

ARCHITECTURAL STANDARDS

Of the

Hidden Hills Community Association

A non-profit, public benefit corporation

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HIDDEN HILLS COMMUNITY ASSOCIATION ARCHITECTURAL STANDARDS

I. PURPOSE.

In order to safeguard the welfare of all residents, maintain and improve property values, and retain the open rustic country feeling, certain minimum architectural standards are necessary. The basis of these Standards is those provisions set forth in the Declaration of Protective Restrictions and those precedents established by previous Architectural Committees, as well as the original sub-divider.

II. AUTHORITY.

The powers and authority of the Architectural Committee to establish Architectural Standards are provided in the Declaration of Protective Restrictions. The Standards presented herein shall supplement but not waive, change, contradict, or diminish the Declaration of Protective Restrictions. The Hidden Hills Community Association is authorized to record a Certificate of Violation, and engage in any legal means to remedy violations of these Standards.

III. DEFINITIONS.

For the purpose of these Architectural Standards, certain words and terms used herein shall be interpreted or defined as indicated in this section.

Words used in the present tense include the future tense; the singular includes the plural; word "person" includes a corporation, partnership, association, as well as individuals, the term "shall" is mandatory and "may" is permissive.

1. **Accessory Building.** A subordinate building or structure on the same lot or building site, above or below grade, conforming to the same setbacks, color schemes and roof requirements (where applicable) as the main structure, the use of which is incidental to the main residence, and which is used exclusively by the occupants of the main residence. Accessory buildings shall be categorized as follows:
2. **Approvals and Consents.** Approval, consent, authorization or permission shall mean an approval, consent, authorization or permission in writing.
3. **Architectural Committee.** The Architectural Committee of the Hidden Hills Community Association, the members of which are appointed in accordance with the Declaration of Protective Restrictions, is hereafter sometimes referred to in these Standards as the "Committee."
4. **Association.** The Hidden Hills Community Association is sometimes referred to in these Standards as the "Association".
5. **Attic.** The unoccupied area below the roof rafters and above the ceiling joists.
6. **Balcony.** A platform projecting from the wall of a building or structure supported by pillars, columns or cantilevered, often surrounded by a railing or low wall.
7. **Basement.** That part of the main or accessory building, which lies entirely below the principal structure **and below grade.**
8. **Basement Garage.** A garage beneath the main or accessory building **and below grade.**
9. **Breezeway.** A roof connecting the main building with a garage or accessory building.
10. **Building.** A structure having a roof supported by columns or walls including underground fallout or bomb shelters.
11. **Building Height Cap.** The greatest vertical dimension of a building as measured from the lowest point where the foundation adjoins the finished exterior grade to the top of the highest portion of the finished roof (excluding chimneys).
12. **Building Height Envelope.** The vertical dimension of the building area as measured from each point of the pre-existing grade to the directly vertical point of the finished roof (excluding chimneys).
13. **Building Pad.** An area naturally flat or manufactured by means of grading, within a building site, for the purpose of suitability for the construction of a main building and accessory structures.

14. **Building Permit.** The permit to build, construct, alter, repair or demolish a structure or structures. The building permit is issued by the Department of Building and Safety of the City of Hidden Hills.
15. **Building Site.** A "building site" shall be a portion of land embraced within the property covered by the Declaration of Protective Restrictions.
16. **Carport.** A roofed structure similar but different from porte cocheres and breezeways, open on two or more sides, detached or attached to a structure, for the purpose of storing motor vehicles.
17. **Cellar.** See basement.
18. **Certificate of Violation.** The term "Certificate of Violation" shall refer to a document that is on file with the Association and that constitutes conclusive Action by the Architectural Committee as to the existence of a violation of the Architectural Standards as defined in the Declarations of Protective Restrictions.
19. **Crib Wall.** Also known as Crib Lock Wall, a retaining system consisting of prefabricated concrete stretchers and runners to contain compacted earth.
20. **Consent Item.** Any item submitted to the Architectural Committee solely for the purpose of repair and/or maintenance of the property, such as replacement of roofs or driveways, painting of a house, all of which require Architectural approval.
21. **Code.** The Uniform Building Code or UBC also referred to as Building Code, latest edition, the national adopted book of rules and regulation including all local amendments governing all building types and methods of construction.
22. **Deck.** A flat surface mainly used for recreational purposes, constructed of wood, concrete or other durable material and raised above the surrounding finish grade.
23. **Dwelling Area.** See habitable area.
24. **Easements.** The areas of any lot or building site reserved by any Declaration of Protective Restrictions, reservation or conveyance to be used for roads, streets, bridle trails, parkways, park area, and for any public or quasi-public utility service or function beneath or above the surface of the ground.
25. **Eaves.** The part of the roof which projects beyond the building line.
- 25A. **Excavation.** The removal of earth materials by artificial means, also referred to as "cut."
- 25B. **Fill.** The deposition of earth materials by artificial means.
26. **Finished Grade.** The grade of the site as improved or if the grade is not within the parameters shown on the approved plans, the grade shown on the approved plans for the site.
27. **Footprint.** The area of a house or accessory building determined by its outer perimeter including all projections, covered patios and attached garages.
28. **Fountain.** A free standing decorative structure as an integral part of the landscape design which uses water as a design element.
- 28A. **Grading.** An "excavation" or "fill" or combination thereof. "Grading" includes addressing drainage issues.
29. **Garage.** A complete structure, housing not less than two (2) motor vehicles, attached or detached to the main building, guest house, or accessory building.
30. **Guest House.** A complete structure detached from the main dwelling for the sole purpose of housing temporary guests.
31. **Habitable Area.** Any area of a structure designed for use by humans, excluding attached garages, mechanical equipment storage or tack rooms, second floor stairwell areas and second floor areas open to the first floor. Also referred to as dwelling area.

32. **Hardscape.** The hardscape calculation shall include the following:
 1. The areas below the footprint of the home
 2. The area below the footprint of any accessory structure i.e, detached garage, pool house, cabana, and trellises, without regard to the finish floor surface of the structure.
 3. Pool/spa, and other water features.
 4. All paved surfaces and patios with the exception of d.g. walkways and d.g. access roads to equestrian facilities.
 5. All areas used for the vehicular parking or access without regard to actual finish (i.e. a decomposed granite driveway or parking spur shall be counted as hardscape).

33. **Hardship.** A configuration and/or topography of a Building Site which results in that Building Site being unable to be developed into a single family home with reasonable accessory uses without violating the Architectural Standards.

34. **Lot or Parcel.** A distinct and separate portion of a parcel and, if so indicated in the context, such a portion of any other property subject to the jurisdiction of the Association, whether the same is or is not a building site.

35. **License Agreement.** An agreement between the owner of a property and the Association to use the portion of an unused trail or perimeter easement for the purposes of ingress and egress or for preexisting, previously-approved improvements located in the easements. This agreement may be revoked by the Hidden Hills Community Association.

36. **Lot Lines.** The boundary lines of lots or parcels, as defined below:
 - a. **Front Lot Line.** The line dividing a lot from the street easement line. On a corner lot only one (1) street line shall be considered as a front lot line. On a flag lot the Architectural Committee shall establish the front lot line. When a lot has only three sides, one of which borders a curving street, the front yard shall be determined as follows: A secant from either side of the lot corner, one hundred fifty (150) feet in length and a line perpendicular to the secant at the point of intersection fifty (50) feet in length. The setback line shall be a curve concentric to the radius of the street. The remainder of the area bordering the street shall comprise the side yard.
 - b. **Rear Lot Line.** The property line opposite the front lot line. In the case of an irregularly shaped lot, the rear lot line may be established at the discretion of the Architectural Committee.
 - c. **Side Lot Line.** Any lot property lines other than the front lot line or the rear lot line. When a side yard abuts a street (road) easement, the side lot line shall be deemed to be the road easement line.

37. **Main Building.** A building in which the principal use of the lot or building site on which it is located is conducted and having not more than one kitchen.

38. **Mansard.** A roof with two different slopes.

39. **Mansard, false.** A flat roof surrounded by a parapet wall whose outer surface is sloped.

40. **Natural Grade.** The grade of a site in its original condition prior to the commencement of any grading by any person or entity on the site.

41. **Net Lot Area.** The area of a parcel of land excluding road easements and private driveways which provide ingress or egress to other parcel of land or flag lot (i.e. the pole of a flag lot).

42. **Net Lot Coverage.** Coverage of the building site with structures, patios, hardscape, pools or any other artificial surface material.

43. **Parkway.** The area between the paved surface of the road and the road easement line.

44. **Pond.** A body of water with a maximum depth of not more than two (2) feet constructed with a plastic liner for decorative purposes and as an integral part of the landscape design.

45. **Pool.** A body of water designed for swimming and recreation, of gunite or plastic construction usually with a concrete deck around the perimeter.

46. **Porte Cochere.** A large porch outside the entrance of a residence, under which vehicles may be driven.
47. **Pre-Existing Grade.** The finished grade of a site on the date of submittal of an application to repair, remodel, reconstruct or construct on the site or, if there are no approved plans for the site the natural grade.
48. **Preliminary Plans.** The plans of a building or structure showing the design concept only without the construction or structural details.
49. **Reflecting Pool.** See Pond.
50. **Retaining Wall.** A structure to retain earth.
51. **Roof Deck.** A flat roof, often surrounded by a railing or low wall over a portion of the main dwelling or accessory building, intended for use as a sun deck or for other recreational purposes.
52. **Schematic Plans.** Plans drawn in sketch form. May be drawn freehand, showing the rough concept.
53. **Second Floor Area.** The area of the second floor determined by its perimeter and all projections including covered balconies.
54. **Service Yard.** A structure with an area of at least one hundred (100) square feet, for the purpose of storing trash containers, wood, etc., enclosed by a solid fence or wall of six (6) feet in height with gate(s) a minimum of five (5) feet in width. All trash containers and/or bins must be contained within a service yard.
55. **Shed Roof.** A roof having only one slope.
56. **Single Family Dwelling.** A private residence for one family containing but one (1) kitchen and, if desired, servants' quarters.
57. **Special Structures.** A building limited to a single special use that, when completed, cannot conform to the aesthetic requirements of the architectural standards. i.e. chicken coop or greenhouse.
58. **Story.** That portion of a building or structure included between the surface of any floor and the finished ceiling or roof above it.
59. **Structures**
 - a. **Complete Structures.** This type of building follows basically the structural pattern in erecting a dwelling, that is, foundation, floor, full framing walls and roofs matching the main dwelling. This category includes, but is not limited to single family residences, guesthouses, cabanas, barns and additions to existing dwellings.
 - b. **Partial Structures.** This type of building generally follows a post and beam construction, using piers instead of continuous footings. No studding or framing is used. Stringers are used between posts to sustain board and batten or veneer sheathing. Enclosure is only partial, and the roof may be of shed design. This structure may be with or without floor. This category includes, but is not limited to, animal, hay, equipment, poultry and rabbit shelters.
 - c. **Shade or Ornamental Type Structures.** This type of building consists primarily of post and beam with a roof of solid or openwork design. This structure may be with or without a floor. This category includes, but is not limited to, arbors, pergolas, gazebos, trellises, pavilions, patio covers and bath houses.
 - d. **Miscellaneous Structures.** This type of construction covers those items not covered under A, B, or C and includes, but is not limited to, tennis courts, swimming pools, and all metal, wood, or plastic structures, such as the prefabricated type, exceeding forty-eight (48) inches in height. Improvements under forty-eight (48) inches in height are not considered structures.
60. **Survey.** Documents showing the boundary lines of a parcel, all applicable easements and existing structures, which is certified by a licensed surveyor.
61. **Violation.** Any improvement to a building site, buildings, structures, walls (retaining earth or not), fences or other encumbrances, which do not meet or are detrimental to the present community Architectural Standards, or are erected without Committee approval and proper building permits.

62. **Yard.** An open space other than a court, on a lot or building site, unoccupied and unobstructed from the ground upward, except as otherwise provided in these Standards.
- a. **Yard, Front.** A yard extending across the full width of the lot or building site between the side lot lines, and measured between the front street easement line and the nearest wall line of the main dwelling or any enclosed or covered porch or terrace attached thereto. In the event a dwelling is situated beyond the minimum setback, the front yard as defined by these standards shall be that portion of the lot defined as the minimum setback from the road easement line or, in the case of a flag lot, from the property line.
 - b. **Yard, Rear.** A yard extending across the full width of the lot or building site between the side lot lines and measured between the rear lot line and the nearest foundation line of the main building or any enclosed porch or terrace attached thereto. Where a rear yard abuts a street, road or driveway, it shall meet fence and screen planting front yard requirements of these Standards.
 - c. **Yard, Side.** A yard extending from the front yard to the rear yard between the side lot line and the nearest foundation line of the main building or any enclosed or covered porch or terrace attached thereto. Where a side yard abuts a street, road or driveway, it shall meet fence and screen planting front yard requirements of these Standards.
63. **Major Addition/Alteration.** The following additions/alterations shall be defined as "Major" additions/alterations:
- a. **Alteration.** An alteration in which at least 50% of the square footage of an existing building is being remodeled or reconstructed or in which the planned alteration is in excess of 50% of the reasonable replacement value of the existing building;
 - b. **Demolition.** An alteration in which at least 50% of the reasonable replacement value of the existing building at the time of demolition is being removed;
 - c. **Addition.** An alteration in which the planned addition increases the square footage of the existing building by at least 50%;
64. **Minor Addition/Alteration -** A Minor addition/alteration shall be any addition or alteration not falling within the definition of "Major" addition/alteration.

IV. SITE STANDARDS.

1. Approval.

No dwelling, accessory building, swimming pool, sports court, sports court fence, enclosure, or other structure or grade shall be erected, constructed, or altered on any property unless approved by the Committee. While the written Standards are not all inclusive, reference should be made to the architectural and building requirements contained in the Declaration of Protective Restrictions. A copy of "A Guide to Building in Hidden Hills," available at the Administrative Building, will help with matters of procedure.

There shall be only one main single-family dwelling constructed or erected on each building site.

2. Barns and Stables.

a) Barns, stables and open corrals shall be used exclusively for the keeping of permitted domestic animals. Roofing shall comply with Section V.N for roof material and roof pitch and shall be compatible in material and color with the main building. Notwithstanding the above, Class "A" materials must be used for the roof.

b) Hay lofts may be provided in the attic area without glazed openings. Such a loft shall be used exclusively for the storage of feed, tack and stable implements.

c) All stables or shelters for housing of animals shall be located no less than thirty-five (35) feet from any habitable area, at least twenty-five (25) feet from the exterior boundaries of the property on which it is situated. All corrals are recommended to be located thirty-five (35) feet from any habitable area.

d) Vehicular access to stable areas shall be provided for delivery of feed and removal of waste. Such access need not be paved, but grade must not exceed twenty-five (25%) percent. Such access must be wholly within the subject property and not from a bridle trail.

- e) Front yard equestrian riding rings are allowed provided they are covered with sand, sawdust, wood shavings or chips, tanbark or "grit," or such other material as may be approved, which shall be replaced as needed to eliminate a muddy, unsightly or dusty condition.
- f) Animal training equipment used in the front yard riding ring such as jumping standards, barrels, poles, etc. shall be maintained in good condition and appearance.
- g) Under no circumstances shall front yard riding rings contain any type of shelter or barn.

3. Batting Cages.

- a) Batting cages shall be located in the rear yard as approved by the Committee and be a minimum of Twenty-Five (25) feet from the property lines.
- b) No batting cage lighting is permitted.
- c) Batting cage fencing shall not extend more than ten (10) feet in height. Batting cage fencing may require landscaping, as determined by the Committee.
- d) Batting cages may not be located on steep slopes, sides or bottoms of canyons.
- e) Neither the cage nor the landscaping required by this subparagraph shall interfere with the view of the owners of property in close proximity to the proposed cage.
- f) Each batting cage must have a minimum three (3) foot wide clearance on all sides for the maintenance and planting of landscaping.

4. Driveways/Walkways.

- a) All driveway materials, whether for replacement of an existing driveway or for construction of a new driveway, require Committee approval. New driveways shall be constructed of brick, concrete or pavers. Existing asphalt concrete may be replaced with asphalt only if within the same location.
- b) Paving across Parkway Easements:
Driveways and pavement across parkway easements shall be natural concrete with a heavy broom finish in a circular pattern. No waterproofing, color, or glazes may be placed on driveways where they cross the parkways. No other paving ie; walkways or stepping stones shall be permitted within the parkway easement.
- c) Driveways should be designed to carry the bulk of water drainage to the street. Driveways shall provide proper drainage facilities at the point where said driveway connects with the road system to prevent the damming or diversion of the natural flow of storm water along the side and shoulder of said road or to cause such storm or flood water to be diverted to the owner's property or any other property. Driveways shall be constructed in such a manner as to prevent runoff from escaping along the edges of the parkway apron.
- d) All driveways leading from any residence to the road system maintained by the Association shall, as near as possible, connect with the street at right angles.
- e) Driveway approaches should not be constructed that will cause removal of or damage to existing parkway trees.
- f) Cross parkway driveways shall not exceed twenty (20) feet in width. Driveway approaches may be flared at the road with a radius not greater than three (3) feet.
- g) Driveway or walkway curbs in the parkway are prohibited.
- h) Driveways on corner lots shall not be constructed to allow ingress or egress in the vicinity of the intersection. The distance from the center line of the driveway to the property line shall be no less than sixty-five (65) feet.
- i) There may be only two street access points per street frontage.
- j) Maintenance of existing asphalt driveways: For the portion of an asphalt driveway that crosses the parkway Type II slurry shall be used. When coating asphalt driveway that also serves as an equestrian trail, the entire driveway shall use Type II Slurry Seal.

5. Easements.

The Declarations of Conditions, Covenants and Restrictions covering property within the jurisdiction of the Association reserve perimeter easements around each and every parcel contained in the development for the purposes set forth in Article III.19 thereof. In addition, there are some properties over which the Association holds special easements for bridle trail, utility, sanitary sewer and storm drain, and road purposes.

- a) No improvement whatsoever, except plant material with a mature trunk circumference of less than 12", may be placed in any easement unless the Equestrian Services Committee and Board of Directors has granted a License.
- b) If any easement is not usable for the purpose intended or, if it is desirable to relocate the easement, the Association may, upon application of an owner of the property, quitclaim to the owner said easement in exchange for the grant of a new easement. In such cases, the Association shall deliver the quitclaim of the easement to be extinguished at such time as the owner executes and records the grant of the new easement to the Association. Costs relating to the creation of a new easement and extinguishing an old easement shall be borne by the applicant.
- c) Where an existing bridle trail is located outside the easement, the current owner shall grant the Association a special easement for the actual location of the trail before any plans can be reviewed by the Architectural Committee. The costs of surveying the actual location and recording the easement shall be borne by the Association.

6. Mandatory Equestrian Set-Aside.

In the spirit of preserving the unique rural, pastoral, open and rustic equestrian heritage of Hidden Hills, the keeping of horses and the maintenance and development of equestrian facilities shall be encouraged. Therefore, a portion of each residential property ("lot") shall be set aside for the use of barns, stables, tack rooms, feed stalls, shade areas, horse turnouts and other horse-related purposes, as set forth below:

- a) The equestrian set-aside must be adequate and located in an area to allow construction of a functional, practical, accessible, realistic and reasonable equestrian facility in compliance with the requirements set forth in Standard IV.2, including, without limitation, a barn, stable or similar structure ("barn/stable") with a minimum size of 600 square feet and no side less than 12 feet in length, as described herein but subject to the minimum setback requirements set forth in Standard IV.2.c. The set-aside shall also include an equestrian turnout(s) with a minimum size of 600 square feet that has no side with a dimension smaller than 12 feet. The turnout portion of the set-aside may extend into the exterior boundary setbacks up to any trail or other easement. The barn/stable and turnout portions of the set-aside shall be contiguous and share a side (or portion of a side) no less than 12 feet in length.
- b) The area for the equestrian set-aside shall be reasonably flat. Slopes to a maximum of 4:1 are acceptable. On steeper slopes, a pad of sufficient size shall be built in compliance with the grading and retaining wall limits outlined in the Architectural Standards.
- c) The equestrian set-aside shall be no less than 25'-0" from a swimming pool.
- d) The area on the lot for the minimum 600 square foot barn/stable shall not be included in the maximum hardscape allowed for a property under Standard IV.12. But if the barn/stable actually built is larger than 600 square feet, the excess will be calculated as hardscape under the existing Architectural Standards and therefore subject to the maximum allowable hardscape.
- e) Access from a road to the set-aside must be provided. On steeper slopes, the access shall be built in compliance with the grading and retaining wall limits outlined in the Architectural Standards. The access must support a driveway or path no less than 10 feet wide, constructed in accordance with all applicable Architectural Standards and legal requirements (fire department access, etc.) that would permit a feed truck or similarly large vehicle to access the set-aside for service and deliveries. The access must be unobstructed (including by house eaves, trees, structures, etc.). If no barn/stable exists or is being proposed, the access may be landscaped with grass and other plantings (but not trees) that can easily be removed at a later date to permit conversion of the access to a driveway or suitable path. In addition, if the lot borders the trail system, when feasible, the set-aside shall be located on the lot to provide easy access to at least one of the trails.

f) All plan sets submitted to the Architectural Committee shall include a site plan of an equestrian facility, including a barn/stable, turnouts and the service access road/path that demonstrates feasibility of the proposed equestrian site and otherwise verifies the design meets this Standard's set-aside requirements. Any proposed or existing barn may be included within the required set-aside.

g) When a set-aside and/or access road requires grading and/or retaining walls, that work shall be completed during the course of the approved construction.

h) Upon approval of a mandatory minimum equestrian set-aside pursuant to this Standard IV.6, and the Architectural Committee's final approval of a new building plan or major remodel plan, no alternative or replacement "building," as that term is defined by Standard III.10 (including, but not limited to, other accessory structures, guesthouses, garages or "special structures"), shall be approved unless an equivalent replacement mandatory equestrian set-aside pursuant to this Standard IV.6 is relocated on the lot, and such replacement set-aside meets all Association Standards, Rules and Regulations without the use of a variance therefrom.

7. Fences, Pillars, Arches and Enclosures.

Three-rail fencing is a feature of Hidden Hills. In order to preserve this uniqueness, the Committee shall enforce the following rules:

- a) Perimeter three-rail fencing is required for all original construction on building sites.
- b) On all previously-constructed sites, three-rail fencing is required along all roads, private driveway easements, and trails. Three-rail fencing is required in front side yards unless specifically exempted by the Committee.
- c) Perimeter fences shall be only of the three rail type, white in color, using 2" x 6" boards and 4" x 4" posts set eight feet on centers. The fence shall be a height of forty-eight (48) inches. Premanufactured three-rail fencing having similar appearance may be substituted for wood. The two spaces between the three rails and the space between the lower rail and ground shall be equal. For durability, pressure treated Douglas fir posts set in well-tamped dirt are recommended. Posts may be on the outside of the fence.
- d) Front yard driveway gates shall have the appearance of white 3-rail fencing and shall not have the appearance of being solid. All gate posts are to be made of wood and shall not exceed 6"x6"x72".
- e) Welded wire mesh, 1" x 2", MAY be affixed to the inside of any three-rail fence for the containment of animals. However, the welded wire mesh shall not exceed the height of the 3-rail fence.
- f) In cases of severe slope or city boundary, the Architectural Committee may grant approval to use chain link or block wall fencing in lieu of the standard three-rail fencing.

8. Cross Fencing.

- a) Front yard cross fencing requires Architectural approval.
- b) Side or rear yard cross fencing is permitted with Architectural approval provided that the three-rail wood fences as specified above are in place and approved.
- c) Chain link, wrought iron, 3-rail and/or metal pipe fences for rear yard interior areas and corrals are permitted with Architectural approval.

9. Chain Link and Screen Planting.

- a) Chain link fencing up to eight (8) feet in height may be used along property lines that abut non-Hidden Hills property where there is no trail. Chain link fencing may be placed on the outside of a 3-rail fence adjacent to a trail only when it is being used as a pool safety fence.

- b) Planting that completely obscures the house from the street is not permitted. Planting that originally permit a view of the house from the street but that later grows together to become screen planting must be trimmed or replaced.
- c) On corner lots, planting in the front side yard that would obscure the house from view of the street may be permissible with a variance.
- d) Screen planting shall be kept trimmed so as to not spill over into the road easements, bridle trails or any other designated use imposed by the CC&R's or easements.
- e) Hedges planted along the front and front side yard three-rail fence may not exceed forty-eight (48) inches in height.

10. Grading.

In order to maintain and preserve natural settings, a rustic country feeling, and open spaces, grading is discouraged, and excessive grading is strictly prohibited. The term "excessive" can be interpreted many different ways and cannot be objectively quantified as a general rule. For this reason, the intent of the grading limitation will be described here. The goal of the Committee is to cause to be developed projects that conform to the natural or existing grade of the lot and are within the scope of the existing lot, as well as to minimize the impact to the surrounding neighbors and the community as a whole. Import and export of dirt have a cost to the community that cannot be measured: not only does this work inconvenience to the residents of Hidden Hills, but it also accelerates the deterioration of the roadways and increases maintenance costs. It must be understood that not all properties within the community will support all of the possible uses permitted by the Architectural Standards. Hence, a "what you see is what you get" approach should be taken when planning to modify a building site. Significant grading to provide flat buildable areas for large houses, tennis courts, horse arenas, or accessory structures will not be approved. Similarly, plans that include substantial modifications to slopes or any other significant detail of the property or those that affect neighboring properties will not be approved.

Notwithstanding the above, grading shall be limited to the following purposes:

- a) Grading as a part of an overall site development for a main residence.
- b) Grading limited to that necessary for an accessory structure.
- c) Grading as part of a comprehensive landscape proposal.
- d) Grading to remedy existing defective conditions-- i.e., grading to correct drainage, grading in conjunction with improvements as recommended by a geologist or soils engineer to protect or safely construct improvements or property.
- e) Keeping the above intent in mind, the following guidelines are provided for grading: Grading shall be limited to the minimum necessary to provide a residence which fits within the scope of the lot and which conforms to the natural limitations of the property.
- f) Grading shall be balanced between cut and fill on site. If it can be demonstrated that grading cannot be balanced on site, the Committee may consider approving minor import or export for projects which do not alter the character of the lot.
- g) Import or export of soils will be considered for approval only when required by geological, soils and civil engineering reports to correct existing drainage conditions or to remediate other defective conditions. Moreover, if necessary to correct existing drainage or to remediate other defective conditions on the lot, the import or export of soils shall be limited to a maximum 1,000 cubic yards.
- h) Proposed amounts of cut and fill must be stated on the plans.
- i) Parkways at the site shall be repaired to first class condition at completion of grading or of any construction project.
- j) Excavation for swimming pools and spas, or for the foundation of structures--including the main residence, accessory, partial shade/ornamental and miscellaneous structures--shall not constitute "grading" and shall not be required to be balanced on site.
- k) Grading or change of elevation within 15 feet of the property lines requires approval of the Equestrian Services Committee.

- l) Pre-grading, pre-filling, and stockpiling of dirt are prohibited. Approval of grading and filling will be issued only after complete grading plans, including full Scope of Development Plans, as described above, are submitted and approved.
- m) Grading applications that are intended to correct height violations will not be considered.

11. Guest Houses.

One single story guest house, without kitchen, to be used and occupied only by non-paying temporary guests or servants of the occupant of the main dwelling, may be constructed on the property with Architectural Committee approval. Rental of such structure, or any trailer, camper or other structure for living quarters is strictly prohibited. Guest house may be constructed with kitchens in tracts 34987, 43178, 44546 and 45721.

12. Hardscape Coverage.

The lot may be covered with hardscape to a maximum of 35% of net lot area (see definitions of "hardscape" and "net lot area" above). The following guideline is provided for the breakdown of the allowable hardscape. The maximum allowable coverage of the main residence shall be 19.5% of the net lot area for interior lots and 17.5% of the net lot area for corner properties. Accessory Structures shall be limited to not more than 4% of the net lot area. For the purpose of calculating the main residence footprint, the first 250 square feet of attached porches, facing the front yard, shall be excluded from the main residence footprint limitation. Pursuant to the "Mandatory Equestrian Set-Aside" in Standard IV.6, if a property has an existing or proposes a new barn or stable, the first 600 square feet is excluded from the hardscape calculations. The driveway paving of the pole of a flag lot shall not be included in the hardscape calculations.

The net effect of this revision will be to limit homes as follows:

ONE-ACRE SITES - (43,560 sq. ft.)
 17.5%; Corner properties
 $43,560 \times .35 = 15,246$ allowable hardscape coverage
 $15,246 / 2 = 7,623$ maximum allowable footprint for the main residence
 3,049 sq. ft. is the maximum allowable second floor
 19.5%; Interior lot properties
 $43,560 \times .35 = 15,246$ allowable hardscape coverage
 $19.5\% = 8,276.4$ maximum allowable footprint for the main residence
 3,310 sq. ft. is the maximum allowable second floor

TWO-ACRE SITES - (87,120 sq. ft.)
 17.5%; Corner properties
 $87,120 \times .35 = 30,492$ allowable hardscape coverage
 $30,492 / 2 = 15,246$ maximum allowable footprint for the main residence
 6,098.4 sq. ft. is the maximum allowable second floor
 19.5%; Interior Lot properties
 $87,120 \times .35 = 30,492$ allowable hardscape coverage
 $19.5\% = 16,988.4$ maximum allowable footprint for the main residence 6,795.36 sq. ft. is the maximum allowable second floor

13. Landscaping. Landscape plans are required for new homes, projects requiring substantial modifications to the site, and installation or removal of plant material (ground cover, shrubs, and trees). Approval of such plans shall be at the discretion of the Architectural Committee. Landscaping must be completed within six months after obtaining final approval for occupancy or prior to the expiration of Architectural Approval.

a. Trees – General Provisions

- (1) "Tree" shall be defined as follows: A woody perennial plant that has the potential to attain a height of 15 feet or greater and a diameter of twelve (12) inches or greater.
- (2) Approval of landscaping plans calling for the removal of trees may be conditioned upon mitigation plantings.

(3) An approved landscape plan is required for the removal, severe pruning or addition of any tree. This section shall also apply to dead or diseased trees.

(4) Regular pruning is considered maintenance and shall therefore not require the approval of a landscape plan.

(5) Severe Pruning is defined as “Removal of plant parts greater than 3.5 inches in diameter from within the canopy of the plant.

This section shall not apply to an electric utility, natural gas utility, cable television or telecommunications franchisee performing tree trimming or removal work that is regulated by state or federal law or regulation or franchise agreement.

(6) When considering a proposed landscape plan, the Architectural Committee shall have sole discretion in the following areas:

(a) Whether or not a tree or trees may be removed.

(b) The species or genus proposed.

(3) In the case of the mitigation of tree removal, the Committee shall decide the appropriate amount and size of the proposed mitigation.

b. Protection of Native Trees.

Trees native to California are of significant aesthetic, ecological and historical value for the Hidden Hills Community Association and the preservation of this unique plant life is in the common interest of the Association residents. The purpose of these rules is to provide heightened scrutiny to ensure the protection of these trees against indiscriminate removal, and to maintain the community’s distinctive character and allow for development in a manner consistent with the welfare of all residents, while also maintaining and improving property values and retaining our open rustic country feeling. Nothing in this Standard shall in any way limit the existing power and authority of the Architectural Committee and the Board to protect other trees (both smaller trees and other species) through the plan approval process, including the denial, delay or conditioning of approvals for the protection of such other trees as the Committee and the Board shall deem appropriate or the requirement that additional trees be planted.

(1) Definitions.

(a) “Protected tree” means a tree of a “native species” as defined below that meets any of the following criteria:

1) Is fifteen (15) inches or more in diameter as measured three (3.0) feet above mean natural grade.

2) In the case of a tree with more than one trunk, has twenty (20) inches or more in combined diameter for any two trunks as measured three (3.0) feet above mean natural grade,

3) Is a “replacement tree” as defined below.

(b) “Native species” means any of the following:

1) Valley Oak (*Quercus lobata*) and California Live Oak (*Quercus agrifolia*), and any other species of the oak genus (*Quercus*) indigenous to California, but excluding the Scrub Oak (*Quercus dumosa*).

(c) “Damage” means any act causing injury to the root system or other parts of a tree, including, but not limited to, cutting, nailing, burning, applying toxic substances, operating equipment or machinery, or by paving, changing the natural grade, trenching, excavating, or building within (i) the dripline plus five (5) feet or (ii) fifteen (15) feet of trunk, whichever is greater.

(d) “Certified arborist” means any person with at least four (4) years of experience in the business of transplanting, moving, caring for and maintaining trees and who (a) has earned the ISA Certified Arborist credential from the International Society of Arboriculture, or (b) is a registered consulting arborist with the American Society of Consulting Arborists.

(e) “Replacement tree” means any tree required by the Architectural Committee to be relocated on the property or otherwise planted pursuant to paragraph 3.a of the Findings and Decision paragraph below.

(2) Protected Tree Permit Requirement. No person shall alter, destroy, disfigure, remove, relocate, or otherwise inflict damage to any protected tree on any lot or parcel of land in Hidden Hills, without first obtaining approval from the Architectural Committee in accordance with these Native Tree Protection provisions.

(3) Exemptions. The provisions of this Standard shall not apply to:

(a) Cases of emergency (i) caused by a protected tree being in a hazardous or dangerous condition which

(ii) poses an immediate risk to life and/or improvements (buildings, accessory structures), and (iii) it is reasonable to believe such emergency requires immediate action to safeguard life or property which precludes application for a permit. If this exemption is relied on by owner, owner shall provide a written report (which may be by email or other electronic communication) of the emergency and action taken to the Architectural Committee and Board as soon as reasonably practical following the emergency. The written report shall include photographic and other evidence to establish the applicability of this exemption.

(b) Emergency maintenance by a public utility necessary to protect or maintain an electric power or communication line or other property of a public utility.

(c) Routine maintenance intended to ensure the continued health of a protected tree, including the trimming of branches (i) under 3 1/2 inches in diameter or (ii) for larger branches under the supervision of a certified arborist.

(d) Any protected tree planted after the adoption of this Standard, other than a replacement tree, for a period of twenty (20) years from the date that tree is planted on a lot or parcel of land in Hidden Hills, as approved by the Architectural Committee and reflected in the Association's property file for the lot or parcel of land.

(4) Permit Application.

(a) Consideration of any action described in this Standard shall be initiated upon the filing of a plan and application to the Hidden Hills Community Association Architectural Committee by the owner of the subject property or the owner's authorized representative.

(b) Applications shall be submitted on a form provided by the Association and shall be accompanied by an appropriate tree report prepared by a certified arborist, unless that report is waived by the Committee. An application shall not be accepted unless it contains all the information required by the Committee and this Standard and the required permit fee has been paid.

(5) Review of Application by Architectural Committee. When a complete application and plan have been received by the Architectural Committee, the Committee shall review the proposed work as part of its regular business. If the tree application is filed concurrently with a development application of any kind, the tree application shall be considered concurrently with the review of the development application.

(6) Findings and Decision. Upon review of the application and consideration of the written and/or oral evidence received at the Architectural Committee meeting, the Committee shall render its decision. The application shall be approved if the applicant demonstrates and the Committee affirmatively finds any of the following for each protected tree involved:

(a) The proposed removal, relocation or extensive pruning of the tree is necessary because continued existence of the tree at its present location frustrates the planned improvement or proposed use of the subject property to such an extent that either:

1) Alternative development plans cannot achieve reasonable development of the property or the cost of that alternative would be prohibitive.

2) Location of the tree precludes the reasonable and efficient use and/or the safety of the subject property for a use otherwise authorized.

3) The tree interferes with utility services or a street or highway either within or outside the subject property and no reasonable alternative to such interference exists other than the proposed removal, relocation or extensive pruning of the tree.

4) The tree has a seriously debilitating disease or is danger of falling, and such condition cannot be remedied through reasonable preservation practices.

5) The tree will not be harmed or damaged by the proposed construction within (i) the dripline plus five (5) feet or (ii) fifteen (15) feet of the trunk, whichever is greater, and any construction on the property can be accomplished without endangering the health of any other protected trees on the subject property.

(b) Removal or relocation of a protected tree shall not be permitted if it will result in soil erosion through the diversion or increased flow of surface waters that cannot satisfactorily be mitigated.

(c) The approval of any application under this Standard may be subject to such reasonable conditions as will promote this Standard's purpose, including, but not limited to:

1) Replacement of a removed tree, if feasible, with trees of a suitable type, size and number, and at an appropriate location. In general, replacement trees shall be at least a thirty-six (36)-inch box, or larger, and shall be placed at a ratio of four (4) new trees for each tree removed, unless otherwise specified. In considering whether replacement trees should be required, the Architectural Committee shall consider, in addition to any other relevant factor: the vegetative character of the surrounding area; the number and size of any protected tree(s) to be removed; the number and size of any protected trees to remain on the property; and the viability of replacement trees.

2) Preparation and implementation of a plan for protection of trees on the subject lot or parcel of land during and after proposed development, including: installation of fencing; limitations on the type of equipment to be used near trees; corrective measures to remedy defects in trees; adequate supervision by a certified arborist; and the posting of a bond to the satisfaction of the Architectural Committee and Board to guarantee the survival of trees to be replaced or relocated for a period of three (3) years from the date those trees are replaced or relocated, including the replacement or relocation of any such replacement trees.

(7) Enforcement. If any property owner or resident or their tenants, workers or invitees, damages one or more protected tree(s) without first obtaining the Architectural Committee and Board approvals required by this Standard, then, in addition to such action as the Board may otherwise take for violation of the Architectural Standards, including, but not limited to imposition of fines, the Board may also (i) require the owner to undertake those steps, including the planting of replacement trees, as would have been required to obtain approval, or (ii) in cases where approval would not have been granted, such actions as the Board deems appropriate to (a) mitigate the loss to the community resulting from the damage of such protected tree(s) and (b) act as a deterrent to future violations.

c) Lighting.

All exterior lighting shall be approved by the Architectural Committee. Flood lighting for tennis courts, sports courts, horse arenas and batting cages is specifically prohibited.

d) The Architectural Committee must review and approve or conditionally approve proposed landscape plans.

e) Prior to final approval of a project, the installation of plantings, walls, drainage devices and 3-rail fencing in accordance with the approved landscape plan, and adequate maintenance of the planting shall be approved by the Architectural Committee.

f) If landscaping is not installed within the designated time period or maintained properly, a violation may be filed.

14. Lot Ties.

Lot ties require the approval of the Architectural Committee and the Board of Directors. When considering approval of a lot tie, the Architectural Committee and/or Board of Directors shall consider the following:

1. Does the proposed development fit well with the existing homes in the immediate vicinity of the proposed development?
2. Given the larger lot area, and increased size of the proposed structures, the Architectural Committee and/or Board of Directors may impose greater restrictions on the following:
 - a. Allowable percentage of hardscape.
 - b. Increased front, rear, and/or side yard setbacks.
 - c. Limit the allowable number of structures to be placed on the property and their placement on the site.
 - d. Place specific requirements on required landscaping which may include but would not be limited to the following:
 - i. The number, size, and species of trees to be planted
 - ii. Require landscape buffers between the existing homes and the new development.

14A. Prohibition Against Subdivisions.

Notwithstanding anything to the contrary contained in these Architectural Standards, no part of any property subject to the CC&Rs shall be further subdivided, re-subdivided or split, including, but not limited to, by way of any urban lot split.

15. Parkways.

Parkways shall be kept free of all obstructions such as decorative boulders, logs, benches, hitching posts, sprinklers, trash containers, etc. No trees, shrubs, ground cover (other than decomposed granite), or landscaping other than the trees planted by the Association, are approved for planting in the parkways, except that the Architectural Committee may approve the planting of roses not more than twelve (12) inches in front of a parkway fence. If approved, such planting must be kept trimmed or their removal will be required.

Parkways shall have a maximum cross slope of 2%. When replacing a driveway approaches (aprons) that cross parkways having an existing cross-slope exceeding 2%, every effort shall be made to re-grade the parkway to a cross-slope not exceeding 2%.

Upon completion of a new homes and major remodels shall, upon completion of the work and prior to "Certificate of Occupancy", rebuild the parkways adjoining roadways to the current Hidden Hills Community standard plan.

16. Repair and Maintenance.

No building or structure, including name signs, mailboxes and perimeter fences upon any building site, or parcel covered by this declaration, shall be permitted to fall into disrepair, and each such building and structure shall be at all times kept in good condition and repair and adequately painted. A condition of disrepair shall be determined by the Architectural Committee, or by the Community Standards Committee. All fences and gates shall be white in color, freshly painted and maintained in good repair. Additionally, drainage must be established and maintained so as to prevent erosion on the property as well as adjoining properties. Weeds must be abated so as not to cause fire hazard or nuisance to neighbors. Failure to maintain property could result in fines, work being done by Association at the owners expense, &/or recordation of a Certificate of Violation.

17. Retaining Walls.

- a) All walls, whether structural, retaining or decorative, require Committee Approval.
- b) Walls are not permitted to be located within twenty five (25) feet of the property lines, except as specified in Section IV.20.f (3).
- c) Retaining walls to extend a building pad shall not exceed three (3) feet in height. Stepping of walls on a downhill slope is not permitted.
- d) Retaining walls to retain an uphill slope shall not exceed ten (10) feet.
- e) Crib Walls shall be of open design and shall be planted immediately after erection with manufacturer recommended plant material.

18. Rubbish and Debris.

No rubbish or debris of any kind shall be placed or permitted to accumulate upon any portion of any lot, and no odor shall be permitted thereon or to arise therefrom so as to render such portion unsanitary, unsightly, offensive or detrimental to any of the property in the vicinity thereof or to the occupants thereof, and no nuisance shall be permitted to exist or to operate upon any portion of said property which is offensive or detrimental to property in the vicinity thereof or to its occupants. A condition of excessive debris shall be determined by the Architectural Committee, or by the Community Standards Committee.

19. Service Yards.

All residences must have an enclosed service yard not less than one hundred (100) square feet which shall be shown on preliminary and final plans, and which is enclosed by a minimum six (6) foot high solid wood fence or other enclosure approved by the Committee. Such yards must be inconspicuous to neighbors and located so as to be convenient for trash storage and collection.

Service yards shall not be placed within setbacks. Access to service yards must be wholly within the subject property, and not from the bridle trails.

20. Setbacks.

a) The minimum setback for side yards shall be twenty-five (25) feet to the lot line for both main residence and accessory buildings. The minimum setback from the rear property line shall be fifty (50) feet for the main residence and twenty-five (25) feet for accessory buildings. Unattached accessory buildings shall have a minimum separation from the residence of ten (10) feet as measured between roof overhangs or projections, except that stable shall be separated from any habitable space by a distance of thirty five (35) feet. No accessory building may be located in a front yard.

b) Residences shall be located on the lot or building site as approved by the Committee and be a minimum of fifty (50) feet to the edge of the road easement or, in the case of a flag lot, fifty (50) feet from the front property line. When new homes, remodels and additions are proposed in established neighborhoods, the Architectural Committee, in its discretion, may require the front yard setback to be greater than 50 feet and shall consider all relevant factors including, but not limited to, the Prevailing Setback in the neighborhood. If the rear lot line abuts a street, the minimum rear yard setback for all structures shall be not less than fifty feet (50') from the edge of the street easement.

The Prevailing Setback shall be determined as follows:

- 1) Measure the front yard setback of the four (4) properties adjacent to the subject property (the two properties on each side of the subject property). The setback measurement shall consist of the shortest distance between the roadway easement/front property line and the closest edge of the footprint of the main residence. For purposes of this computation, adjacent properties that are unimproved shall have an assumed front yard setback of fifty (50) feet.
- 2) Divide the total setback of the 4 (four) adjacent properties by 4 (four) to determine the prevailing front yard setback for the subject property.

In the event there are fewer than two (2) properties adjacent to one or both sides of the subject property, the Architectural Committee may designate alternate neighboring properties to be used in the above calculations. The setbacks of the adjacent properties must be documented on a certified survey, stamped and signed by a licensed surveyor. The survey must identify the adjacent properties and show their existing front yard setbacks, as well as the subject property, in no less than 1"=40'-0" scale.

c) When the side yard abuts a street (road) easement, the setback shall be twenty-five (25) feet from the edge of the street (road) easement. The side lot line for corner lots shall be deemed to be the road easement line. This section applies to both main and accessory buildings as well as swimming pools, measured from the perimeter of the bond beams, mechanical equipment and tennis courts.

d) On ridge lots or lots with a pronounced down slope, the setback of a building from the top of a slope shall be equal to the height of the vertical wall of the building.

e) When a lot has frontage on two streets, the Architectural Committee may allow the owner to determine that the front yard setback may be on the street that is not the legal frontage.

f) Allowable Encroachments Within Setbacks:

- 1) The following is a list of items, which maybe placed within a required setback, up to the discretion of the Architectural Committee.
- 2) Solid walls (retaining or freestanding) three feet (3') or less in height, as measured to the lowest adjacent finish grade, may encroach to within 15 feet of a side or rear property line. The cumulative total vertical height of multiple walls shall not exceed 3 feet in height.
- 3) Solid front yard retaining walls 2 feet (2') or less in height, as measured to the lowest adjacent finish grade, may encroach into the front yard setback. The Architectural Committee shall determine that they are required, due to the topography of the lot, to construct driveways, walkways and/or control drainage and erosion. The cumulative total vertical height of multiple walls may not total more than 2 feet in height.

- 4) Pilasters are allowed within front yard setbacks provided they are built in accordance with section IV.9(c) of the Architectural Standards. All types of open fencing (less than six feet in height), maybe placed within side and rear yard setbacks including 3-rail, chain link, wrought iron and/or metal pipe fencing for reasons such as corrals, swimming pool fencing etc. Within the front yard setback, the only fencing allowed is the required 3-rail type. No solid walls or fencing, except as allowed above, maybe placed within setbacks.
- 5) Gateway or archway structures at driveways may be built in accordance with section IV.9 (f) of the Architectural Standards.
- 6) Driveways, flatwork on grade i.e. walkways, patios, pool decks, etc. are allowed within setbacks provided lot coverage does not exceed 35 % as specified in section IV.12 of the Architectural Standards and is not placed within any easements.
- 7) Architectural projections such as cornices, eaves, belt courses, fireplaces, sills and other similar features may extend or project into the required setback not more than 4 feet.
- 8) Air-conditioning units or mechanical equipment, when attached to a main building, may encroach into the side or rear yard setback not more than 4 feet, provided it is permanently screened with a wood or masonry fence (no pool equipment is allowed within the setbacks).
- 9) An uncovered porch, platform, deck or landing place at or below the elevation of the first floor and above grade may extend or project into any front, side or rear yard setback not more than 10 feet (10').
- 10) Fountains may be built within front yard setbacks provided they are sized appropriately for the yard.
- 11) Bridges may be built within front yard setbacks provided they are sized appropriately for the yard and do not exceed 15 feet in length. Railings may not exceed 3 feet in height and shall appear open.
- 12) Sculptures may be installed within required setbacks provided they are sized appropriately for the yard.
- 13) Nothing except for plantings (no trees), is allowed within the ten (10) foot perimeter easement without approval of a License Agreement by the Board of Directors.

21. Signs/Mailboxes.

- a) No billboard, poster or sign of any character shall be erected, maintained or displayed, except for security signs which shall be behind the front fence and name signs as described below. There may only be one (1), one square foot security sign, at each driveway and placed behind the easement line.
- b) Upon Committee approval of architectural plans for the first main dwelling to be constructed upon a lot, and upon payment of Association fees, a Committee- approved address sign and mail box will be provided and installed by the Association. The subsequent maintenance, repair, and replacement of the address signs and mail boxes shall be the responsibility of the resident or future resident. The address sign, which must be ordered through the Association office, shall be mounted on a 4" X 4" white post located 12" in front of the 3-rail parkway fence. The bottom of the address sign shall be 15" in height from the ground and should be visible from the road. Future replacement of the address sign shall not deviate from the Committee-approved standard address sign. Where necessary to identify access to stables, corrals, or the front of a house which is not located on the legal frontage, two name signs may be permitted.
- c) All mailboxes shall be Committee-approved and painted white, and shall be mounted on a 4" X 4" post, also painted white in color. According to postal regulations, the top of the mail box shall not exceed forty-five (45) inches above grade and the mail box shall be located fourteen (14) inches from the edge of the paved road.
- d) Address signs and mail boxes shall be on separate posts, and posts shall be maintained in a vertical position. No numbers shall appear on the outside of the mailbox or on the post.
- e) One inconspicuous twelve (12) volt light for the sole purpose of illuminating the address sign is permitted provided this lighting meets the following Standards:
 1. It is mounted at the bottom of the sign.
 2. Wiring leading to the light is buried underground.
 3. The wattage of the light shall not exceed fifteen (15) watts.
 4. Only clear non-colored bulbs are permitted.

22. Storm Drains.

No obstruction, diversion, bridging or confining of the existing channels, through which surface water in time of storm naturally flows upon or across any lot or building site, shall be made by any owner in such a manner as to cause damage to other property except that any existing channel may, with the approval of the Committee, be diverted, bridged, confined or reconstructed, or a new channel constructed provided said new channel, diverted, bridged or reconstructed channel, is adequate to carry the amount of storm water. In addition, no rubbish, debris, silt or vegetation which obstructs the flow of surface water through said channel shall be allowed to accumulate.

23. Swimming Pools.

a) Above-ground pools are not allowed.

24. Pool Fences. Pool safety fencing shall be of chain link, wire mesh or wrought iron. Fence openings shall not exceed four (4) inches wide. The fence height shall be a minimum of five (5) feet and a maximum of six (6) in height. Pool fences may be combined with wood three-rail fences when installed in accordance with this section. Pool fencing shall have a self-closing, automatically latching gate, with the latch a minimum of five (5) feet above ground.

a) When a pool and a trail are present on the same property, pool safety fencing may be placed on the outside of a 3-rail fence adjacent to a trail, provided the following conditions apply:

1. The 3-rail fence height is increased to five (5) feet.
2. The chain link pool safety fence is held to a minimum of 1" below the top rail of the 3-rail.
3. The chain link is attached with staples with no exposed hardware, brackets or bolts facing the trail.
4. The chain link is either galvanized or white in color.

25. Tennis Courts.

a) Tennis courts shall be located in the rear yard as approved by the Committee and be a minimum of twenty-five (25) feet from the property lines.

b) No tennis court lighting is permitted.

c) All tennis court windscreening shall be of open mesh type and must be approved by the Architectural Committee and be properly maintained.

d) Tennis court fencing shall not extend more than ten (10) feet in height. Tennis court fencing may require landscaping, as determined by the Committee.

e) Tennis/sport courts may not be located on steep slopes, sides or bottoms of canyons.

f) Neither the court nor the landscaping required by this subparagraph shall interfere with the view of the owners of property in close proximity to the proposed court.

g) Each court must have a minimum three (3) foot wide clearance on all sides for the maintenance and planting of landscaping.

h) An adequate drainage system must be incorporated into the overall plan of the court.

i) If grading is required for the construction of the court, a grading plan is required (see "Grading," above). Approval may not be granted for the construction of a court which requires excessive grading.

26. Trails.

a) Any improvements in any easement require approval by the Architectural Committee and the Equestrian Services Committee, and a license agreement from the Board of Directors, except that plant materials with trunks less than six (6) inches in circumference at maturity and fencing may be placed in the side yard easements with Architectural Committee approval provided that such plantings and/or fences shall be removed at the owner's expense if the Equestrian Services Committee elects to utilize the easement.

b) No obstructions shall be placed in the trail easements other than public utility poles.

c) Use of an established trail by vehicles, dumpsters or construction equipment at any time is strictly prohibited without an Encroachment Permit from the Architectural Committee. When use of a parkway or bridle trail is permitted, the parkways or bridle trails shall be repaired to first class condition at the completion of the job. A deposit

will be retained by the Association for any use of the bridle trails to ensure this work is completed to the satisfaction of the Equestrian Services Committees.

d) There shall be no open drainage ditches or surface drainage pipes across any road or bridle trail easement. Any drainage system that crosses a road or bridle trail easement must be so designed that it is below surface. An Encroachment Permit is required from the Architectural Committee, and an Easement and Maintenance Agreement must be obtained from the Board of Directors for such work. The Easement and Maintenance Agreement shall be recorded against the property and shall be binding upon all future owners.

e) The dumping of manure or any other material on bridle trails is prohibited by the Association and the Los Angeles County Fire Department.

27. Use of Property.

No portion of a property shall be used for any purpose other than for a single family dwelling, and under no circumstances shall any portion of any property be used for multi-family dwelling or commercial purposes.

28. Utilities.

For new construction, all electrical, telephone and other utility lines shall be installed underground.

29. Vehicular Storage.

No motorized vehicles (automobiles, recreational vehicles, tractors, etc.), trailers (travel, horse, vehicle, boat, etc.), or boats (power, sail, or manual) shall be stored on any portion of a property unless resting on a driveway or paved area. Additionally, recreational vehicles, tractors, commercial vehicles (exempting pick-up trucks and/or vehicles designed with the primary purpose of towing horse trailers), and trailers other than horse trailers shall not be stored in the front yard and/or side yards adjoining a roadway or private driveway. For new or substantial construction approved after July 1, 1997, side or rear yard storage for horse trailers shall be provided as well.

30. Security Cameras.

a) Security cameras attached to approved structures shall be mounted to be as inconspicuous as possible. Cameras shall not be mounted above the eaves. Cameras may not be mounted to roof structures or chimneys nor to poles attached to buildings above the eave line. Committee approval is not required for cameras attached to said buildings meeting the above requirements.

b) Any Security Camera not attached to approved structures requires Committee review and approval. Security Cameras may be mounted in established trees on a property or on poles installed for mounting the cameras. Camera placement should be as inconspicuous as possible and every attempt shall be made for the installation of poles and cameras to blend in with the surrounding landscape. The Committee shall review the aesthetics and the locations of the proposed camera installations including but not limited to the size, height, material and color of the poles as well as the color of the cameras. Cameras mounted on poles shall be a maximum of 6' above finish grade.

c) Security cameras' field-of-view shall be directed so it does not unreasonably infringe on the privacy of surrounding homes

d) The Association retains the right to view the recording field-of-view of the cameras to ensure the privacy of surrounding homeowners is protected. Inspections may be carried out, upon a mutually agreed appointment, by the Association staff, board members or agents hired by the Association.

e) There will be no fees for the review and approval of proposed Security Cameras.

f) The Committee will make every effort to expedite the review and approval of proposed security cameras and may make such approval outside of the scheduled monthly meetings.

V. MAIN BUILDING AND ACCESSORY BUILDING DESIGN.

Creation of a new home or the remodeling of an existing home should start with the preconception that living in Hidden Hills is a way of life. Fundamental to the community philosophy is a resolute determination to preserve and enhance the feeling of openness and rustic country atmosphere with distant views, deep setbacks, wide side yards and dwellings pleasantly compatible with hills, valleys and horizon.

In order to avoid unnecessary revisions of final plans, it is suggested, though not required, that the architect discuss informal schematic plans with members of the Architectural Committee and Department of Building and Safety. The schematics should address the matters of site development, the design of the building, area and height, hardscape, etc. Additionally, building elevations for new residences or additions to an existing residence shall be designed to minimize the second floor visual impacts as much as possible and retain the open rustic country feeling. Elevations shall be designed to soften the vertical plane. Designers can achieve this by using a combination of second floor offsets, (e.g. first floor and second floor are offset horizontally) and roof lines, up to the discretion of the Architectural Committee. The intent is to preserve open space, light and ventilation between dwellings, as well as soften the visual qualities of homes in Hidden Hills.

The type and design of every new residence remodel or addition must be such kind or type as will, in the opinion of the Committee, be appropriate to its site, harmonize with its surroundings, and not be in conflict with neighboring improvements for which designs have been previously approved. Such type or design shall be architecturally compatible with the equestrian rural style of Hidden Hills. As each property in Hidden Hills is unique, each new residence, remodel or addition will be addressed individually. The granting of License Agreements and Variances for new construction is strictly discouraged.

No accessory or other building or structure shall be erected, constructed, maintained upon any building site, lot or parcel prior to the erection or construction of the main building thereon.

1. Attics.

Attics shall not be occupied or remodeled to be occupied or used other than housing mechanical equipment. Attics shall have louvered and screened openings as required by code.

2. Balconies.

Balconies are allowed only if they are integral to the architectural style, and extend not more than six (6) feet from the first floor line. If the second floor line is offset to allow a deeper balcony this portion shall be roofed. Roof decks are not permitted unless covered by a roof of standard construction and are constructed to the same standards as balconies.

3. Breezeways.

Breezeways shall not exceed eighteen (18) feet between main building and garage or accessory building, and the width of the roof eave to eave shall be a minimum of ten (10) feet. Breezeways shall not be used to store vehicles.

4. Building Heights.

The building height envelope, within City's R-1 and RA-S Zones shall be as follows:

- For roof ridges less than 65 feet from the front yard property line or edge of the roadway easement (for those lots fronting roadways established by easements) the maximum height of the roof ridge shall not exceed 26 feet. In addition, the building height cap shall not exceed thirty (30'). **(please note that this is the current limitation)*
- For roof ridges between 65 and 75 feet from the front yard property line or edge of the roadway easement (for those lots fronting roadways established by easements) the maximum height of the roof ridge shall not exceed 28 feet. In addition, the building height cap shall not exceed thirty (32').
- For roof ridges 75 feet and greater from the front yard property line or edge of the roadway easement (for those lots fronting roadways established by easements) the maximum height of the roof ridge shall not exceed 30 feet. In addition, the building height cap shall not exceed thirty four feet (34').

5. Carports.

Carports are not permitted.

6. Decks.

Decks shall not be higher than five (5) feet above finish grade. Decks which are higher than two (2) feet above finish grade shall be closed from their under surface to grade. Decks shall not be of excessive size.

7. Demolition.

Demolition of any structure requires Committee approval. Demolishing the main buildings while accessory buildings remain may be permitted by the Architectural Committee.

- a) Safety fencing must be erected during the demolition and must remain until the site is graded.
- b) The demolition must proceed in a diligent and continuous manner until completed.
- c) If demolition is proposed prior to the approval of new house plans, a performance bond shall be posted in an amount equal to 1.5 times the cost of the complete demolition project.
- d) Existing homes shall be completely demolished prior to the commencement of construction of the new home.

8. Garages.

Each residence shall have a fully enclosed garage above grade with a minimum capacity of two (2) vehicles with minimum dimensions of 20'x22'. The garage opening shall be oriented at least 90 degrees to the legal frontage. Where the legal frontage is a curve, the opening shall be at least 90 degrees to the secant connecting the points of the side lot lines with the legal frontage. No garage shall be closer to the front lot line than the legal established front setback. On a corner lot or a flag lot the Architectural Committee shall determine the orientation of the garage doors. Basements or basement garages are allowed provided that the floor shall be a minimum of six (6) feet below the adjacent finish grade.

Garages shall be sited to provide a minimum of twenty five feet of back up space to any easement.

9. Massing.

The architectural design for two story homes shall limit the second floor massing as viewed from adjoining roadways and neighboring homes. Accordingly, the majority of the second floor mass should be oriented toward the rear of the home and away from the front yard (street view).

10. Maximum and Minimum Square Footage.

Plans for all new residences shall provide minimum dwelling area, exclusive of garage, porches and terraces, as follows:

- a) New residences must be designed to fit the lot, and therefore each lot will determine the maximum square footage of the main dwelling.
- b) Single story main dwellings shall contain a minimum dwelling area of two thousand one hundred (2100) square feet.
- c) Two story dwellings shall contain a minimum dwelling area of two thousand eight hundred (2800) square feet.
- d) The outline of the second floor including all projections, chimneys etc., excluding balconies shall not exceed 50 % of the first floor foot print including attached garages, covered porches, breezeways etc. Any portion of the building with finished ridgelines over 18 feet shall be considered part of the second story.
- e) The dwelling area of Guest Houses shall not exceed 1200 square feet, inclusive of attached solid roofed patios and garages.

11. Porte Cocheres.

Porte Cocheres shall have the same dimensional restrictions as breezeways and shall not be used for the permanent storage of vehicles.

12. Roof Design.

- a) No more than 50% of the total roof ridge, including garage if attached, can exceed 18 feet. When calculating the percentage of roof ridge above 18 feet, ridge lines below 18 feet and less than 7 feet in length extending over dormer windows will be excluded. The horizontal junction of a first floor roof with a second floor wall will be considered a roof ridge if the first floor exterior wall is displaced from the parallel second floor exterior wall by a minimum of six (6) feet.
- b) The slope of all roofs shall be a minimum of 4 in 12 (i.e., four (4) inches vertical rise to twelve (12) inches horizontal run). Flat and false mansard roofs are not allowed, except on trellises, patios, arbors or other decorative structures where the roof is of open construction and the combined area of the spaces between the wood members is fifty (50) percent or more of the total surface area.

- c) Roofs over accessory buildings and other structures shall be Class “A” material (see below) and shall be compatible in appearance to the roof on the main building.
- d) Shed roofs are not allowed on Complete structures. Partial, Shade or Ornamental structures, such as shade structures for horses, patios, etc., may be covered by a shed roof. The minimum slope of such shed roofs, however, shall be 4 in 12 (4" vertical rise to 12" horizontal run).

13. Roof Material.

- a) The primary roof materials for homes in Hidden Hills shall be faux wood shake, slate, faux slate, or two-piece clay tile (barrel or Roman pan). Requests for alternate materials will be considered on a case-by-case basis. The colors for roofs shall be subtle; no large variations in color or high-contrast roof material will be permitted. Roof material shall be scaled to fit the structure. All material must be Class A. Wood shakes, even those rated Class A, are not allowed except as provided in 13.b, below. Composition single roofs are not permitted.
- b) Wood shake roofs are not allowed, except for the repair of an existing roof. If a roof repair, addition or alteration exceeds 50 square feet of area, including cumulative repairs over a 12-month period, the entire roof covering shall be made to conform to the roof covering requirements of a new building or structure as described above. Class A material shall be used in all wood shake roof repairs.
 - i. Accent Roofs. In keeping with the custom nature of the homes in Hidden Hills, and in the interest of good architecture/aesthetics, limited use of accent roofing material may be approved for use on a main residence or accessory structure. Accent materials and colors should be historically accurate and limited in area. Accent materials may include, but are not limited to, standing seam metal roofs or corrugated tin, and must be patinaed or coated with a matte finish
 - ii. Accessory Structure Roofs. Accessory structures shall be roofed with materials architecturally/aesthetically consistent with the main residence, as determined by the Architectural Committee. Depending on the use and location of the accessory structure, the use of accent roof material on the entire roof may be approved

14. Subterranean Structure(s)

A subterranean structure shall be fully below the existing grade of the site with the possible exception of a limited portion of the structure as required to gain access to the building, and/or light wells as required for light and ventilation. The structure may be attached to other above grade structures on the property. The structure shall have a flat roof topped with soil and landscaped such that when completed no visible change to property shall be apparent. No portion of a basement or subterranean structure shall extend into requires setbacks or be counted toward the first floor footprint for the determination of the allowable square footage of the second floor.

In considering the project for approval the Architectural Committee shall consider all aspects of the project paying special attention to the quantity and aesthetic impact of the proposed grading.

15. Special Structures.

The Architectural Committee may allow “special” structures. The proposed structures shall be limited as follows:

- a) The structure must be less than 200 sq. ft.
- b) The use of the structure must by its very nature, be impractical or impossible to meet the Architectural Standards. i.e a chicken coop or greenhouse.
- c) The Architectural Committee shall consider the location and visibility of the structure as viewed from roadways and neighboring properties
- d) The maximum height of the structure shall be 18-feet
- e) The structures aesthetics shall be subject to the Committee’s approval

16. Temporary Structures.

Temporary structures shall not be constructed without Architectural Committee approval. If approved appropriate conditions may be imposed by the Committee, including the time of removal of the temporary structure.

17. Children’s Play Houses and Play Structures.

Children’s play equipment, including but not limited to swing sets, jungle gyms Children’s play equipment, including

but not limited to swing sets, jungle gyms, slides and playhouses, may be placed in the rear side yard or rear setback of a building site given the following:

- a) Play equipment that does not have a roof, i.e., a swing set or similar equipment, shall not exceed 10' in height.
- b) Play structures that are roofed shall not exceed 6 feet in height as measured from the adjacent grade.
- c) The structure shall be placed in such a way as to be as unobtrusive as possible to neighboring properties.
- d) No foundation or other permanent attachment to grade is permissible.
- e) The structure shall not exceed 120 square feet in area, as measured to the outside face of all walls or other supporting structures.
- f) The structure shall not be placed closer than 5 feet to the rear or side fences.
- g) Multiple play structures are not permitted to be located in the setbacks. If additional structures are desired, they must conform to the Standards for all other structures.

18. Nonconforming Properties.

When a proposed addition/alteration is defined as a "Major Addition/Alteration., the property owner shall be required to bring all aspects of the property into conformance with current Architectural Standards. Minor Additions/Alterations may trigger the requirement to bring the property into compliance with the current Architectural Standards if the project involves modifying areas of the property not in compliance.

19. Cumulative Approvals.

When two or more applications for minor alterations/additions have been submitted within a 24 month period, and the combination of the previous work and the current, proposed work (taken together) would be defined as a Major Alteration/Addition, then the Current proposed work shall invoke the requirements of a Major Alteration/Addition.

VI. CONSTRUCTION STANDARDS.

1. All work shall proceed with diligence. If, in the Committee's opinion, work is not proceeding diligently, a Certificate of Violation may be recorded against the property.
2. During the construction period, the premises shall be kept free from scraps, rubbish, paper or other debris and there shall be no burning on the premises. All loose trash and building materials shall be collected on a daily basis and placed into containers with closeable lids. Open roll-off containers shall be fitted with tarps or netting to prevent loose trash from being blown away by the wind.
3. Excess accumulation shall be determined by the Architectural Committee. Temporary sanitation facilities shall be placed so as to present the least objectionable condition to the neighbors on all sides. Screen planting (fencing or plant material) may be required by the Committee when deemed appropriate.
4. All vehicles related to any aspect of the project shall be parked on the Building Site or in the parkway directly in front or on the side of the Building Site, only. Vehicles shall not park in the street, on any trail, or in front of any neighboring properties. It is strongly encouraged that owners and contractors make arrangements for their workers to park outside of Hidden Hills and carpool to the construction site. If parking on the Building Site or immediate adjacent parkway is not possible, an Encroachment Permit may be requested from the Association office, which may or may not be granted, to park in other common areas for a period of not more than two (2) weeks.
5. With the exception of minor additions and remodels, no building or structure shall be occupied during the course of original construction until a final inspection is made and a certificate of completion is issued. No house trailers, campers or motor homes shall be used for occupancy at any time, except that the posting of a temporary guard in a mobile home or trailer for the protection of a building under construction and the materials used therefore, is permitted with Architectural Committee approval for a period not to exceed twelve (12) months.
6. A chain link security fence must be erected during construction when the residence will be unoccupied for more than one month. It is highly recommended that security precautions be taken in order to minimize the possibility of vandalism to a vacant construction project. Such precautions might include posting a temporary guard on site or installing motion detection lights.

7. No work is permitted on Saturdays, Sundays or Holidays (as identified in the Gate Operations Manual).

VII. PROCEDURE FOR FILING PLANS.

1. All plans presented for approval shall have a "Scope of Work Statement". The "Statement" shall take the form of an itemized list describing the work proposed by the owner and shall be located on the first page of the plans.

2. Schematic or Preliminary Plans. Prior to preparing full architectural plans for any project in Hidden Hills, Owners and designers are strongly advised to discuss their projects with the Architectural Consultant and to submit schematic or preliminary plans to the Architectural Committee.

3. Application. All plans submitted for approval, including schematic plans, must be accompanied by a completed application and submittal fee. The application form shall include the name of the Owner, address of the property and the name, telephone, and fax number of the architect or designer who prepared the plans.

4. Plan Specifications. Except for Consent Items, plans shall be submitted on paper whose size shall be a minimum of sixteen by twenty-four inches (16" x 24") and a maximum of thirty by forty two inches (30 x 42).

a) **Initial Submittal.** One (1) set of plans shall be submitted with the application and fee. This set of plans shall be plan checked by the consultant to the Architectural Committee and corrections shall be faxed to the architect/designer. Changes/corrections shall be incorporated into the final submittal set.

b) **Final Submittal.** Once all corrections are made and incorporated into the plans, three (3) sets of plans shall be submitted for review and approval by the Architectural Committee.

5. Submittal Deadlines. The Architectural Consultant shall have twenty (20) working days in which to reply to any submitted plans. Once the Architect Consultant determines that a submittal is complete, the plans will be forwarded to the Architectural Committee for review. The Architect Consultant will notify the applicant, not less than ten (10) working days before the meeting, when their application will be added to the Committee's meeting agenda.

6. Plot Plan / Site Plan. A plot plan or site plan is required for all projects except Consent Items. Plans must be drawn accurately to scale. Additionally, the Committee may require that the site plan be drawn on an architectural, topographic survey prepared using a current title report for the Property. The survey/site plan shall show existing and proposed finish grades with two (2) foot contours if existing grade is less than 20%, otherwise five (5) foot contours, of all areas which are affected by grading. If additional contours are needed to describe the proposed grading, they shall be furnished to the Committee. If a survey is required by the Committee the survey must be wet signed and wet stamped by a surveyor or civil engineer. The site plan / plot plan shall show the following:

- a. Property lines and dimensions;
- b. Topography;
- c. Roads, driveways, easements and bridle trails;
- d. Terraces, pools, sport courts and all paved areas;
- e. Building plan outlines and the site areas requiring work;
- f. All existing and/or proposed structures, including pool equipment, air conditioning units, fountains, fences and service yard areas;
- g. Setback dimensions from all property lines;
- h. Locations and heights of all walls;
- i. Surface drainage pattern and any known flood or waste drainage hazards;
- j. Other information and or documents required by the Committee.

7. Grading Plans. Grading plans are required if the building project incorporates grading, as defined by Standard III.28A, of more than 50 cubic yards. Pursuant to Standard IV.10.(2)(b), excavation for swimming pools and spas shall not constitute "grading" within the meaning of this Standard. Grading applications shall be reviewed for compatibility with surrounding properties ("lots"). Grading (including Drainage Plans, see Standard III.28A) shall comply with the following requirements:

- (a) Name and address of property owner(s).
- (b) Name and phone number of responsible owner's agent.
- (c) Job address for each site including off-site areas (if applicable).
- (d) Name, address and phone number of civil engineer responsible for grading plan.
- (e) Name, address and phone number of soils engineer or geologist responsible for the approved reports.
- (f) Earthwork quantities in cubic yards for excavation (cut) and fill
- (g) Proposed import/export quantities.
- (h) Removal/recompaction quantities (for balancing on site).
- (i) Plans shall be drawn to scale, be legible, and be not less than 1' =20',
- (j) Existing and proposed grading contours
- (k) Top of wall elevations
- (l) Finish grade elevations
- (m) Drainage plans with surface and invert heights for all drainage structures
- (n) Association-approved drainage devices and details for drainage across the parkways

8. Landscape Plans. For all new structures, and when revisions to an existing home include changes to landscaping and walkways, a complete landscape plan shall be provided. The plan shall include the following:

- a. Plant material, common and Latin name;
- b. Location and size of the proposed plant material;
- c. Patio, walkway, wall, and pillar plans and elevations;
- d. Drainage plans.

9. Floor Plans. Building floor plans, showing all exterior dimensions and room uses, shall be provided in ¼ " = 1'-0" scale.

10. Elevations. All elevations of the building or structure shall be provided and shall clearly show all exterior materials (including the orientation of all materials), color, texture and roofing materials. The height of the ridges shall be clearly indicated. A color board not larger than 8 1/2 x 11" shall be submitted showing all of the exterior colors, materials, and textures. All items on the color board shall be cross-referenced to the plans by numbers. The Committee has the right to require a perspective drawing if, in its opinion, the building design is not clearly shown on the plans. Notwithstanding the foregoing, any materials, colors or textures not specifically called out on the plans and clearly shown in the elevations shall not be deemed approved.

11. Roof Plan. A separate roof plan showing the length of the ridges, the height of ridges above finished approved grade, overhangs and other features shall be included, as well as a calculation showing the ratio of the higher to the lower ridge length.

12. Calculations. Calculations of the net lot area, dwelling area, ground floor footprint, second floor area, percentage of roof ridge exceeding eighteen (18) feet (including attached garage) and hardscape coverage shall be shown on the plans.

13. Survey. A certified lot survey, with permanent markers set on the property when an application for grading and/or main dwelling is submitted. A survey is also required for remodel and/or addition projects when a certified lot survey has not been completed within two (2) years from the date of submittal, when a variance application has been submitted, or if the Architectural Committee has reason to believe non-approved structures or improvements have been made to the property. Notwithstanding the above, a survey may be required at the discretion of the Architectural Committee.

14. Story Poles. On new home construction or major remodels, story poles, and/or the perimeter of the structure may be required to be marked on the ground with chalk for viewing by the Committee members before the project is officially discussed at a meeting.

15. Violations. No plans will be accepted for review, or approved by the Architectural Committee if, at the time set for review or approval, the owner is in violation of any governing documents including any delinquent assessments, violations (cited and or revealed by site inspection), charges or penalties against the Subject Property or other properties that the owner may also own within the Hidden Hills Community Association.. Notwithstanding the foregoing, if there are any existing violations of the Governing Documents on the Property at the time of submission of plans, either (i) the plans must set forth the steps to be taken to correct the pre-existing violation or (ii) there must be an agreement in place between the Owner and the Board of Directors outlining how and when the violations will be corrected.

16. Variances/Grading Review. For applications to the Board for Architectural Variance(s) and/or applications to the Board for grading 500 cubic yards or more, the Owner is required to notice the surrounding neighbors. Accordingly, applications for Architectural Variances and Grading Review must include an accurate list of the names and addresses of all property owners within 500 feet of all external boundaries of the subject property, along with a copy of the assessor's map showing the 500-foot line and mailing labels for all of the affected owners. Additionally, when variances are requested, the Board may require the location of the improvements shall be staked out on the property at least Ten (10) days prior to the hearing date.

17. Consent Items. Submittal for a consent item requires a sample of the material or brochure with color indicated. Consent items may be submitted until close of business the Friday prior to a meeting

18. Input from Consultant / Architectural Committee. During the approval process, the Architectural Consultant and/or members of the Committee (or the Board in the case of an Architectural Variance) may provide guidance, direction, and/or advice to the Owner or the architect/designer. These actions do not imply approval and shall not be binding upon the Committee, or, in the case of an Architectural Variance, the Board.

19. Decisions of the Architectural Committee. Decisions must be made by the Architectural Committee on all applications (except discussion items and Architectural Variances, the latter of which must be approved by the Board in writing) within 30 days of the date of the Architectural Committee meetings in which the applications are reviewed. Decisions shall be memorialized in the official minutes of the meeting unless the decision was made outside of a regular meeting, in which case, pursuant to Article IV, Section 4 of the Declarations (CC&R's), the Architectural Committee may render its decision in the form of written Certificate of Decision signed by at least two members of the Committee.

20. Appeal. If an application is disapproved by the Architectural Committee, the Owner is entitled to reconsideration by the Board of Directors in an open Board meeting.

21. Approved Plans. Plans are not deemed to be approved unless and until (i) they have been granted approval by a majority vote of the Architectural Committee and (ii) they have been stamped with the Association's approval stamp and signed by two members of the Committee. Only items highlighted by revision clouds on the plans and included in the scope of work are a part of the approval. Items not highlighted and included in the scope of work list are expressly NOT approved. In other words, there is no such thing as an inadvertent approval by the Architectural Committee. Once the plans have been granted approval by a majority vote of the Architectural Committee, four (4) sets of plans shall be so stamped. All four sets of plans shall also be signed by the Owner or Owner's agent. Two sets of plans shall be returned to the Owner/agent upon payment of the applicable fees, and two (2) sets will be retained in the permanent file of the Architectural Committee.

It is the Owner's obligation to deliver the stamped plans to the Department of Building Safety for a building permit. Any Architectural Variance included in the Plans shall not be deemed approved unless or until they have been approved in writing by the Board, and signed by at least two Board members. In other words, there is no such thing as an inadvertent approval of an Architectural Variance by the Board.

VIII. ENCROACHMENT AND/OR ROADWAY PERMITS.

1. General. An Encroachment Permit shall be obtained from the Association for all work within roadway and trail easements including but not limited to the use, modification, rehabilitation, reconstruction or construction of a street, driveway approach, utility lines and services on roads, trails and/or appurtenant facilities including the dirt parkway. Such work shall be performed in accordance with the standard specifications and HHCA Standards. The HHCA shall inspect the work for conformance with the requirements as set forth. A permit shall be obtained from the HHCA to use the paved roadway and/or parkway to store construction materials, construction equipment, debris, trash, trash containers, dirt, construction office, gunite equipment, concrete and plaster mixers and other materials and equipment associated with construction, repairs, remodel maintenance and other similar uses. Encroachment permits are also required for all work within an Association easement., including but not limited to trenching in parkways, trails and roadways for utilities as well as use of an Association easement for the storage of bins or building materials

2. Standards. The Standard Specifications for Public Works Construction of the Southern California Chapter American Public Works Association and Southern California District Associated General Contractors of California, Joint Cooperative Committee 1994 Edition, and all applicable Hidden Hills Community Association (HHCA) Standards are the standard specifications for public works type construction under the review of the HHCA. Standard details are available for excavation/trenching, parkways, parkway drains and driveway approaches.

3. Insurance Coverage Requirements. Prior to issuing an Encroachment Permit, Owners must pay the applicable fee(s) as well as evidence of insurance as provided below:

- a. Certificate of Workers Compensation for all contractors.
- b. Certificate of Liability Insurance naming the Association as additionally insured for all work being done on the Property.
- c. Minimum Coverages:
 - \$1,000,000 - Bodily injury for both general liability and auto liability
 - \$ 300,000 - Property damage for general liability
 - \$1,000,000 - Property damage auto liability

IX. VARIANCES.

When any proposed improvements (regardless of whether related to new construction or the remodeling of existing improvements) cannot be designed so as to conform to the Standards, an owner may apply to the Board for An Architectural Variance from the Standards. An Architectural Variance may be granted solely by the Board. The Architectural Committee shall not have the authority to approve Architectural Variances. A serious hardship must exist, and it must be demonstrated that all possible alternatives have been explored. Input will be solicited from the Committee and from neighbors within 500' of the subject property, this input will materially affect the decision to approve or deny a Variance. However, Variances are issued solely at the discretion of the Board. Architectural Variances are not the same as City Variances. Some Architectural variances may also require a variance from the City of Hidden Hills. Therefore, it is advisable to review preliminary plans with the Board as well as the City's Planning Department. In such a case that variances are required from the Board and the City, it is recommended that plans be submitted to the Board first. However, approval of an Architectural Variance by the Board does not guarantee that the City Variance will be approved.

1. Applying For a Variance. When applying for a variance, a Hardship must be demonstrated. In order to demonstrate a Hardship, the following must be true:

- a. The condition of the Building Site is a unique circumstance peculiar to that Building Site and not to general neighborhood condition;
- b. The proposed use / variance will not alter the essential character of the area; and
- c. The condition was not created by the current owner of the Building Site.

X. TIME PROVISIONS.

1. One Year Time Limit to Commence. If any project is not *commenced* within twelve (12) months from the date of approval by the Architectural Committee, then the approval shall expire, and therefore be deemed null and void. The project will need to be submitted to the Architectural Committee as a new project and as such, must conform to the

most current Architectural Standards. Even so, re-approval is not guaranteed, as the project may no longer be aesthetically acceptable to the Architectural Committee. The Architectural Committee shall have the discretion to determine whether or not new fees shall be assessed for resubmitted projects.

2. Two Year Time Limit to Complete. If the proposed building or structure is not *completed* within twenty-four (24) months of the date of approval of the Architectural Committee, the approval shall be deemed to have terminated. An extension may be granted at the discretion of the Architectural Committee, however the Committee may require changes be made to the project as a condition of granting the extension. In the event a project is not completed within the deadline and an extension is not granted, the project will be deemed to be in violation of the Governing Documents. See the Association's Bylaws and Rules & Regulations for procedures regarding violations.

3. Grading Operations. Grading must be completed within 30 days of commencement of the work unless otherwise specified by the Architectural Committee or Board of Directors.

4. Correction of Violations. Notwithstanding the foregoing time provisions, any and all violations that exist on a Property at the time of approval shall be remedied within 30 days or as specified by the Architectural Committee. Failure to correct the violations within the time specified shall result in a Stop Work Notice being issued and a Board hearing being scheduled.

XI. FEES.

Other than the submittal fee, Architectural fees are payable upon notification of approval. If the fees have not been paid after sixty (60) days from the date of notification of approval, the approval shall become null and void and the project shall be considered abandoned. Deposits and bonds shall be released within 30 days of final inspection by the Architectural Inspector.

1. Submittal Fee.

a) The fee for all submittals for Architectural Committee approval (including Consent Items) shall be \$165. This fee is non-refundable.

2. Fees for Structures.

a) One dollar (\$1.00) per square foot of the footprint of the first floor plus the outline of the second floor.

b) One dollar (\$1.00) per square foot of the footprint of all accessory buildings, whether they be Complete Structures, Partial Structures, or Shade or Ornamental Type Structures.

c) Swimming Pools.

Three Hundred thirty (\$330) dollars each.

d) Sport or Tennis Courts.

Five Hundred fifty (\$550) dollars each.

e) Spas (not being installed as a part of and concurrently with a swimming pool).

One Hundred and sixty five (\$165) dollars each.

f) Driveway Pillars.

Thirty three (\$33) dollars each.

3. Fees for Grading.

a) **Grading Review.** Five Hundred (\$500) dollars for applications which include more than 500 cubic yards of combined grading.

b) **Grading Fee.** Fees shall be based on the combined amount of cut and fill for the proposed project and shall be subject to the following fees:

- 1 to 3,300 cu. Yds. Fifty five (\$.55) cents per cubic yard or a minimum fee of one hundred ten (\$110) dollars
- 3,301 to 6,700 cu. Yds. Sixty (\$.60) cents per cubic yard
- 6,701 to 10,000 cu. Yds. Seventy (\$.70) cents per cubic yard
- 10,001 and up. Ninety (\$.90) cents per cubic yard

The above fees shall be the minimum fees charged. Major damage to the roads shall be charged the applicant at the repair cost to the Association.

c) Filling of cesspools shall be exempt from these charges.

4. Fees for Solar Heating (Pool, water, space heating).

\$55 each

5. Fees for Architectural Variance(s):

\$275 (1 or 2 Architectural variances on application)

\$385 (3 or 4 Architectural variances on application)

6. Fees for Roadway/Parkway Encroachment Permits:

Type of Permit Fee

Driveway Approach. \$130

Dumpsters. \$250

Parkway Drains. \$375

Excavation/Trenching. \$70 plus \$2.50/sq.ft.

Improvement Plans. Plan review- \$890 plus 8.9% of the first \$55,000 of the estimated construction cost; plus 7.2% of the next \$100,000; plus 5.3% thereafter.

Inspection. Inspection fee is \$810 plus 14.3% of first \$100,000 of the estimated construction cost; plus 12.3% of next \$100,000; plus 10.7% thereafter.

Issuance. \$95 issuance fee.

7. Fees for Copying Plans. If at a future date the owner of the property wishes to duplicate the file plans, the estimated cost of reproduction must be deposited with the Treasurer of the Association and a letter authorizing release of the plan to an established printing or duplicating company. The deposit will be refunded when the plans are returned to the Association and the owner will be charged the actual cost of printing or duplication.

8. License Agreement. Two Hundred and Fifty (\$275) dollars plus recording costs.

9. Deposits. To ensure compliance with the plan and completion of the project, the Architectural Committee may require a cash deposit. The Association shall hold the funds until the completion of the proposed work and final sign-off by the Architectural Committee. The funds may be used by the Association to offset costs related to enforce completion of the proposed work per the approved plan. Additionally, the funds may be used to repair damage to Association roadways/property caused by the proposed work or for the payment of assessed penalty fees. Deposits held by the Association shall not accrue interest.

a) **Deposits for Major Remodels/Additions and Grading In Excess of 500 cubic yards.** The deposit for Major Remodels/Additions and/or Grading in excess of 500 yards shall be five thousand dollars (\$5,000.00).

b) **Deposits for Minor Additions/Remodels.** The deposit for Minor Additions and/or Remodels with work valued in excess of \$15,000.00 shall be \$2500.00 (two thousand five hundred dollars).

c) **Deposits for Smaller Minor Additions/Remodels.** Minor Additions/Remodels and other projects valued at less than \$15,000.00 do not require a deposit.

Payment of Fees. Other than the submittal fee, Architectural fees are payable upon notification of approval. If the fees have not been paid after sixty (60) days from the date of approval, the approval shall become null and void and the project shall be considered abandoned. Deposits and bonds shall be released within 30 days of final inspection by the Architectural Inspector. All fees are non-refundable.

PENALTIES.

Penalties. The failure of an Owner to secure Committee approval and pay the aforementioned fees prior to the construction of any improvement will result in a penalty being assessed. The penalty shall be three hundred (300%) percent of the original fees for the project as specified above *added to* the original fees specified above. Furthermore, the Board of Directors for the Association may impose fines and/or sanctions pursuant to the Bylaws and Rules & Regulations.

XII. INSPECTIONS.

The Architectural Consultant shall inspect all properties for which plans have been submitted for Architectural Committee approval.

1. The Consultant will give twenty-four (24) hours notice to the owner before going onto the property.
2. The Consultant will inspect for the following:
 - a) Accuracy of plans submitted.
 - b) Any existing violations, including but not limited to unapproved structures, structures within easements or setbacks, drainage onto parkways or trails, missing or inappropriate fences or enclosures.
 - c) Compatibility of the proposed improvements with the neighborhood and/or lot.
 - d) General condition of the property and existing structures.
 - e) Existence of required trash enclosure.
 - f) A final inspection and approval will be conducted to insure that projects conform with the approved plans, the Architect Standards and the Communities CC&R's.
 - g) For Consent Items, the Consultant will not inspect the entire property, but will verify the compatibility of the proposed material with the neighborhood and existing structures on the property.

NOTICE: Portions of these Architectural Standards may be superseded by some sets of CC&R's and/or Preannexation Agreements, and may differ from City Codes