



**HACIENDA CARMEL
COMMUNITY ASSOCIATION**

ARCHITECTURAL RULES FOR CONDOMINIUM OWNERS

ARCHITECTURAL REVIEW COMMITTEE

REVISED JUNE 1, 2024

ARCHITECTURAL REVIEW PHILOSOPHY

This **Architectural Rules** booklet has been created in order to help ensure that specific types of improvements to condominiums at Hacienda Carmel Community Association (HCCA) preserve a unified design theme throughout the community as well as maintaining the structural integrity and safety of all buildings.

This document may be amended by the Architectural Rules Committee from time to time, subject to final approval by the Board of Directors. It is the express responsibility of each condominium owner or owner's authorized agent to obtain and review the most current version of the **Architectural Rules** booklet by requesting a copy of the document from the Hacienda business office.

The **Architectural Rules** contained in this booklet are adopted and administered by the Architectural Rules Committee in accordance with procedures specified in Article 7 of the HCCA Covenants, Conditions & Restrictions (CC&R's) entitled "**Architectural Approval.**" A synopsis of Article 7 is included below. For the complete language contained in Article 7 please refer to the HCCA CC&R's.

SYNOPSIS OF CC&R's ARTICLE 7 – ARCHITECTURAL APPROVAL

Section 7.1 Prior Architectural Approval Required for Exterior & Interior Changes

Prior architectural approval must be obtained before making any exterior addition or change or alteration of any kind, or before removing or moving any wall, floor, or ceiling of a unit, or creating an opening in any wall, floor or ceiling of a unit. The foregoing includes but is not limited to:

- *Installing any screen, skylight, patio cover, tent, awning, screen door, storage shed, exterior lighting, mast, pole, tower, antenna, receiver, or transmitter, or attaching any of the foregoing to the exterior of any building or fence.*
- *Exterior painting.*
- *Installing, moving, or removing landscaping. (Outside of patio)*

No alteration or addition that requires architectural approval pursuant to Article 7 shall be commenced until the plans and specifications showing the nature, color, size, material and location have been submitted to and approved in writing by the Board.

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Hacienda Carmel – Architectural Rules for Condominium Owners

ARCHITECTURAL REVIEW & COMPLETION PROCESS

The following steps outline the process for new or existing condominium owners who wish to make alterations to a unit or common area planting requiring prior architectural approval per Article 7 as noted on page 1 of this document:

1. Owner or owner's designated agent shall submit a completed "*Request for Change or Addition to Unit or Common Area Planting*" form to the General Manager. This form is available at the HCCA Front Desk. (A sample copy of the form is attached to this booklet)
2. *Request for Change or Addition* is reviewed by the General Manager prior to submittal to the Architectural Rules Committee at their next scheduled meeting. (second Wednesday of each month)
3. The Architectural Rules Committee reviews the *Request for Change or Addition* to determine if proposed work meets existing Architectural Rules or requires granting of a variance as described in Article 7.
4. General Manager reports back to owner the status of the request as to whether (a) the proposed work meets existing Architectural Rules and the owner may proceed with the project, or (b) the proposed work does not meet the existing Architectural Rules and the request will need to be submitted to the Board for consideration of approval as a variance at the next scheduled Board meeting (fourth Thursday of each month).
5. Once approved, the owner will receive a copy of the original request form showing approval by the Board. This copy must be posted on the inside surface of a front window of the unit to verify the work has been authorized prior to the start of work.
6. Work is permitted daily from 8:00 am to 8:00 pm. However, **work that creates noise such as hammering, sawing, tile cutting, demolition, etc. is prohibited after 6:00 pm or at any time on Sundays. PLEASE NOTE: A MINIMUM OF 24 HOURS NOTICE TO THE HACIENDA FRONT DESK IS REQUIRED FOR ANY WORK THAT REQUIRES SHUT-OFF OF UTILITIES.**
7. In accordance with Article 7 of the HCCA CC&R's, it shall be the owner's responsibility to obtain any building permits or other approvals that may be required for the proposed work.
8. Upon completion of work the General Manager shall be notified by the owner so that a final inspection of work may be conducted to assure all work has been done according to the approved scope and specifications as submitted.
9. Once certain changes are made to the unit by the owner (such as entry doors, screen doors, skylights, patio shed alterations, etc.) maintenance of that particular item shall be the sole responsibility of the owner.

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EXAMPLES OF APPROVED ALTERATIONS

The following pages illustrate some of the common alterations applied by owners to units at Hacienda Carmel that meet currently approved Architectural Rules and therefore do not require a request for variance from the Board of Directors. Please note however, that all of the alterations listed in this booklet still require pre-approval through the Architectural Review process.

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SOLID FENCE w/ PRIVACY SLATS

1"x 6" or 1"x 8" redwood boards (dog eared) with 1"x 2" slats

Matching gate

Maximum height of 7 feet

Exterior surface to be painted w/ approved Hacienda color: Sand Pebble.

Interior surface of fence may be painted Sand Pebble or Loam.



SOLID FENCE with SLATS & LATTICE WINDBREAK

1"x 6" or 1"x 8" redwood boards (dog eared)

with 1"x 2" slats & 18" redwood lattice

Maximum height of 7 feet

Exterior to be painted with approved Hacienda color: Sand Pebble.

Interior surface of fence may be painted Sand Pebble or Loam.

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PLAIN SOLID FENCE

1"x 6" or 1"x 8" redwood boards

Maximum overall height of 7 feet (with or without lattice)

Exterior surface to be painted with approved Hacienda color: Sand Pebble.

Interior surface may be painted Sand Pebble or Loam.



FRIENDSHIP FENCE

1"x 8" redwood boards overlapping on inside & outside.

Maximum height of 7 feet.

Exterior surface to be painted with approved Hacienda color: Sand Pebble.

Interior surface may be painted Sand Pebble or Loam.

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Standard Gate Matching Fence
(Paint color: Kelly Moore KM-171)



Painted Gate – Charcoal Gray
(Paint color: Kelly Moore KM-4881-3)



Standard Gate with Lattice
(Must match lattice on fence)



Arched Gate – Stained Natural or Painted
(Shown with optional approved trellis feature)

Gates painted the standard Hacienda fence color (*Kelly Moore KM-171 Sand Pebble*) will be maintained by the Association. Gates that are stained natural or painted with the non-standard color become the responsibility of the owner to maintain.

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VINYL WINDOWS & PATIO SLIDING DOORS

Replacement style for kitchen, bedroom, bath & living rooms.

Vinyl frame / sliding dual pane / beige or tan color.

Wood trim painted with approved Hacienda color.

Once installed becomes owner responsibility to maintain.



VINYL OR WOOD FRENCH PATIO DOORS

Replacement style for patio sliding doors.

Vinyl or wood frame / dual pane / beige or tan color.

Wood trim painted with approved Hacienda color.

Once installed becomes owner responsibility to maintain.

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Dutch Door w/ Glass



Raised Panel w/ Windows



Raised Panel Solid Door



Natural Wood Stain Grade

All doors must be solid core and painted approved Hacienda colors with Kelly-Moore brand paint. (Oyster #26 / Sequoia Redwood #159 / Dark Night #AC 253 / Ellis Mist #HL 4229) Door color samples are available for viewing outside the maintenance shop located behind Casa Central. Stain color sample for natural wood doors to be submitted with request form. Once installed it becomes the owner's responsibility to maintain the door.

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ENTRY SCREEN DOORS



**Aluminum Screen Door
Bronze Color**



**Metal Frame Screen Door
with pull-down upper glass panel**



**“Solana” Heavy Duty Screen Door
Painted approved Hacienda color:
“Oyster” to match door trim.**



**“Phantom” Retractable screen Door
Frame to be “Almond” color.**

Once installed, screen doors become the owner’s responsibility to maintain.

Standards for Patio Awnings



Approval of awnings shall meet the following criteria:

- Awnings may be attached to the building fascia board on the patio-side of the Unit only. Awnings are not permitted on the front-side of any Unit.
- Once installed, the Owner shall be responsible for the removal and re-installation of the awning in the event that building maintenance such as re-roofing, painting, etc. needs to be performed.
- Awning covers shall be solid tan in color (as shown in the photo above) and be made of fade-resistant fabric material.
- Awnings may be either fixed or mechanically retractable, but in either case shall not extend more than six feet from the fascia board.
- The Owner shall be responsible for maintaining the awning in a clean fashion, with no visible rips or tears in the fabric.

APPROVED 01-26-23

SKYLIGHTS



As of April 1, 2022 all (i) new skylights and (ii) all replacements of existing skylights made of plastic, acrylic or other combustible material, and subject to the approval of the Architectural Review Committee, must be tempered and fire-safe glass only, and installed with raised curbs and appropriate flashing. Size may not exceed 2' x 4' and once installed any roof leakage from the skylight installation shall be the responsibility of the owner.

Current Owners of Units with functional existing plastic or acrylic skylights are encouraged to consider replacing those skylights pursuant to the standards set forth above for purposes of fire safety in the event of wildland fires. As of July 1, 2022, all Units acquired by new Owners shall, within sixty days of transfer of title, be required to show proof of retrofit of any existing skylights made of plastic, acrylic, or other combustible material to the standards set forth above.

Hacienda Carmel – Architectural Rules for Condominium Owners

Other Common Alterations to Unit

In addition to the other common items shown in this booklet, the following is a list of other alterations commonly made to units at Hacienda Carmel that may be approved through the Architectural Review process without requiring a request for variance subject to approval by the Board:

- ❖ Installation of laundry hook-ups either inside the unit or in a patio shed.
- ❖ Removal of non-load bearing walls such as the wall or half-wall separating the kitchen and living space of a unit.
- ❖ Conversion of an existing bedroom window facing the patio to an approved dual-pane sliding glass door.
- ❖ Re-routing of existing gas line to convert electric stove or cook top to gas range, cook top or other appliance. Work to be done by an appropriately licensed contractor only and include appropriate pressure/leak testing upon completion of installation.
- ❖ Replacement of existing main electrical panel and/or re-routing of or addition of electrical wiring. Work to be done by an appropriately licensed contractor.
- ❖ Replacement of existing patio surface with stamped concrete or pavers, or refurbishment with installation of tiles.
- ❖ Addition of a trellis over fence and/or gate within prescribed height limits.
- ❖ Replacement of existing front door light or patio light with new fixture. New lighting must be LED.
- ❖ Replacement of existing cinderblock wall in front of kitchen window with a single 6"x 6" post painted with approved Hacienda color. Work to be done by Hacienda maintenance staff and shall be at owner's expense.
- ❖ Removal of existing original furnace system and replacement with *Envi High-Efficiency* 120v electric wall-mounted heating units manufactured by **eheat, Inc.** with a maximum of four units per Unit. Hard-wired installations to be done by a licensed electrician.

APPENDIX A – POLICIES

PATIO SHEDS

1. Patio sheds constructed, remodeled or installed prior to April 1, 2019 shall be exempt from the following requirements contained in this list of proposed rules. Thereafter, new patio shed construction, remodeling of an existing patio shed, or placement of a pre-fabricated shed shall be subject to the approval process currently in place at that time.
2. Patio sheds may be free-standing, constructed as an extension of an existing shed, or attached to the existing building. Sheds of any type may not be attached to the fence.
3. The purpose of patio sheds shall be to accommodate appliances such as water heaters or approved laundry machine hook-ups (with proper ventilation and drainage), and/or storage of personal items, and shall not be for the purpose of providing any additional living space.
4. Patio sheds shall be no taller than the surrounding patio fence except when the shed roof line is incorporated into the existing roof line sloping down to the fence height. (maximum 7 ft.)
5. The exterior siding and roofing materials on constructed sheds or existing shed extensions shall conform with approved Hacienda building materials and colors. Pre-fabricated sheds shall substantially conform with approved Hacienda building colors.
6. When feasible, patio shed design may include a standard height door (6'-8"), a window and/or skylight. Window size shall not exceed 3' x 2' and skylight size shall not exceed 2' x 2'.
7. The surface on which the shed is located as well as the shed roof shall incorporate the proper slope to ensure drainage flows away from the unit as well as any neighboring patio.
8. Newly constructed patio sheds or an extension of an existing patio shed shall be limited to a maximum size as follows, exclusive of sheds originally constructed by the developer:
 - Studio unit – 60 sq. ft.
 - One bedroom/one bathroom – 72 sq. ft.
 - Two bedroom/one bathroom – 80 sq. ft.
 - Two bedroom/two bathroom – 80 sq. ft.
 - King unit – 80 sq. ft.
9. Requests for approval for construction of a new shed, extension of an existing shed, or placement of a pre-fabricated shed shall include scale drawing(s) showing the size and location of the shed within the existing patio space.

Policy for Memorial Benches, Plaques or Other

From time to time a surviving spouse, other family members and/or friends may wish to honor a deceased resident with a memorial plate on a bench, an engraved plaque or other such item to be placed somewhere in the common area. In accordance with this policy, all such requests are subject to the following criteria prior to the procurement and placement of the item anywhere in the common area of the property:

- ❖ All memorial item requests shall be reviewed by the Architectural Rules Committee in the same manner as requests for architectural changes. Requests for memorial items found to be outside the scope of the criteria listed in this policy shall constitute a variance and require final approval by the HCCA Board of Directors.
- ❖ Requests for placement of an engraved memorial plate on a bench shall be limited to existing Association benches in the common area and shall be subject to availability and approval.
- ❖ Engraved metal plates for memorial benches may not exceed 3"x 6" in size and shall be affixed at the center of the inside top rail of the backrest of the bench. Engraving directly into any surface of the bench is not permitted. A proof of the text to be engraved on the plate shall be submitted as a part of the request for an engraved memorial plate on an Association bench.
- ❖ Engraved wooden or wood & metal memorial plaques containing memorial information shall not exceed 8"x 10" in size. A sample image of the plaque style and specifications shall be provided as a part of the request.
- ❖ Specific location or placement of an engraved memorial plate on a specific Association bench or other such items may be requested by the sponsoring party but is subject to approval by the committee in collaboration with Hacienda management.
- ❖ All costs associated with a memorial bench engraved plate or other such memorial item shall be the responsibility of the sponsoring party.

APPROVED BY THE HCCA BOARD OF DIRECTORS 09-24-20

Tree Removal

1. An Owner requesting approval for removal of an existing tree in the common area shall submit a ***“Request for Change to Unit or Common Area Planting”*** form to the Front Desk. The request shall include the specific reasons for removal.
2. Initially, the Owner’s request will be reviewed by Hacienda Management and the Grounds Supervisor in order to provide the Architectural Review Committee with input regarding the request at the committee’s next regular meeting.
3. The Architectural Review Committee shall review each request on a case-by-case basis considering all existing governmental laws and regulations as well as the following criteria:
 - a) Location of the tree.
 - b) Size of the tree.
 - c) Age of the tree.
 - d) Type of tree (native or non-native species).
 - e) Condition of the tree (healthy, unhealthy, or is it a potential safety hazard?).
 - f) Is the tree causing damage or potential damage to a walkway, patio, power line, roof, asphalt paving, sewer line, etc?
 - g) Will there be significant impact to natural habitats of birds, bees, animals, etc?
 - h) Is an opinion of from a certified arborist needed?
4. Following an evaluation based upon the above listed considerations, the Architectural Review Committee shall formulate a consensus recommendation in favor of or against removal of the tree and present the findings of the committee to the Board of Directors as an agenda item at the next regular meeting of the Board.
5. The Committee’s recommendation may also include alternatives to removal of the tree such as significant trimming or cutting back of portions of the tree to alleviate a particular condition, or removal and re-planting in a different location (if feasible). In addition, the committee may recommend a suggested replacement of the tree based on the criteria listed below under “Tree Planting.”
6. The Board shall consider the findings and recommendations of the Architectural Review Committee and then render a decision on the approval or denial of the Owner’s request, or any other alternative as may be suggested by the committee or otherwise identified.
7. If the Owner’s request for removal of a tree is denied by the Board, the Owner shall have twenty (20) days to submit a written appeal of the Board’s decision for reconsideration as an agenda item at the next regular meeting of the Board.
8. After consideration of the Owner’s appeal, the Board’s decision shall be final.
9. In circumstances where any established tree is removed in accordance with this policy, a new tree may be planted in an appropriate location on the property subject to the Tree Planting section of this policy.

Tree Planting

1. Owners or HCCA staff who wish to plant a tree within the property of Hacienda Carmel Community Association (HCCA), in either the common area or in the exclusive use common area of a Unit (patio area) shall submit a ***“Request for Change to Unit or Common Area Planting”*** form to the Front Desk. The request shall include the exact location and the species of the proposed tree.
2. All such written requests will be forwarded to the Architectural Review Committee and reviewed by that committee with input from the General Manager and Grounds Supervisor at the committee’s next scheduled meeting.
3. The Architectural Review Committee shall review each request on a case-by-case basis considering all existing governmental laws and regulations as well as the following criteria:
 - a) Location in which the tree is to be planted. No planting within 25’ of the berm, any existing building, or electric power lines.
 - b) Species of the tree (native or non-native).
 - c) Projected size (height & width) of the tree at full growth or maturity (The fully mature tree at its proposed location conforms to all applicable vertical and horizontal distancing laws and regulations set forth in PRC Section 4291 and 14 CCR Section 1299.03).
 - d) Is the proposed tree among those with a favorable fire performance rating on the following website: www.firesafemonterey.org/plant-lists.html
 - e) [Potential impact on natural habitats of birds, bees, and other insects or animals.](#)
 - f) Is an opinion from a certified arborist needed?
4. Following an evaluation based upon the above listed considerations, the Architectural Review Committee shall formulate a consensus recommendation in favor of, or against planting of the requested tree and present the findings of the committee to the Board of Directors as an agenda item at the next regular meeting of the Board.
5. The Board shall consider the findings and recommendations of the Architectural Review Committee and render a decision approving or denying the written request.
6. If the written request for planting of a tree is denied by the Board, the requesting party shall have twenty (20) days to submit a written appeal to the Board for reconsideration as an agenda item at the next regular meeting of the Board.
7. After consideration of the written appeal, the Board’s decision shall be final.
8. Any tree planted within the property of HCCA without proper authorization or otherwise in violation of this policy shall be subject to immediate removal.

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THIS POLICY WAS APPROVED BY THE HCCA BOARD OF DIRECTORS MAY 26, 2022 AND REPLACES THE POLICY APPROVED FEBRUARY 25, 2021 AND SHALL BECOME EFFECTIVE JULY 1, 2022 AND REMAIN IN EFFECT UNTIL SUCH TIME AS IT IS REVISED OR DELETED BY THE BOARD OF DIRECTORS.

Rev 3 05-26-22

POLICY REGARDING PORTABLE GENERATORS

It has been determined that several residents of Hacienda Carmel are interested in obtaining a portable generator for use during temporary power outages. Therefore, the following policy has been developed to define the parameters for portable generators:

1. Homeowners of Hacienda Carmel may purchase, at their own expense, a personal, portable generator for the sole purpose of providing temporary electrical power for household appliances only in the event of a power outage.
2. Portable generators intended for usage at Hacienda Carmel as a temporary power supply must be approved by the Architectural Review Committee prior to usage.
3. Operation of approved portable generators must meet the following specifications:
 - a) Operate with a manufacturer's sound rating of not more than 60 decibels.
 - b) Capability to operate on propane fuel.
4. Operation of approved portable generators shall be limited to the use of propane fuel only. Gasoline may not be used or stored in the Unit or patio area.
5. Residents utilizing an approved portable generator are limited to having not more than two standard (4.7 gallon / 20 lb.) propane cylinders (such as those used for a gas grill) within the Unit or patio area at any time.
6. Operation of approved portable generators is limited to outdoor use only and must be within the fenced patio area of the Unit.
7. Operation of approved portable generators must be in strict accordance with the manufacturer's operating and safety guidelines at all times.
8. Any connections from the portable generator to the Unit other than a standard extension cord must be approved in advance through the regular Architectural Review process.

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THIS POLICY WAS APPROVED BY THE HCCA BOARD OF DIRECTORS NOVEMBER 23, 2021 AND SHALL BECOME EFFECTIVE DECEMBER 1, 2021 AND REMAIN IN EFFECT UNTIL SUCH TIME AS IT MAY BE REVISED OR REPEALED BY THE BOARD OF DIRECTORS.

Revision 0 11-23-2021

TO: General Manager / Architectural Review Committee

DATE: _____

FROM: _____

UNIT # _____

REQUESTING: ☐ Change or addition to unit ☐ Change/addition to common area planting (including patio)

Description of proposed changes: (Please attach a separate sheet or drawing if necessary)

SAMPLE

Name of contractor(s) or appropriate tradesperson(s) who will be performing the work described above:

Contractor License # _____

Proposed start date of project: _____ Estimated completion date: _____

By submitting this request I / we hereby acknowledge and agree to the following conditions:

1. Work on the above requested changes may not begin without prior approval.
2. A copy of this form with approval must be posted in front window of the unit prior to the start of work.
3. It is the Homeowner's responsibility to obtain any necessary governmental permits.
4. Any modifications to approved project must be reported to General Manager prior to making changes.
5. Work done without prior approval is subject to a fine of not less than \$250 in accordance with CC&R's.
6. Progressive inspections may be required depending on the scope of work being done.
7. All construction / landscaping debris must be disposed of off Hacienda grounds by owner or contractor.
8. Upon completion of the project General Manager shall be notified for final inspection to assure that all work has been done according to approved scope and specifications.

Signature of owner(s) _____

Below to be completed by General Manager / Architectural Review Committee Chairperson

Reviewed by General Manager on _____. Comments, recommendations, or additional conditions:

SAMPLE

Architectural Rules Committee recommendation to Board of Directors: ☐ Approval ☐ Non-Approval

Comments: _____

SAMPLE

General Manager

Date

Architectural Review Chairperson

Date

Request is approved in accordance with HCCA Architectural Rules. Date: _____

Variance ☐ approved ☐ not approved by HCCA Board of Directors. Date: _____

PLEASE NOTE: Projects that are not approved may be appealed in writing to the Board of Directors.

Final inspection of completed project by General Manager completed on: _____