
- 1.6.3 The Building Envelopes applying to all other <u>lots</u> in the Project shall be defined as an enclosure described by building setback lines.

### 2.0 ARCHITECTURAL CONTROL COMMITTEE

- 2.1 The Committee shall be composed of three (3) members, initially appointed by the Project Developer and subsequently replaced according to the CC&R's.
- 2.2 Replacement Members of the Committee shall be from the membership of the Homeowners' Association.
- 2.3 The Committee shall meet from time to time as necessary and in such places so as to properly perform their duties according to the CC&R's.
- 2.4 Application to the Committee shall be at the principal office of the Homeowners' Association.
- 2.5 The committee shall have authority and responsibility for approving or rejecting designs and specifications for new construction and site improvements on all property under jurisdiction of the Homeowners' Association, prior to commencement of construction.
- 2.6 The Committee review and approval/disapproval is for appearance and design only, and the Committee assumes no responsibility for the structural or mechanical soundness of approved designs.
- 2.7 The Committee is not responsible for the enforcement of conditions and requirements imposed upon the development during the subdivision approval process by the City of Santa Rosa. Each lot owner assumes sole responsibility for complying with these requirements.

### **3.0 SUBMITTALS**

### **3.1 PROCEDURES**

- 3.1.1 Review shall be first by the Committee and secondly by the City of Santa Rosa site design review process.
- 3.1.2 All owners shall be given a copy of the Guidelines at the time of purchase of the property.
- 3.1.3 Review shall be two-phase: PRELIMINARY DESIGN REVIEW and FINAL DESIGN REVIEW. The Committee encourages the two-phase procedure, but the owner may, at his option, decide for a single submission as a Final Design Review. The Committee discourages the single submittal process because of the inherent danger of a heavy financial commitment by the owner in needless details of an unacceptable scheme.
- 3.1.4 Prior to any review by the Committee, the owner shall pay a Design Review Fee of an amount determined by the Homeowners' Association, and disbursed to the needs of the Committee for time and expenses incurred in reviewing the owner's submittal.
- 3.1.5 Approved copies of Project Documents shall be individually stamped and signed by two of the three members of the Committee prior to submittal to the City of Santa Rosa. The Committee will keep one set for their records and the owner will submit the remaining two copies to the City of Santa Rosa for site review.

### **3.2 SUBMITIAL REQUIREMENTS**

- 3.2.1 Submittal requirements for Project Documents for Preliminary Design Review and Final Design Review shall be strictly followed. Submittals will not be accepted for review until all requirements are met and all required documents are presented.
- 3.2.2 These requirements pertain to all reconstruction and additions as well as to new construction.

### 3.2.3 PRELIMINARY DESIGN REVIEW

- 3.2.3.1 All blocks on Application Form for submittal requirements must be checked for compliance prior to submission.
- 3.2.3.2 Review of preliminary submittals by the Committee may consist of informal presentations, and it is strongly suggested that the Architect or Designer be present.
- 3.2.3.3 Submit the following documents:
  - 1) Complete application form.
  - 2) Preliminary Site Plan drawn to a scale of not less than 1/8" = 1'- 0", depicting the property fully dimensioned; existing and finish contours at 1-foot intervals; existing tree locations; locations of existing rock outcrops; north arrow; location of neighboring structures; man-made features including access and egress, circulation for driveways, walkways, patios, decks; location, linkage, and size (including height) of proposed structures.
  - 3) **Preliminary Architectural Drawings** drawn to an architectural scale of 1/8" = 1'-0" minimum (plans, elevations, sections).
  - 4) Preliminary Landscape Plan drawn to scale (1/8" = 1'-0" minimum) indicating concept, locations and distribution of existing and proposed landscape elements including fences, pavement, cuts and fills, walls and lighting.
  - 5) Preliminary concept of location, orientation forms, materials and colors.

### 3.2.4 FINAL DESIGN REVIEW

- 3.2.4.1 All blocks on Application Form for submittal requirements must be checked for compliance prior to submission.
- 3.2.4.2 The Final Design Review submittals will constitute the only basis for conclusive action by the Committee, and must adequately reflect to the Committee the true design quality of the proposed building and landscape design. It is recommended that submittals be prepared by a reputable licensed architect or building designer; landscape plans by a competent landscape architect or landscape consultant thoroughly familiar with the environment of the development.
- 3.2.4.3 Approval of Final Design Review will be in writing from the Committee.
  - 1) Complete application form.

### 2) Site Plan:

- a. Property lines and dimensions including building envelope lines, easements, etc., north arrow, drawn at a scale of not less than 1/8"= 1'-0".
- All buildings and structures dimensioned including garages and accessory structures, decks, pools, patios, drives and off-street parking.
- c. Location of adjacent structures and major existing adjacent landscape features.
- d. Existing and finish site topography shown by contour lines at l-foot intervals. Indicate cut or fill slope bank ratios and drainage patterns and direction.
- e. Finish floor and slab elevations from an established benchmark.
- f. Proposed underground utility services and connecting points to mains.
- g. Direction of primary view and prevailing wind currents.
- h. Existing trees, shrubs, and other natural features such as rock outcroppings, All trees on site with a trunk diameter six (6) inches or larger shall be identified by size of trunk, grade elevation at base of trunk, type of tree and canopy size of tree

### 3) Construction Drawings and Specifications:

- a. Drawing shall be at a scale of not less than y.(" = 1'-0" completed to a degree suitable for submission to the City of Santa Rosa for building permits.
- b. Foundation Plan showing footings, retaining walls, sub-grade drainage system and outlets.
- c. Exterior Elevations of all sides of all buildings and structures indicating the appearance, and labeled in accordance with compass orientation on the Site Plan; height of all buildings and structures dimensioned according to City of Santa Rosa methods; natural and finished grade superimposed on buildings; all materials colors and finishes noted.
- d. Floor Plans showing all room sizes; doors and windows and sizes; location of heating and cooling systems and locations of related mechanical equipment; orientation by north arrow.
- e. Building Sections as necessary through all major structural segments of the building(s) drawn at a scale of not less than <sup>1</sup>/<sub>2</sub>" = 1'-0".

- f. Roof Plan showing all slopes, roof accessories and finishes, roofing material and color, gutters and downspout locations.
- g. Specifications describing all exterior materials and finished (walls, roof, trim, chimneys, vents, garage doors, windows and doors, etc.); thickness and grade of material where applicable; proposed exterior painting and/or staining, including colors and number of coats; type and color of aluminum sash; door material and finish.

### 4) Landscape and Irrigation Drawings:

- a. Landscape Drawing at a scale of not less than 1/8" = 1'-0" showing existing conditions and describing: The entire parcel with north arrow, major dimensions, roads and streets, utility services, easements, etc.; contour lines at intervals of 1-foot: location and elevations of existing trees (size and type) over 6-inches in diameter; major shrub masses, rock outcroppings, etc.
- b. Landscape Drawing at scale noted previously showing all buildings, fences, lighting, driveways and offstreet parking spaces, paved and gravel areas, walks, decks, patios, pools and fountains; drainage information, landscape plant material (including grass, ground covers and flower masses) accompanied by a "Plant List" showing Botanical and common names of plants, quantities and container sizes, and spacing of plant materials used in masses or as ground cover.
- c. The above two drawings can be combined if the information remains readable.
- d. Irrigation drawing showing complete irrigation system and methods, material and locations, with specifications for all materials.

### **3.3 SOIL STUDY**

3.3.1 All residential parcels will require a review by a qualified soil engineer to determine the adequacy of building siting, foundation requirements and efficiency of the drainage system.

### **3.4 VARIANCES**

3.4.1 Where unusual hardships warrant it, the Committee may grant reasonable variances from the architectural control provisions hereof or from the Guidelines. Such variances shall be made on a case-by-case basis and shall not serve as

precedent for the granting of any other variance.

### **3.5 APPROVALS**

- 3.5.1 Any person proposing to construct, paint or change any improvement of an existing project which requires the prior approval of the Committee shall apply to the Committee in writing on application forms supplied by the Homeowners' Association for approval of the work to be performed and the time schedule for performing such work.
- 3.5.2 Upon sufficient submission of an application for Committee review, the Committee shall proceed expeditiously to review all of the Project Documents to determine whether the proposed work is in compliance with the Guidelines.
- 3.5.3 In the event the Committee fails to approve an application, it shall notify the applicant in writing of the specific matters to which it objects.
- 3.5.4 In the event the Committee fails to notify the applicant of the action taken by the Committee within thirty (30) days after sufficient submission of the application, the application shall be deemed approved.
- 3.5.5 In reviewing proposed improvements for approval, the Committee shall consider at least the following:
  - a. Does the proposed improvement conform to the purposes and provision of the Project Documents?
  - b. Is the proposed improvement of a quality of workmanship and materials comparable to the improvements that are proposed or existing on the Project?
  - c. Is the proposed improvement of a design and character which is harmonious with the natural topography in the immediate vicinity?
  - d. Will the proposed improvement unreasonably interfere with or otherwise impair the view or solar access of other portions of the Project?

### **4.0 GUIDELINES**

#### 4.1 GRADING

- 4.1.1 Lot grading shall be in accordance with the criteria of the Uniform Building Code.
- 4.1.2 All grading plans shall be submitted to the Department of Community Development, City of Santa Rosa for their review and approval. All lot grading shall be done with a grading permit.
- 4.1.3 Cut and fill slopes shall be designed and implemented in gradients not steeper than 2:1 horizontal to vertical unless approved by the project soils engineer and the Director of the Department of Community Development.
- 4.1.4 Grading shall be minimized and shall be designed to blend into the natural contours of the site.
- 4.1.5 Grading for house construction shall be limited to driveways, garage pads, and under-house structure area.
- 4.1.6 Dust control procedures shall be utilized during grading operations.
- 4.1.7 A drainage plan shall be submitted with the project improvement plans and shall be subject to the Building Department for approval. All major

drainage shall be directed to the existing drainage swales which are located within common areas.

- 4.1.8 No owner shall do any act or construct any improvement which would interfere with the natural or established drainage systems or patterns within the project without the approval of the Committee.
- 4.1.9 Lot "padding" on slopes should be avoided; structures should be fitted to the land. Structures on steeper slopes should be "stepped" to avoid large vertical planes.
- 4.1.10 Slope rounding and contour grading techniques shall be utilized that blend with adjacent natural contours.
- 4.1.11 Great care should be used to protect the existing terrain and vegetation when siting the building and determining areas for paving. Driveway access should be carefully considered.
- 4.1.12 Existing trees and vegetation to remain shall be marked and protected with barriers or other applied protection during grading operations to prevent "skinning, cutting" or other inflicted damage by heavy equipment. Trenching should be avoided within the drip line of trees.
- 4.1.13 Scar areas shall be seeded or mulched for protection from erosion.

### **4.2 SITE DESIGN**

- 4.2.1 Proposed structures should be sited and designed in a way so as to retain, incorporate and blend with the natural vegetation and land form of the site and to assure adequate space for light air, ventilation, and privacy to the site and neighboring sites.
- 4.2.2 Rock outcroppings. stream courses, existing vegetation should be incorporated as existing design elements when feasible.
- 4.2.3 Main and accessory buildings, solid fences, and other structures should appear as unified masses on the property.
- 4.2.4 Site planning should take advantage of available views, retain neighbors' views and respect neighbors' privacy. Design should also take advantage of, and protect access for, both buildings and private and common open space.
- 4.2.5 Removal of trees and other vegetative land cover should generally be avoided and removed only when necessary for the construction of structures or paved areas.
- 4.2.6 A smooth, natural transition should be maintained between proposed development and adjacent open space and common areas.
- 4.2.7 Views should be achieved and protected by proper building locations and design of bulk and height of structures. Pruning or removal of trees or other major vegetation masses is discouraged.
- 4.2.8 Underground all utilities and services.
- 4.2.9 Site design and orientation of structures should respond to optimum sun and shading techniques for greatest energy conservation. It is recommended that primary window orientation be to the south, and

buildings should be situated to allow for optimum solar panel exposure.

4.2.10 Care should be taken to avoid critical shading of adjacent property by structure or planting.

### **4.3 ARCHITECTURAL DESIGN**

- 4.3.1 The overall objective for the development is to achieve consistency of architectural style and contrasting architectural designs shall be discouraged. Variety within the desired style range should be obtained in the subtle use of form, color, texture and material.
- 4.3.2 Structures should be designed to reflect a pleasing sense of scale with the surroundings. (See height restriction).
- 4.3.3 Exterior colors and materials should blend with the natural setting and neighboring structures. Highly reflective colors and surfaces are discouraged. Bright colors may be acceptable on a very limited basis for accent or emphasis but the use should be subtle and sensitive.
- 4.3.4 The use of natural material and earthtones is encouraged. Manufactured materials in imitation of natural material are discouraged and generally not desirable.
- 4.3.5 Roofing materials should receive special attention. Encouraged roofing materials include wood shingles and shakes (fire-resistive or protected), concrete tile, terra cotta tile, and clay tile. Built-up tar and gravel, cap sheet single-ply, and similar roofs are generally not acceptable. Colors should be in the earthtone ranges but should not include black or white. Red, orange, blue and bright green are generally considered not acceptable.
- 4.3.6 Gable, hip, or shed type roof shapes are usually preferred. Roof eaves are encouraged. Flat roofs are discouraged.
- 4.3.7 Mechanical equipment on the roof (or groundmounted) should be screened from public view, and from the view of adjacent properties. It should be located so the operating noise does not intrude upon adjacent landowners.
- 4.3.8 Solar equipment panels, or other collectors, should give the appearance of being built-in to the structure. Exposed supports, excessive lengths of exposed piping, etc., are not acceptable.
- 4.3.9 Exterior lighting, when necessary, should be subdued, should enhance the building design and landscaping as well as provide for safety and security, and the source of illumination should not create glare to occupants and neighboring properties.
- 4.3.10 Refuse containers and woodpiles shall be visually screened from view from the street, adjacent properties, and common areas.
- 4.3.11 Objectionable vehicles as defined in the CC&R's shall be enclosed within a garage or totally screened by fencing or walls.
- 4.3.12 Design techniques which help to increase security and personal safety, and which enable cooperative neighborhood awareness of potential criminal activity, should be employed.

- 4.3.13 Accessory structures should be architecturally compatible with the main or original structure resulting in an integrated design.
- 4.3.14 Standards for portable buildings are the same as for permanent buildings. Detached metal buildings are discouraged and are generally not acceptable.
- 4.3.15 There should be a single architectural theme throughout the buildings on a property, expressed through consistent use of materials, colors, textures and details. All elevations need not look alike, but they should have a sense of uniform architectural design and continuity. False or decorative facade treatments should be avoided. Cliché elements such as random shutters, strips of veneer, etc., are not acceptable.
- 4.3.16 Structures on lots on the upper bench area as defined on the Final Map shall be restricted to a height of 22 feet measured from the existing natural grade within the building envelope vertically to the topmost point of the roof at any point; except that the height limit on Lots 30, 31 and 32, as shown on the Final Map, shall be restricted to 20 feet in height.
- 4.3.17 Pools, walks, walls, patios, decks, and fences at the rear of lots on Summerfield Road are exempt from building setback-requirements. Refer to Section 1.6.1.

### 4.4 LANDSCAPE DESIGN

- 4.4.1 Landscape and irrigation systems must be part of the Final Design Review application or the submittal will not be considered complete.
- 4.4.2 Landscape designs should blend with the existing oak woodland environment and native plant materials. The landscape should soften and enhance the improvements tying them to the land. It is the intent of the Committee to protect the unique landscape qualities of the foothill environment.
- 4.4.3 It shall be the responsibility of the lot owner to closely follow the design submitted to the Committee.
- 4.4.4 Landscape installation shall commence no later than six months after occupancy of the residence.
- 4.4.5 Existing landscape and site elements should be incorporated into the landscape plan, thereby strengthening the natural image. Existing mature and younger trees, tree groupings, rock outcroppings, natural drainage ways, etc. should be considered as integral design elements of the landscape and should be included in all landscape designs.
- 4.4.6 Consideration and thought shall be given to a visually pleasing juncture with adjacent properties, to protect a consistent landscape design throughout the development.
- 4.4.7 The junction on improved site landscaping with the native landscaping of the common area is of

critical importance. The transition should appear natural, soft, and predictable, thereby enhancing both the native surroundings and the newly landscaped areas in a mutually compatible manner.

- 4.4.8 Compatibility of form, color, density and seasonal characteristics of trees, shrubs, and groundcovers at maturity should be considered.
- 4.4.9 Selected plant material should be tolerant of the physical conditions of the site; resistant to insects, pests, disease, easy to maintain and possess compatible water needs.
- 4.4.10 Trees and large shrubs may be used to increase building solar efficiency. Deciduous trees should be provided along southerly and building exposures. Conifers and evergreens may be more appropriate on the west side of buildings needing protection from sun or prevailing winds. (Plant selection must at all times be of native or compatible species).
- 4.4.11 Ground cover should be live plant material of appropriate density to provide uniform coverage in two growing seasons. Tanbark, redwood bark, wood chips, sawdust, or other degradable materials are satisfactory as a mulch to encourage plant growth, but are generally not acceptable as a permanent ground cover. Gravel, painted concrete, etc. generally are not acceptable ground cover or landscape materials. However, dark small rock for ground cover as an alternative to mulch is allowed. In some cases, hard materials like brick, stone and exposed aggregate concrete may be acceptable for areas such as walks, patios, etc.
- 4.4.12 Where plants require irrigation, an appropriate permanent irrigation system must be provided. The system shall take into account moisture requirements of existing native vegetation. The system should be designed for efficiency and conservation of water and to prevent spraying of water over walls, buildings, pavement areas and fences.
- 4.4.13 A variety of container sizes is encouraged. One
  (1) to five (5) gallon sizes for shrubs, and five (5) to fifteen (15) gallon sizes for trees. The use of native species specimen trees is encouraged for lots without large scale existing vegetation. In addition, river rock(larger size) for use in curbside planters is allowed.
- 4.4.14 Trenching, grading, cutting or filling should be avoided within the drip line of existing trees.
- 4.4.15 **FENCING**: Solid wood fencing is allowed on lots 1-8,67-87,92 and 93 as governed by the provisions of Article 3, Section 334 of the City of Santa Rosa Zoning Ordinance. The design standard for solid wood fencing (fence type A) is included in the addendum to these guidelines. The height of solid wood fencing shall be 6ft in height.

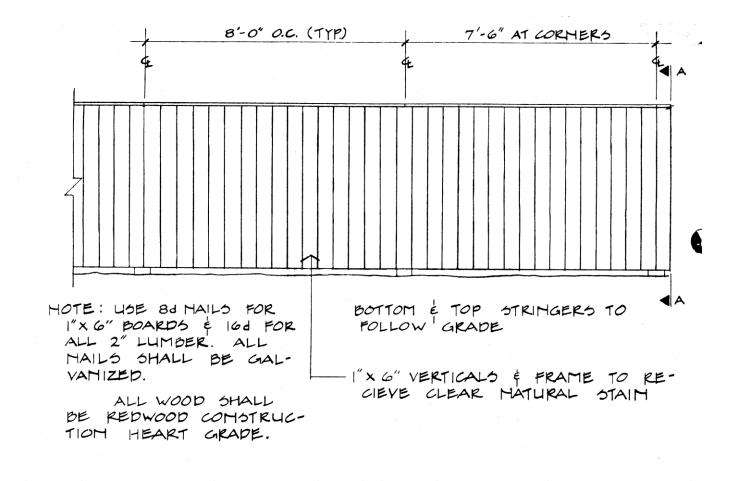
Open wire fencing is allowed adjacent to the open or common areas. The design standard for open wire fencing (fence type B) is also shown in the addendum.

- 4.4.16 Fencing within the building envelope shall be considered as an extension of the building architecture and must be of similar materials, colors, and textures, and designed in such a way as to blend and directly relate to the appearance of the building.
- 4.17 Exterior lighting, when used, shall be subdued, and should be designed as an integral part of the design statement for the project. Area-lighting should be predominantly down-directed and shielded so the source is not visible off-site.
- 4.18 **DEER:** There is a deer-browsing problem and plantings not generally eaten by deer should be used. Generally, those plantings should be from the native families of plant species. (Fencing off large areas with "deer fences" is usually not successful and is discouraged).
- 4.4.19 The use of statues, monuments, ornamental figures, flag poles, etc. is discouraged and not generally compatible with the styles of architecture desired, or with the general setting of the project.
- 4.4.20 Incompatible "garden themes", if visible to neighbors or the public, such as oriental, tropical, desert-type, etc., is discouraged and generally not acceptable.
- 4.4.21 Plant materials should take into account solar access to solar devices on the properties and adjacent properties.
- 4.4.22 Prior to receiving Final Inspection from the Building Department, City of Santa Rosa, the owner is responsible for the installation of street trees per the design and specifications of the subdivision landscape improvement plans (see L6-L13 Winfield Smith Landscape and Irrigation Plans). These trees should be incorporated into the landscape design.

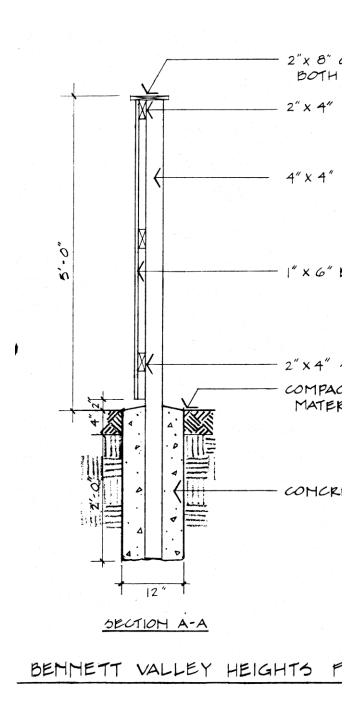
No exceptions can be made to the location and type of required street trees. Street trees will be installed according to City of Santa Rosa standards.

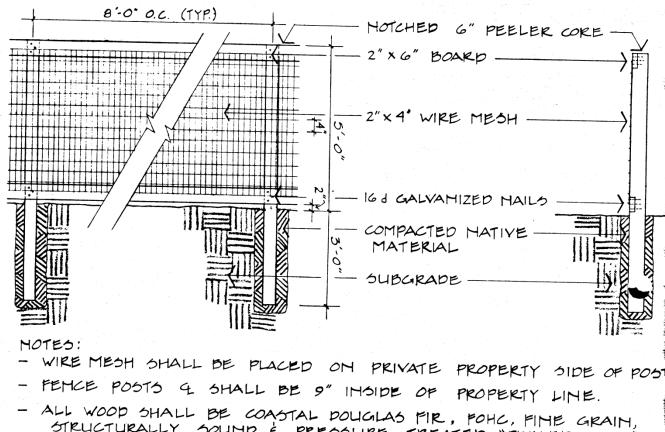
### **5.0 CONSTRUCTION**

- 5.1 The owner will be responsible for the supervision of the contractor, subcontractors and material suppliers to the property.
- 5.2 Construction activities will be limited to the hours during the week and weekends prescribed by the City of Santa Rosa. Excessive noise and traffic during non- construction hours is prohibited.
- 5.3 Stockpiling of building materials in the paved areas of the streets is prohibited.
- 5.4 Streets and sidewalks are to be maintained in a clean and unobstructed condition at all times.
- 5.5 The owner is responsible for maintaining a clean job site. Construction debris will be kept in piles or in trash disposal units.
- 5.6 Chemical toilets or access to toilets shall be available at all times for workmen during construction.
- 5.7 Unless otherwise notified in writing, the owner acknowledges that the public street improvements and contiguous common facilities are in good condition prior to the start of construction. It is the owners' responsibility to insure that these facilities are maintained in good condition at the completion of construction.
- 5.8 During construction, the owner is responsible for any damage to the common area irrigation system.
- 5.9 Prior to receiving final inspection from the Building Department, City of Santa Rosa, the owner is responsible for the installation of public sidewalk where shown on the improvement plans according to the standards of the City of Santa Rosa.
- 5.10 No temporary construction trailers will be allowed on the property for longer than six months.
- 5.11 The street mail boxes for the development are shown on Exhibit C.



BEMMETT VALLEY HEIGHTS FEMCE TYPE A





FENCE TYPE B

- FASTEMERS SHALL BE 9 GA. X 13/4" GALV. STAPLES

BENNETT VALLEY HEIGHTS

STRUCTURALLY SOUND & PRESSURE TREATED "PEELER CORE" MATERIAL EXCEPT AS NOTED.

